



East Midlands Housing Group

Domestic Violence Policy

1. Policy

1.1 General statement

1.1.1 The EMH Group is opposed to all forms of domestic violence and is committed to assisting its residents who are the victims of domestic violence.

1.1.2 The scope of the policy extends to all partner organisations within the Group, including:

- East Midlands Housing Association
- Foundation Housing Association
- Midlands Rural Housing
- Three Oaks Homes

1.2 Definition of domestic violence

1.2.1 Domestic violence is defined as any physical, sexual, emotional or economic abuse that takes place in the home between two individuals.

1.2.2 Although domestic violence is most commonly perpetrated by men on women in heterosexual relationships, it may also be perpetrated by women on men in heterosexual relationships and between gay and lesbian partners. It can also include violence between other family members e.g. by children on parents. This policy is intended to cover all instances.

1.3 Honour-related violence and forced marriages

1.3.1 Honour-related violence occurs when perpetrators believe a relative has shamed the family and the only way to redeem the family's honour is to punish or kill the relative. Crimes of honour are not restricted to one culture or religion but the majority involve South Asian families. There are strong links between such honour-related abuse and forced marriage.

1.3.2 Forced marriage is when one or both parties have not consented to the marriage. Often they are forced into the marriage by emotional pressure.

1.3.3 For the purpose of this policy people fleeing honour-related violence and forced marriages are regarded as victims of domestic violence.

1.4 Victim-centred approach

1.4.1 The EMH Group will adopt a victim-centred approach. This means that it will take all reports of domestic violence seriously and that a victim's report alone will be sufficient for them to be given advice and assistance as a matter of priority. However supplementary evidence will be required if rehousing is requested or if there are other serious resource implications. And this does not mean that the alleged perpetrator is immediately assumed to be guilty.

1.5 Confidentiality

1.5.1 Strict confidentiality will be maintained at all times although victims will be encouraged to allow the association to share information with other agencies (including the police and local authority departments) to ensure that the full range of remedies can be pursued. All information provided by the victim however will be treated with the utmost confidence and only passed on to external agencies with prior consent.

1.5.2 Within the EMH Group information will only be shared on a need to know basis. For example reception staff may need to be alerted if it is thought that a perpetrator may be trying to find the whereabouts of their victim.

1.5.3 In all circumstances, extreme care should be given to disclosing the forwarding address of any resident or applicant.

1.5.4 EMH Group staff will be provided with appropriate training relating to confidentiality and the need to demonstrate sensitivity in dealing with reports of domestic violence, harassment or other hate crime.

1.5.5 All personal data should be handled in line with the Group's Data Protection policy and should comply with requirements of Data Protection legislation and principles.

1.6 Support for victims

1.6.1 Residents who wish to report a case of domestic violence should contact their housing officer or any another member of staff who they feel comfortable speaking to. They may contact an appropriate support agency. We will:

- Provide victims of domestic violence with advice and support
- Contact the victim within 1 working day of receiving a complaint about domestic violence
- aim to visit the resident reporting a case of domestic violence within 2 working days

Agreement should be reached during any initial interview on appropriate future methods of communication, taking care not to endanger the victim by making contact in a way that might be inappropriate or prompt further violence.

1.6.2 Although the EMH Group is committed to supporting its residents who are victims of domestic violence it can only offer basic advice and assistance. It is unable to fulfil the counselling or advice role of specialist agencies.

1.6.3 The EMH Group will initially seek to rehouse victims under its own lettings policy. Transfer applications on the grounds of domestic violence will not be impeded on the grounds of rent arrears or geographic location. However local authorities have a statutory duty to accommodate victims of abuse and those in fear of violence from the day it is reported to them.

2. Procedures

2.1 Good Practice for Housing Officers

2.1.2 Victims reporting domestic violence should be interviewed within the timescales set out above. If it is not possible to arrange an interview then the contact details of the victim should be taken and the victim supplied with the name and contact details of the person who will be dealing with the incident. If the victim remains in fear of further violence they should be directed to the local authority so that they can be offered temporary accommodation.

