

Domestic Violence Policy

2008 – 2011



Policy ref: PS037 Approved by Customer Services Committee

Date approved: 10/04/07 Reviewed initially after one year, every three years thereafter

A. BACKGROUND AND SCOPE

bpha is committed to ensuring that victims of domestic violence are given appropriate allocation of housing as required by law.

bpha are opposed to all forms of domestic violence and will positively support victims of domestic violence. **bpha** is an active participant in the Bedfordshire Domestic Violence Partnership through the Domestic Violence Forum, and is committed to partnership working to address these issues.

bpha has adopted the definition of domestic violence as set out in the Domestic Violence Crime and Victims Act 2004, which is:

”Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality.”

Research shows that:

- One in 4 women and one in 6 men will be victims of domestic violence in their lifetime with women at greater risk of repeat victimisation and serious injury.
- 89% of those suffering 4 or more incidents are women.
- One incident of domestic violence is reported to the police every minute.
- Domestic violence claims the lives of 2 women each week and 30 men per year.

(As reported by crimereduction.gov.uk)

This policy covers any **bpha** resident or person seeking rented housing with **bpha** who is experiencing, or has experienced, threat of domestic violence.

B. PURPOSE

To clarify how **bpha** will ensure that all customers experiencing domestic

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violence will receive a sensitive, confidential, consistent and prompt examination of their circumstances. To outline what steps **bpha** will take to support its residents and their families who are victims of domestic violence, and what action **bpha** will seek to take against its residents, and those applying for housing, who are, or have been, perpetrators of domestic violence.

C. ELEMENTS OF THE POLICY

Any customer approaching **bpha** because they are experiencing domestic violence would initially be offered a confidential interview to establish the circumstances and best course of action. Additional information may be sought from other agencies to determine the most appropriate solution, and also to signpost customers to specialist services.

Where appropriate, **bpha** will participate in Multi Agency Risk Assessment Conferencing, in order to share information about victims and perpetrators and develop co-ordinated approaches to reducing the risk of repeat offences.

1. Allocations

Where the customer is an existing **bpha** resident, an investigation will be carried out with the customer to examine the options to ensure their safety. This may include an offer of alternative accommodation, provision of enhanced security at their current home or advice about remedies such as a non-molestation order.

Where a transfer to alternative accommodation is agreed to be the best solution, offers will be made in accordance with the Allocations Policies of **bpha** and Bedford Borough Council.

If a customer is not a **bpha** resident they may be referred for further advice to the Housing Advice Service at Bedford Borough Council, or to the Local Authority in the area in which they live.

2. Enhanced Security

bpha recognises that some residents who are victims of domestic violence do not wish to uproot themselves and their families, and would prefer to remain in their homes. In many cases this is beneficial for the stability of children, the family as a whole and contributes to the sustainability of the local community. This decision must, however, remain with the resident.

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When the customer is a **bpha** resident and living in the Bedford Borough area, who wishes to remain in their current home, **bpha** will assist the tenant to apply for help from Bedford Borough Council under the provisions of the Sanctuary Scheme. This Scheme assesses each application individually, based on the needs and wishes of the applicant, the need to prevent homelessness whenever possible, and bearing in mind the applicant's financial resources. Where the resident's situation makes this scheme unsuitable, or if the resident lives outside of Bedford Borough in a local authority area where no such scheme exists, **bpha** will consider meeting the cost of the required additional security work if this is likely to increase the customer's safety.

3. Child Protection

bpha has a duty of care to its residents and their families. Therefore, if **bpha** is aware of a situation where a child may be affected by domestic violence, the situation will be reported to other agencies as appropriate, including the Social Services Department, in line with Government guidance on partnership working as outlined in the Department for Education and Skills report "Working Together to Safeguard Children".

Domestic violence is a criminal offence and a breach of the association's Tenancy Agreement. **bpha** may seek to end the tenancy of existing residents who are perpetrators of domestic violence through the Courts. Before commencing any such action **bpha** will obtain the agreement of the victim wherever possible, and will seek to ensure that no additional risk is caused. If a resident is evicted on these grounds and a further application is made to the Housing Register, the application will be considered under Section 2 of **bpha**'s Allocations Policy, which deals with exclusions from the Register.

