



Tenancy Services

Domestic Abuse Policy

Regulation & Legislation	This policy links to Domestic Violence Crime and Victims Act 2004
Approved by	Director of Customer Operations – 25 May 2021
Supporting documents	Domestic Abuse and the Workplace Policy; Anti-Social Behaviour Policy; Hate Incident Policy; Safeguarding Policy; Target Hardening Policy; Investigations Policy; Management Moves Procedure; Legal Services Procedure; Target Hardening Procedure
Scope	This policy outlines how Orbit approaches and manages domestic abuse which includes acts of violence. It applies to customers living in our rented, shared ownership and leasehold properties.
Reference to “Orbit” means Orbit Group which consists of Orbit Group Limited, Orbit Housing Association Limited, Orbit Homes (2020) Limited, Orbit Treasury Limited and Orbit Capital Limited.	

1. Introduction

- 1.1 This policy demonstrates our strong commitment and outlines our response to dealing with disclosures of domestic abuse in our role as a Registered Provider.
- 1.2 We believe that everyone has the right to live without fear of domestic abuse. We recognise the importance of tackling it and acknowledge the effect on the lives of those experiencing domestic abuse and are committed to preventing and detecting it wherever possible.
- 1.3 This policy is part of a suite under the umbrella of Community Safety and Anti-Fraud (CSAF). Other relevant policies are detailed in paragraphs 2.4 to 2.6 and 5.3 and 5.9 and 6.2.
- 1.4 At all times there will be a Regional Tenancy Services Manager designated as the Strategic Lead for Domestic Abuse.

2. Policy Statement

Definition

- 2.1 We define domestic abuse as:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.”

This includes:

- Emotional or psychological abuse – intimidation, isolation, verbal abuse, humiliation, not allowing friends / relatives to visit, destruction of belongings and threats of legal sanctions e.g. deportations, custody of children, etc;
- Financial abuse – denial of rights or restrictions of personal freedom e.g. withholding money;
- Physical abuse – slapping, pushing, kicking, punching, stabbing attempted murder or murder and abduction;
- Sexual abuse – rape and non-consensual sexual acts.

2.2 This policy also covers:

- Honour Based Violence (HBV) - can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. It is a form of domestic abuse which is perpetrated in the name of so called 'honour'. The honour code which it refers to is set at the discretion of male relatives. Those who do not abide by the 'rules' are punished for bringing 'shame' on the family. Infringements may include a woman having a boyfriend; rejecting a forced marriage; pregnancy outside of marriage; interfaith relationships; seeking divorce, inappropriate dress or make-up and even kissing in a public place. It refers to a collection of practices used to control behaviour within families including forced marriage and female genital mutilation. Perceived violations of this 'honour' code are punishable by murder.
- Forced marriage - a marriage conducted without the valid consent of one or both parties and where duress is a factor;
- Female Genital Mutilation (FGM) - a procedure where the female genitals are deliberately cut, injured or changed where there is no medical reason for this to be done.

2.3 We acknowledge that domestic abuse can happen to anyone regardless of age, class, disability, economic status, ethnicity, gender or gender identity, religion, sexuality, social group and geographic location.

2.4 Anti-Social Behaviour (ASB) - We recognise the link between domestic abuse and ASB and something that presents as ASB could be a sign of domestic abuse. We understand the serious impact of ASB and the role we have in tackling it as part of a multi-agency approach. In such cases we will apply our Anti-Social Behaviour Policy and this Domestic Abuse Policy as appropriate. We may deal with issues arising from domestic abuse under the ASB policy where the issues are affecting people not of the same household i.e. serious and persistent noise nuisance or criminal damage.

2.5 Hate Incidents - We recognise the serious impact of hate incidents and the role we have in tackling it as part of a multi-agency approach. In such cases we will apply our Hate Incident Policy.

- 2.6 Safeguarding - Where safeguarding concerns arise in dealing with disclosures of domestic abuse, we will apply our Safeguarding Policy.

Reporting disclosures

- 2.7 We aim to make reporting disclosures easy and we accept disclosures from anyone with reports able to be made online via our website, by email, by telephone, in writing and in person.

Subject and witness responsibilities

- 2.8 We expect our customers to adhere to the terms and conditions of their tenancy agreement and will take action against perpetrators of domestic abuse where appropriate.
- 2.9 If an anonymous disclosure is made, we can only deal with it if there is sufficient information i.e. name and address or contact details of subject.
- 2.10 We will not disclose a subject or witnesses' details to an alleged perpetrator without their consent.
- 2.11 As well as making disclosures to us, we suggest subjects and witnesses take the following action:
- Speak to a family member or friend they can trust
 - Consider reporting disclosures to other relevant organisations such as GP, Police or Social Services
 - Obtain support from a specialist agency such as English National Domestic Violence Helpline www.nationaldomesticviolencehelpline.org.uk on 0808 200 0247 or visit our website for information on other support agencies
 - Ensure they have a safety plan helping them to protect themselves and their children

Managing disclosures

- 2.12 We will take all disclosures seriously; deal with them sensitively and in confidence unless there is a legal obligation to disclose information to statutory services.
- 2.13 We will not judge the subject or witness and we will ensure that our response and actions focus on their needs. In situations where action is necessary, we will quickly tackle issues and we have invested in dedicated CSAF teams who are appropriately trained to manage cases that fall under the Community Safety and Anti-Fraud umbrella.
- 2.14 Our priority will always be the safety of the person(s) experiencing domestic abuse including their families and where appropriate and if the subject or witness wishes, we will take a person-centred approach and complete the following:

- A risk assessment if not already completed by another agency. We will avoid duplicate risk assessments with the subject to avoid re-traumatising them
- Discuss safety planning
- Liaise with specialist agencies to provide support
- Complete Target Hardening works if required in the property
- Liaise with the local authority or other agencies to help secure temporary accommodation if it is not safe for them to remain in their home
- Respond swiftly to requests from local authority or other agencies for safe/sanctuary rooms
- Provide support to our customers who may wish to move permanently to alternative accommodation if they feel unable to remain in their home. This will usually be through Choice Based Lettings but in limited situations where there is a proven and real risk of immediate violence, we may consider a move within our own housing stock under our Management Moves Procedure.

