

No.	70
Policy Title	Domestic Abuse Policy
Date Approved by Operations Committee	August 21
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Domestic Abuse Policy

1. Policy Statement

This policy sets out Nehemiah’s approach to dealing with domestic abuse. Nehemiah is committed to providing choices, information and communicating with all our tenants service users to meet their needs. Our Mission is:

2. Our Policy

Nehemiah recognise the importance of supporting our tenants and service users whilst also ensuring that any action we take is done with their consent

We will enable tenants to report domestic abuse to us in different ways. We will investigate all reports we receive, including those made in confidence, and those made by individuals not directly involved such as neighbours and contractors.

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3. Aim

This policy aims to deliver a customer focused approach that incorporates the ethos of our values, by listening to our customers and stakeholders. Our approach is to be honest, open and transparent, which will encourage relationships based on mutual trust with all our customers.

This will help to ensure children, young people, adults and volunteers live and work in a safe and secure environment.

4. Definition

Definition of Domestic Abuse: *Any incident or pattern 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 can encompass but is not limited to the following types of abuse: psychological, physical, sexual, financial, and emotional.* Home Office definition: Gov.Uk Domestic Abuse March 2013).

Domestic abuse can be experienced regardless of race, gender, ethnic or religious group, class, disability, or lifestyle. Domestic abuse can take place in lesbian, gay, bi-sexual and transgender relationships and can involve other family members including children.

Violence against women and girls (VAWG) refers to crimes which are experienced by women and girls. This includes domestic violence, abuse, sexual offences, female genital mutilation (FGM), forced marriage, honour-based violence / abuse, trafficking and prostitution.

This policy also covers what is commonly referred as Honour Based Violence (HBV) and forced marriage, for further information on these areas see the government: www.cps.gov.uk/legal-guidance/honour-based-violence-and-forced-marriage

Definition of coercive behaviour

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour source cps.gov.uk/legal-guidance/co.uk

5. Nehemiah's Commitment to Domestic Abuse Victims

Nehemiah believe that none of its customers should live in fear of abuse or violence from current or ex partners or family members and we will take steps to assist and support any person suffering from or threatened with domestic abuse. Nehemiah will take a sensitive, victim centred approach in responding to cases of domestic abuse, recognising evidence of abuse may not be readily available. Nehemiah will be guided by the victim in determining the most appropriate course of action in each case, delivering a safe and confidential service, respecting cultural needs throughout the process.

How Nehemiah Can Support and Assist Domestic Abuse Victims

- Our staff members who come into contact with those affected by domestic violence abuse will be a supportive first point of contact. How victims are responded to at this point is crucial to what happens to them in the short-term and the long-term.

- **Provision of additional security** – wherever possible, Nehemiah will endeavour to provide victims with secure accommodation by providing additional security measures over and above normal home security. Nehemiah will consider providing additional security measures if a referral is made by statutory organisations i.e., police and social services.
- **Eviction of perpetrators** - Nehemiah will take action to evict the perpetrator of domestic abuse using the powers available under the Housing Act 1996, where appropriate and subject to the wishes of the victim.
- **Work with Partner Agencies** - Nehemiah will work with local agencies to secure support and resources for domestic abuse victims. at risk of violence to remain safely in their own homes by installing a ‘Sanctuary’ in the home and through the provision of support to the household. We will also work with voluntary organisations such as Victim Support and statutory agencies such as Social Services or the police . We will work with multi agency risk assessment committees (MARAC) in the areas where we have properties, working with agencies to determine a range of actions to support victims and work with perpetrators where appropriate.
- We will refer victims to the local authority’s homeless person’s service in cases where emergency temporary accommodation is required.
- **Offer Advice and Assistance to Secure Alternative Accommodation:** we will prioritise rehousing or a transfer for DVA survivors – wherever possible we will endeavour to offer alternative accommodation through our lettings policy using the management move provision where this is an appropriate solution. Where this is not possible, we will work with other housing organisations to secure alternative accommodation using local protocols to do this. We will also provide accommodation for the customers of other landlords suffering from domestic abuse when it is possible for us to do so.

Where a joint tenancy exists and the victim has left the home, Nehemiah will look sympathetically and reasonably at arrears that have accrued at the property taking in to account the circumstances of the victim at the time the arrears accrued.

6. Data Protection and Information Exchange

Nehemiah will make use of section 115 of the Crime and Disorder Act 1998 and The General Data Protection Regulation (GDPR) which came into force in the UK (and across the EU) on 25 May 2018. Nehemiah will ensure Data is processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or

organisational measures.

Confidentiality will be respected when dealing with a case of domestic abuse or VAWG. Information will only be shared with those agencies attending the meeting in relation to MARAC (Multi-Agency Risk Assessment Conference) referrals.

We will report incidents to the police on behalf of individuals or support them in doing so, (with their permission), where they feel too intimidated to report incidents themselves.

7. Legal Advice

Nehemiah will encourage victims of domestic abuse to seek independent legal advice, including the use of injunctions with a power of arrest attached.

