

## 1. POLICY PRINCIPLES

- 1.1 Domestic abuse is all too prevalent in our society, it is serious and causes those who experience it great distress, fear and anxiety. bpha are committed to assisting, supporting and working with any bpha customer and members of their households experiencing, or threatened with, domestic abuse. Any disclosure will be treated as a matter of urgency. We recognise that those who experience domestic abuse can identify as a survivor or a victim but for the purposes of this document we are using the term victim.
- 1.2 We adopt a victim centred approach in all cases of domestic abuse. We recognise that the safety of the victim and their household members is paramount, and we will do all we can to support and protect them.
- 1.3 bpha will raise awareness and understanding around domestic abuse and address negative attitudes in relation to it.
- 1.4 We work with partner agencies and support organisations to ensure that the appropriate safeguards are put in place and that victim's rights and wishes are respected.
- 1.5 This policy outlines our approach to achieving this and applies to all of our customers and members of their household who experience, are threatened with, or witness domestic abuse, irrespective of age, gender, sexual orientation, disability, ethnicity, religion, social background or any other protected characteristics identified in the Equality Act.

## 2. DEFINITION – DOMESTIC ABUSE

- 2.1 Within the Domestic Abuse Act 2021 and this policy, domestic abuse is defined as any of the following:
  - physical or sexual abuse
  - violent or threatening behaviour
  - controlling or coercive behaviour (defined as acts designed to make a person feel inferior and /or dependent by keeping them apart from friends, help and support )
  - economic abuse
  - psychological, emotional or other abuse.
- 2.2 This definition includes modern day slavery, coercive control, honour-based violence, forced marriage and female genital mutilation.
- 2.3 Within this definition, economic abuse means any behaviour that has a substantial adverse effect on a person's ability to do either of the following.
  - Acquire, use or maintain money or other property.
  - Obtain goods or services.
- 2.4 It doesn't matter whether the behaviour consists of a single incident or part of an ongoing pattern of behaviour.
- 2.5 For the definition and policy to apply, both people must be aged 16 or over and personally connected. Personally connected is defined in the act as people who:
  - are married to each other
  - are civil partners of each other
    - have agreed to marry one another (whether or not the agreement is still in place)
    - have entered into a civil partnership agreement (whether or not the agreement is still in place)
    - are, or have been, in an intimate personal relationship with each other
    - are, or have been, parents of the same child or children
    - are relatives
- 2.6 Children aged under 18 are also recognised as survivors in their own right if they see, hear or experience the effects of the abuse or are related to the survivor or the perpetrator.

This policy is therefore applicable whatever the nature of the intimate relationship and applies to all genders equally.

### **3. HOW WE DELIVER THE CUSTOMER DOMESTIC ABUSE POLICY**

- 3.1 This document is available to customers via our website and to employees on the intranet.
- 3.2 We treat anyone reporting domestic abuse to bpha in a supportive, sensitive, discrete and non-judgemental way and take any disclosure of domestic abuse seriously.
- 3.3 We provide advice, support and assistance as a priority and we work with statutory and voluntary organisations to support victims and their household members, including any children. Although trained, bpha employees are not domestic abuse specialists and therefore we will refer customers to specialist agencies for domestic abuse support. However, bpha will stay involved and provide advice, support and assistance in relation to housing and property safety for as long as it is needed.
- 3.4 We take action against perpetrators, in line with our tenancy agreement, where it is safe and appropriate to do so.
- 3.5 A senior manager within our Customer and Services Directorate is appointed as domestic abuse lead.
- 3.6 bpha employees have clear and accessible information on:
  - managing initial disclosures
  - recognising the signs of domestic abuse and any safeguarding concerns including how to make referrals
  - recognising the signs of coercive and controlling behaviour and how this can impact on a victim of domestic abuse
- 3.7 A large proportion of our employees and contractors are in regular contact with our customers, either on the telephone, in our offices or in their homes, and are in a position where they may be able to identify the signs of domestic abuse and offer the appropriate help. Our housing management system has been developed to ensure customers are given the appropriate advice and we have gathered all the vital information needed to safeguard the victim and put the correct support in place.
- 3.8 We comply with the legislation in section 6 of this policy.