- 2.15 In all situations we will immediately open a case and categorise as Category A in line with our Anti-Social Behaviour Policy. A case manager will be allocated who will respond within 1 working day of receiving the disclosure. Subjects can request a specific gender case worker if necessary.
- 2.16 We will quickly agree a plan with each subject or witness which will include how and when we will keep in contact, any support needs they may have and how these are to be delivered, managing expectations and our intentions as to how we intend to manage the case with their support.
- 2.17 We will only take action against a perpetrator where it is appropriate to do so and does not compromise the safety of anyone. Any action we may take against a perpetrator will be proportionate to the type disclosure made and will be at our discretion.
- 2.18 Action taken could be against a perpetrator who is a customer or non-customer for example a household member or visitor and could relate to a disclosure committed at the property, or within the immediate neighbourhood.
- 2.19 The tenure of the customer(s) involved may determine the type of action we take.
- 2.20 We will ensure that we investigate any cases in line with our Investigations Policy.
- 2.21 All cases will be kept under review until it is agreed that the issues are resolved, or where no further action can be taken. Before closing a case, we will contact the subject or witness and clearly explain why we are doing so. Where appropriate we may ask for feedback on the service received.

- 2.22 Where Managing Agents act on our behalf, the agent is responsible for managing disclosures and we expect them to have their own policy and procedure. We do however expect their policy to follow ours as far as is practicable.

Legal action approval process

- 2.23 Legal action will be taken in line with our Investigations Policy and Legal Services Procedure.

Partnership

- 2.25 Research shows that a multi-agency partnership approach is most effective in tackling domestic abuse and we work proactively with other organisations including specialist agencies to ensure a co-ordinated community response. In such circumstances we may share information in line with our Privacy Policy.
- 2.26 We may also refer subjects or witnesses to other organisations as appropriate whilst always being clear about our responsibilities and capabilities.
- 2.27 Where we have an interest, but another organisation is leading, we may decide not to act until we are aware of the steps they are taking. If the police are involved, we may decide not to take action against the perpetrator until the outcome of their investigation is known.
- 2.28 We will work with local authorities to assist them in fulfilling their duty to prevent homelessness in line with our 'commitment to refer' obligations.

Support

- 2.29 When dealing with disclosures we will consider early on the support needs of subjects and witnesses. Where support needs are identified we will make individuals aware of the support available to them, or we may with permission, make a specific support referral ourselves but this will be at the discretion of the officer managing the case. We recognise that providing support may fall outside of our role as a landlord and it is in these circumstances, that we may signpost to external organisations.
- 2.30 We will as a matter of routine, offer to make a referral to Victim Support unless another organisation has already done so, and we will give details of the National Domestic Violence Helpline.
- 2.31 We will support our staff involved in dealing with cases of domestic abuse and ensure that they receive appropriate training.
- 2.32 We will offer professional translations services where needed free of charge ensuring customers are not reliant on family members or friends for translation.
- 2.33 We recognise that our staff may also be subjects of domestic abuse and we will deal sensitively with such cases. We have our own Domestic Abuse and the Workplace Policy and Procedure for staff.

3. Roles and Responsibilities

3.1

Role	Responsibility
TSO	Compliance with this policy and associated procedures Case management
TSM	Approval for action Case Audits
Head of Tenancy Services	Final approval of legal Approval for Action Approval of legal budget spend
Interventions Co-ordinator	Performance monitoring and reporting

4. Performance Controls and Business Risk

- 4.1 Compliance with this policy will be monitored by monthly reporting and case audits
- 4.2 Monitoring of live cases will be monthly by the relevant Tenancy Services Manager (Response) and measured against Key Performance Indicators and the Customer Promise.
- 4.3 Performance will be formally reported by the Head of Tenancy Services every April to the Customer Services Senior Management team.
- 4.4 Orbit will carry out a fundamental review of this policy every three years or sooner subject to legal, regulatory changes or if internal changes require it.

5. Essential information

- 5.1 All Orbit policies and procedures are developed in line with our approach to the following, Data Protection statement, Equality Diversity and Inclusion approach, Complaints Policy and our regulatory and legal obligations to ensure we deliver services in a lawful manner and treat people equally and fairly. Details of these are found on the declaration document for Strategy Policy and Procedure summary and have been an integral part of the formulation of this document. Orbits privacy policy can be accessed on our website. www.orbit.org.uk/privacy-policy/.

EA	Equality Analysis was completed in 2018 and is available to view.
DPIA	A DPIA has been completed against the supporting procedure and is available to view.
Consultation	Internal: Independent Living; Leasehold; Tenancy Services
	External: Two customer focus groups were consulted on implementation of the policy in 2018
Applies to	All employees, contractors and agents

Document control

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Approved		v2.0	
Uncontrolled if Printed			

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Directorate Customer Services

Approved by	Customer and Communities Board	Date	April 2018
Last review			May 2021
Next Review (or sooner if changed)			May 2024

Revision History

Version Number	Date	Comments / Reason for revision
v1.1	Dec 2019	Statement on Commitment to refer added
v1.2	May 2020	Minor revision and customer consultation details added
v2.0	May 2021	Three-year review – no change to policy. 2.3 wording amended for consistency with other policies.