2.1.3 The incident should initially be dealt with by a Housing Officer or their line manager. The victim should always be offered the opportunity to be interviewed by someone of the same sex. This same officer should then deal with the case thereafter.

2.1.4 Establish whether an interpreter needs to be arranged through Language Line rather than wait for one to be requested. If an interpreter cannot be found a private individual or family member can be used in an emergency but an interpreter should be arranged for any subsequent interviews.

2.1.5 Assure the victim that any information they give will only be given to other agencies with their consent. Check that it is all right to send letters or phone the person at home.

2.1.6 Interviews should be conducted in private (at a safe place if required) and in a sympathetic and non-judgmental manner.

2.1.7 It is crucial that Housing Officers appreciate the difficulties in ending a violent relationship. Either the reality or the perception of many adverse effects can exacerbate these difficulties. Ending an abusive relationship is often a process rather than a single event and therefore survivors may present themselves to Housing Officers more than once.

2.1.8 It is important to be aware of the effects of being brought up in different cultures. In some societies domestic violence may not be publicly acknowledged.

- 2.1.9 At the interview the officer should:
- Try to find out more about what has happened
 - Give the victim a copy of the leaflet explaining their status and their rights
 - Explain to the victim their options regarding alternative accommodation or making a homeless application
 - Provide information on support agencies such as the National Domestic Violence Helpline and Women's Aid or MALE (Men's Advice Line and Enquiries)
 - Explain the legal remedies available and advise the victim to seek professional advice if they wish to consider such remedies
 - Issue the victim with a leaflet for local help services and contact numbers
- 2.1.10 Accurate and up-to-date records should be kept in line with Data Protection legislation and principles. With the consent of the victim these should include details of contact with any other agencies and third party evidence.
- 2.1.11 Encourage the victim to report the matter to the police. Especially if there is an injunction against the perpetrator in force.

2.2 Rehousing advice

- 2.2.1 Should the victim decide to return home and either not pursue the matter further or seek a legal remedy the Housing Officer should ensure that they have the Women's Aid or MALE (Men's Advice Line and Enquiries) and local authority emergency phone numbers. The victim should also be reassured that if they change their mind or want further information they can always return to the housing association.
- 2.2.2 If the victim decides to stay with relatives the phone number and address of the relatives should be taken.
- 2.2.3 If the victim decides to move out permanently it may affect their welfare benefits or they may become newly entitled to claim. The Housing Officer should give basic welfare benefits advice where appropriate. If the victim is a sole tenant the officer must also advise them of their entitlement to overlapping housing benefit.

2.3 Rehousing by the local authority

- 2.3.1 Under the Homelessness Act 2002 the local authority has a statutory duty to accommodate victims of abuse and those in fear of violence from the day it is reported to them. If the victim is unable to secure their own alternative accommodation the Homeless Officer will make an appointment for the homeless application to be made.
- 2.3.2 In some cases where there is risk of further violence the local authority will place the victim in temporary refuge accommodation outside the local authority boundary.

- 2.3.3 When assessing the homeless application the local authority will apply different tests to see if it has a statutory duty to accommodate. They will first ensure the applicant is eligible for assistance and then establish whether the victim is homeless and has no access to alternative accommodation. Domestic violence will be the primary reason for homelessness in such cases and the victim will be given priority need status irrespective of whether or not they have dependant children.

2.4 Rehousing by the association

- 2.4.1 Domestic violence is covered in our Lettings Policy. We will seek to rehouse victims internally through transfers or temporary accommodation while we arrange more permanent accommodation.

- 2.4.2 Transfer applications on the grounds of domestic violence will not be impeded on any of the following grounds:

- 2.4.3 Rent arrears: it is the policy of the association to give as much support as possible to victims escaping domestic violence including the way rent arrears are dealt with. We believe it is important that victims are not forced to stay in a violent situation because of arrears. However an agreement to clear any arrears should be made with the victim but the agreement or lack of agreement must not be a decisive factor in the transfer application.