D. METHODS FOR CONTINUOUS IMPROVEMENT

Service improvements will be determined by ongoing monitoring of feedback from service users where available. It is accepted that victims of domestic violence are often reluctant to provide feedback on services for a variety of reasons. **bpha** will seek feedback from relevant service providers (for example, Refuges and DV outreach projects) to obtain qualitative monitoring information on its services to this client group. **bpha** will also carry out regular reviews of other organisation's policies and procedures to ensure we are following best practice.

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E. TRAINING AND INFORMATION

All customer-facing staff will be trained to provide a professional and sensitive service to customers reporting domestic violence. This will include offering appropriate advice and support and signposting to specialist services. Training will be provided through rollout of the Training Programme developed by the Bedfordshire Domestic Violence Partnership.

F. EQUALITY AND DIVERSITY AND RESIDENT INVOLVEMENT

The definition of domestic violence used by Domestic Violence Crimes and Victims Act 2004 recognises that both women and men may be victims of domestic violence. **bpha** will implement this policy in respect of all customers reporting domestic violence, irrespective of gender. It will apply to opposite- and same-sex partners and family members, as outlined in the Domestic Violence Crimes and Victims Act 2004. However, it should be noted that historically women have suffered disproportionately from this crime, in terms of numbers of sufferers and the frequency and severity of violence.

Additionally, an increasing number of women from BME communities are seeking help following domestic violence. In some cases, language barriers may cause additional difficulties in obtaining appropriate advice and support. Where this is the case, **bpha** will seek to identify an appropriate independent interpreter to provide objective and impartial assistance.

bpha is committed to providing a consistent service to all customers. Our service will be delivered in a manner that complies with the association's Equality and Diversity Policy.

Where possible, we will consult with residents and service users to inform service improvements and the development of best practice. However, we are aware that due to the sensitive nature of the issues, service users may not wish to participate in consultation activities. We will seek advice from specialist agencies, Refuges for instance, to determine the best methods for obtaining customer feedback.

G. FINANCIAL CONSIDERATIONS

A budget to be made available in the Property Services Department to facilitate "sanctuary" works to **bpha** properties where the tenant's situation does not qualify them for funding under the Bedford Borough Council scheme, or a

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similar scheme in the area in which they live, but additional security measures could still present a solution to the risk of domestic violence.

H. LEGAL CONSIDERATIONS

Housing Act 1996 (parts VI and VII) as amended by the Homelessness Act 2002
Domestic Violence Crimes and Victims Act 2004
Crime and Disorder Act 1998
Human Rights Act 1998 (Articles 2 and 8)
Children Act 1989 and United Nations Convention on the Rights of the Child, 1991
Data Protection Act 1998

I. POLICY APPEALS

Any appeals or complaints received relating to this policy will be dealt with under **bpha's** Complaints and Appeals Policy and Procedure.

J. MECHANISM FOR DELIVERING POLICY AND OTHER ISSUES

The provisions of this Policy have operational links to other Policies, as follows:

- Equality and Diversity Policy
- Data Protection Policy
- Allocations Policy
- Anti-Social Behaviour Policy
- Health and Safety Policy

K. HEALTH AND SAFETY

This Policy has a primary aim of securing the safety and well being of the association's residents and other customers, where this is jeopardised by the occurrence or threat of domestic violence.

When working with victims of domestic violence, staff must adhere to **bpha's** Health and Safety Policy, Lone Worker Policy, and safe working practices for their team.

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L. MONITORING

The Policy is supported by a Domestic Violence Service Statement, against which the service can be measured. Additionally, ongoing feedback will be sought from service users and/or relevant agencies to ensure that the Policy is effective in meeting the needs of victims of domestic violence (see Sections D and F above).

M. REVIEW PERIOD

This policy will be subject to review and approval by **bpha's** Customer Services Committee initially after one year and at three-yearly intervals thereafter.