### **4. POLICY STATEMENT**

#### **4.1 Equality and Diversity**

- 4.1.1 All customers will be treated as individuals and with fairness and respect. We aim to meet the needs and choices of people from all backgrounds, for example, economic status, gender, sexual orientation, ability, age, religion, ethnic group or immigration status and so we will make sure our services are accessible to all.
- 4.1.2 To make sure that we do not create additional barriers, we will provide a variety of ways to report domestic abuse and arrange for interpreters and translate our information into other languages or formats as needed so that everyone can access our service in the way they need.
- 4.1.3 We understand there are cultural and other barriers to reporting domestic abuse and we'll take all of this into account in the support we provide. We will recognise this intersectionality and understand that some customers may face multiple and intersecting forms of discrimination. We will consider the individual needs of each customer in our approach.
- 4.1.4 Certain people may be disproportionately affected or particularly vulnerable and some groups are affected by specific forms of domestic abuse.
- 4.1.5 We will train colleagues to understand how domestic abuse affects individuals differently and signpost and work in partnership with providers to take action and make sure victims get the right support, using our directory of local and national specialist providers.
- 4.1.6 We will partner with and support local organisations with all relevant experience and understanding in order to better support victims' needs.

- 4.1.7 We recognise domestic abuse is a gendered crime and men and women experience it disproportionately.
- 4.1.8 We are aware that there a multitude of ways DA may impact a mother and foetus during pregnancy. Mental and physical abuse can often start in pregnancy and can increase risks such as fetal alcohol spectrum disorders (FASDs) in babies where mothers to be are self-medicating to survive the abuse.

## 4.2 Domestic Abuse Disclosures

- 4.2.1 We recognise that victims will often find it extremely difficult to make a disclosure and ask for help. We encourage those affected by domestic abuse to feel safe and to approach us, where they can talk and be heard. We will not seek proof of the abuse, nor will we compel a victim to accept support.
- 4.2.2 If a disclosure is made, we will deal with it in a sensitive and supportive manner, supporting those affected to feel safe and secure in their home and where possible a specific appointed person will do this and you will be provided with their name.
- 4.2.3 Every case of domestic abuse is individual therefore help and support will be provided based on each individuals' circumstances, ensuring the victims wishes and needs are taken into account at all times.
- 4.2.4 Those experiencing domestic abuse will never be made to feel responsible for the abuse nor will they be required to take any action they feel will place them in greater danger. Victims' ability to assess the danger they are in, and the individual's perception of the situation will always be of paramount importance. The decisions each individual takes as to how to manage their situation will not affect the way in which their case is dealt with, or the support provided at any time.
- 4.2.5 We recognises victims may not seek, or respond to, offers of help and may wish to remain in their relationship.

## 4.3 Victim Support and Multi-Agency Working

- 4.3.1 For every disclosure of abuse, we will carry out a risk assessment using the Domestic Abuse, Stalking and Honour based risk identification checklist (DASH) and offer safety planning to provide support for the customer and members of their household, including children, experiencing or witnessing domestic abuse.
- 4.3.2 bpha will provide timely and effective guidance in responding to every case of domestic abuse by working in partnership with relevant agencies and support organisations as part of a coordinated community response to increase safety and meet practical and emotional needs.
- 4.3.3 bpha will share information between agencies where the DASH risk identification checklist meets the local authority threshold for Multi-Agency Risk Assessment Conference (MARAC) referrals. This information should only be shared with those agencies attending the meeting, unless agreed otherwise with these multi-agency partners.
- 4.3.4 High risk domestic abuse cases are heard at confidential MARAC meetings, which are attended by an appropriate bpha employee, alongside representatives from other services including health services, the police, domestic abuse support services and appropriate personnel from local authorities.
- 4.3.5 Any referrals to MARAC will be made after discussion with, and consent from, the victim. However, if consent is not granted and there is an immediate or potential risk, (to the victim or the victim's family), a referral may be made without the consent of the victim to protect them and their family from potentially serious harm