- 2.4.4 Geographic location: where the applicant requests rehousing within the same geographical area because there are strong links to the local community the application should be fully explored with the applicant with regard to the risks.

- 2.4.5 Careful consideration will be given where there is a second request for a transfer on the grounds of domestic violence. In these circumstances the association may decide not to transfer within the same geographical area.

2.5 Number of offers

- 2.5.1 Two reasonable offers should be made in each domestic violence case. Staff training will include guidance on what is likely to constitute a reasonable offer. Reasons for a second refusal should be made in writing. The case should be put before the Review Panel who will decide whether to remove the priority status on the grounds of domestic violence. Should the applicant disagree with this decision they may follow the internal appeals procedure.

2.6 Review

- 2.6.1 All domestic violence cases on the waiting list should be reviewed periodically to confirm that there is still a threat of violence. If the threat is no longer present it may be appropriate to remove the priority status. Should the applicant disagree with this decision they should follow the internal appeals procedure. However, it should be noted that domestic violence can often recur after long periods. Care should be taken not to alert the alleged perpetrator of the domestic violence and care and sensitivity should be shown at all times.

2.7 Dealing with perpetrators

- 2.7.1 Perpetrators have been known to be very persistent in their determination to find their former partners. Confirm the identity of a caller if not completely satisfied and always ring them back to check the number given by the caller independently.
- 2.7.2 Care should be taken to establish whether the perpetrator's behaviour is connected to any form of illness or disability that may require consideration under the Disability Discrimination Act.

2.8 Emergency repairs and security

- 2.8.1 Any reasonable repairs required as a result of domestic violence which may affect the security of the victim within the home should be treated as a priority.
- 2.8.2 If a property is at risk after the victim has left or moved into temporary accommodation then it may need to be boarded up to secure the victim's possessions. Please refer to the EMH Group's abandonment policy for guidance on the protection of residents' property. For joint tenancies, care should be taken not to exclude a legitimate tenant from his/her property without the necessary court orders.
- 2.8.3 Victims seeking additional security measures should be advised what is available after discussing it with an Area Maintenance Manager. A temporary police alarm can be installed with the assistance of the local Crime Prevention Officer. Extra window locks and a door chain can be fitted but the association cannot change the locks where there is a joint tenancy as this may be viewed as an illegal eviction.

3. Training

- 3.1 Appropriate training will be provided to all employees concerned with the implementation of this policy. Appropriate diversity related training encompassing the organisation's responsibilities in this area will also be provided to Board Members.

4. Publicity

- 4.1 Our domestic violence policy will be promoted to residents to encourage them to report incidents and to let people know we will take action against perpetrators. It will be publicised through the residents' newsletter, in a leaflets, the tenants and shared owners handbook and by making copies of this policy readily available.

We will look to provide translations and in accessible formats, in line with the Group's Accessible Information Policy.

EMH Group will also seek to provide information about other support groups, including 24 hour help lines where these are available locally.

5. Monitoring

- 5.1 Regular reports on the level of incidents will be made to the Group's equality and diversity scrutiny panel and to Subsidiary Boards who will consider whether there are any lessons to be learned or implications for policy review. Once a case is closed, the complainant will be asked to provide feedback on their level of satisfaction or otherwise with the way in which the incident has been handled. The outcomes of this research will be reported to the Equality and Diversity Scrutiny Panel and to Subsidiary Boards. Owing to the potentially sensitive nature of complaints, consideration will be given to the appropriate method of seeking such feedback on a case by case basis, following consultation with the housing team providing support e.g. questionnaire, face to face interview, phone interview etc.

6. Related Policies

- 6.1 This policy should be read in conjunction with:

- Kaleidoscope: Access for All Diversity Strategy
- Racial Harassment Policy
- Harassment Policy
- Anti-social behaviour policy
- Abandonment policy
- Accessible information policy