## 4.4 Support

- 4.4.1 To support victims of domestic abuse we will:
  - Always contact the victim via an established safe method of communication as agreed with them
  - Work with other agencies (including specialist) and support organisations to provide advice, assistance and engage victims into support

- Ask, listen and aim to understand the needs of the victim to tailor the support offered, such as a referral to specialist practitioners trained to assess risk and advise on safety
- Refer or signpost the victim to a domestic abuse helpline, web resource or external specialist domestic abuse service
- Make every effort to ensure that a safe environment is provided, including any property the victim may be offered
- Deal promptly with any damage caused to properties caused by domestic abuse
- Aim to assist with any repair requirements and damages as a result of domestic abuse subject to circumstances and budgets.
- Work with the police and other agencies to assist with lock changes and other safety measures in urgent and/or vulnerable cases to ensure target hardening, defined as strengthening the security of a property in order to protect those inside
- Make referrals to partner agencies such as the police, recognising and taking into consideration not all victims will want the police involved, and/or fire brigade for additional security such as lockable letterboxes

## 4.6 Safeguarding

4.6.1 Full consideration will be given to our safeguarding responsibilities, details of which are included in our safeguarding policy.

## 4.7 Housing Need

4.7.1 Where appropriate, housing requirements will be discussed with every customer experiencing domestic abuse. We will support victims to make decisions around their housing needs including whether they wish to remain in their home or move to a new home.

4.7.2 A customer experiencing domestic abuse may be able to remain in their own home, if it is safe to do so, however, there may be occasions where temporary accommodation is required whilst safety measures are being put in place and sanctuary schemes, often operated by the police and some local authorities may be available.

4.7.3 If a customer wants to end a joint tenancy held with the perpetrator, this will be done in a planned way and with the customer's safety being paramount. Legally the perpetrator, if a joint tenant, has the right to know the other joint tenant has requested to end the tenancy. However, employees will not share information about the tenancy ending with the perpetrator without discussing and planning this with the customer first. Consultation with bpha's domestic abuse and/or safeguarding leads will take place to ensure the customer's safety through partnership working with the local specialist DA service and other appropriate support agencies.

4.7.4 If a customer experiencing domestic abuse was supported to move to a new home via a management move, their housing application would be prioritised in date order above local authority housing register applications, where we have the nomination rights to do so.

4.7.5 When a customer is rehoused because of domestic abuse they will be offered a tenancy in accordance with bpha's Tenancy Policy.

4.7.6 We would encourage and advise customers on how to apply to local authority housing registers to maximise being re-housed as quickly as possible.

## 4.8 Perpetrators

4.8.1 bpha will not tolerate domestic abuse, it is wholly unacceptable and inexcusable behaviour. Abusive behaviour is a choice and perpetrators can choose to behave differently. The responsibility of abuse lies with the perpetrator, and they must take responsibility for their own behaviour.

4.8.2 We recognise that victims living with domestic abuse are the experts on the person perpetrating abuse on them and because of this we ask the victim what they need and what may be effective in engaging the perpetrator and/or managing their behaviour.

- 4.8.3 Dealing with perpetrators is part of a wider community response; any attempt to work with perpetrators could potentially reduce the risk in a current or future relationship, however, we know this can be worrying for the victim. We recognise that perpetrators of domestic abuse may wish to seek help and support voluntarily to address their behaviour and make changes. If this is the case, where appropriate, we will signpost perpetrators of domestic abuse to access external agencies and support organisations, who can offer them support in order to prevent the abuse reoccurring. We may consider rehousing any perpetrator who engages with agencies and support organisations.
- 4.8.4 Perpetrators must be held to account, and we will share information and work with other agencies, such as the police and MARAC to find effective ways to work with perpetrators who can manage their behaviour. Where appropriate we will use Ground 14A of Schedule 2 to gain possession of our property where an individual has left but the perpetrator of domestic abuse remains in our property, because domestic abuse is a breach of tenancy.

## 4.9 Confidentiality

- 4.9.1 Any disclosure of domestic abuse will be treated in the strictest of confidence, unless we have a duty to disclose information in order to protect the victim, prevent harm to someone else or prevent or detect a crime.
- 4.9.2 The Domestic Violence Disclosure Scheme (DVPS), also known as 'Clare's Law', allows Police to disclose to individuals the details of their partner's abusive past so that they can make an informed decision about their situation. Our employees are aware of this scheme, and we will use it effectively to safeguard partners of known domestic abuse perpetrators. We aim to ensure our customers are aware of this scheme too.
- 4.9.3 Everyone must take responsibility for sharing information they have when necessary and appropriate to do so and must not assume that someone else will pass on information which may be critical to keeping someone safe. Our employees have Data Protection and GDPR training to ensure they are confident and competent in sharing information when necessary.

## 4.10 Employees

- 4.10.1 Employees working for bpha will be competent, confident and equipped with knowledge and tools to enable a disclosure of domestic abuse. They will receive regular, mandatory high-quality training on domestic abuse, including how to spot the signs of abuse and how to deal appropriately with a disclosure. We will ensure all front-line staff know how to approach the sensitive issue of domestic abuse and to ensure they are aware of The Cycle of Change (a social cycle theory to explain patterns of behaviour in an abusive relationship), remedies and options and appropriate or new legislation, particularly if these change.
- 4.10.2 All employees and contractors will be given regular safeguarding training, and will be updated on any changes to policy, procedure or legislation around domestic abuse and/or safeguarding.
- 4.10.3 bpha are also committed to providing enhanced training for Domestic Abuse Responders (DARs) who will be located across the organisation to advise employees on domestic abuse issues.
- 4.10.4 The organisation's Housing Operations Manager is the Domestic Abuse Lead and they are knowledgeable and experienced in domestic abuse. They are responsible for ensuring bpha's response to domestic abuse is sufficient, supportive and appropriate and they will identify and use any learnings from across the business, and from any survivors who wish to share their experience to influence and enhance service and/or employee training.
- 4.10.5 Recommendations and learnings from case audits, safeguarding reviews, serious case reviews and domestic homicide reviews will be used to improve services in the future. We will also seek to obtain victim experiences of our services to improve the way we respond to and support domestic abuse victims.

## 5. MONITORING, REVIEWS AND EVALUATION

- 5.1 This policy will be kept up to date and amended accordingly to reflect any changes in legislation, standards, and guidelines.
- 5.2 The policy update is scheduled for a one-year period and will also be reviewed as legislative changes are put in place.

## 6. ASSOCIATED LEGISLATION, NATIONAL STANDARDS & REGULATION

- Anti-Social Behaviour, Police and Crime Act 2014
- General Data Protection Regulation 2018
- Domestic Violence, Crime and Victims Act 2004
- Housing Act 1996
- Housing Act 1985
- Housing Act 1988
- Homelessness Act 2002
- Human Rights Act 1998
- Forced Marriage (Civil Protection) Act 2007
- Domestic Proceedings and Magistrates Court Act 1978
- Protection from Harassment Act 1997
- Family Law Act 1996
- Crime and Security Act 2010
- Serious Crime Act 2015
- Clare's Law 2017
- Equality Act 2010
- Stalking Protection Act 2019
- Domestic Abuse Act 2021

## 7. ASSOCIATED DOCUMENTS

- Safeguarding Policy
- Data Protection Policy
- Allocations Policy
- Health and Safety Policy
- Employee Domestic Abuse Policy
- Anti-Social Behaviour (ASB) and Unwelcome Behaviour (UB) Policy
- Arrears Prevention and Recovery Policy

<b>Approved by</b>	
<b>Date approved</b>	
<b>Owner</b>	
<b>Review date</b>	