Why Nehemiah may use Safeguarding Procedures

- **Children**

Where Nehemiah becomes aware of objective evidence of domestic abuse towards children or domestic abuse in a household is impacting on a child's well-being a referral will be made to the appropriate Safeguarding agency in accordance with agreed Safeguarding procedures in order to minimise the risk to the individuals involved.

At our young parent project Nehemiah will also work in line with the Common Assessment Framework which encourages a simple process for a holistic assessment of a child's needs and strengths, taking account of the role of parents, carers and environmental factors on children's development.

Service Standards

We will offer to interview domestic abuse victims within 1 working day. The interview will be at a suitable location that the victim is happy with.

- Where possible, the interview will be offered an interview with a member of staff of the same sex and/or cultural background.
- Where possible an interpreter will be provided where required and will be of the same gender, if the victim requests it.
- Nehemiah will treat all dealings with the victim in absolute confidence, except where there are safeguarding concerns relating to children. In these instances, Nehemiah will refer the victim to the relevant safeguarding agencies.
- Nehemiah will inform the victim about possible courses of action and will only contact other agencies if the victim gives permission (except where there is evidence of safeguarding issues)

- If the victim is unable to return home Nehemiah will liaise with other agencies to find emergency accommodation.
- If the victim agrees, and it is appropriate, Nehemiah will take action to evict the abuser, where they have taken sole possession of the property.
- Nehemiah may provide extra security measures to the victim's property if they choose to stay there, and it is appropriate to do so.
- Nehemiah will treat all customers with fairness and respect.

Designated Domestic Abuse Lead

It is the responsibility of the Board to ensure that this policy is successfully implemented, and the procedures followed. The Housing Service Manager will act as the Lead.

Managers with staff responsibility will be responsible for ensuring that all staff and contractors understand the importance of this policy and the related procedures and comply with them. It is essential to the implementation of this policy that staff know how to deal with emergencies and to express concerns to the appropriate person in the organisation.

8. Legislation: The following legislation is relevant to this policy:

- Human Rights Act 1998
- Adoption and Children Act 2002
- Domestic Violence, Crime and Victims 2004 (Amendment 2012)
- Serious Crime Act 2015
- Housing and Planning Act 2016
- Secure Tenancies (Victims of Domestic Abuse) Bill 2017-19 introduced on 19 December 2017.
- Preventing and Combating Violence Against Women and Domestic Violence (Ratification of Convention) Act 2017
- Homelessness Reduction Act 2017
- Homeless Act 2018
- Data Protection Act 2018 (amended to include GDPR)
- Equality Act 2010
- Anti-Social behaviour Act 2008
- The Family Act 1996
- Protect from Harassment Act 1997
- Domestic Abuse Act will come into force 2021/22, or new Domestic Abuse Protection Notice will be piloted before being implemented throughout England & Wales.

9. Training and Support for Staff

All relevant staff will receive training on using this policy and will also be made aware and receive training on the procedures of any practices within

their local authority. The level of training they receive will be considered in proportion to the role within the organisation, tenants they work with and risk they are potentially dealing with.

A detailed policy outlining the support that can be offered to staff who may be experiencing domestic abuse is outlined in Appendix 1.

10. Monitoring and Review of Policy

This policy will be reviewed every three years, unless legislation, business or sector developments require otherwise, ensuring that it continues to meet its objectives and take account of good practice.

11. Complaints

Complaints regarding our response to management of reports of domestic abuse will be referred, in the first instance, to the Domestic Abuse Lead of (HSM) and if this complaint is not resolved, stage 2 of our complaint procedures will be adopted.

12. Link to Other Policies.

This policy should be read and implemented in conjunction with the following Nehemiah Policies:

- Lettings Policy
- Safeguarding Children & Adults at Risk Policy
- Tenancy Policy
- Tenancy Fraud Policy
- Tenancy Sustainment Policy
- Equality and Diversity Strategy and Policy
- Anti-Social Behaviour Policy
- Compliments, Comments and Complaints Policy
- Abandonment Policy
- Harassment and Hate Crime Policy
- Rechargeable Repairs Policy

13. Useful Links/information

- www.gov.uk/guidance/domestic-violence-and-abuse
- www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/domestic-abuse/legislation-policy-and-guidance/
- <http://www.womensaid.org.uk/information>
- www.safelives.org.uk
- <https://www.gov.uk/report-domestic-abuse>
- National Domestic Violence Helpline: 0808 2000 247 or www.nationaldomesticviolencehelpline.org.uk
- Men's Advice Line: 0808 801 0327 or www.mensadvice.org.uk
- GALOP: 0800 999 5428 or galop.org.uk AAFDA (Advocacy After Fatal Domestic Abuse): 07768 386922 or www.aafda.org.uk
- National Homicide Service: 0845 3030 900 or www.victimsupport.org.uk

Policy Title	Supporting Employees Who Experience Domestic Abuse Policy
Date Adopted	08/2018
Review Date	New
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APPENDIX 1



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1. Introduction

Nehemiah UCHA is committed to heightening the awareness of domestic abuse, and providing guidance for employees and management to address the occurrence of domestic abuse and its effects on the workplace.

One in four women will experience domestic abuse at some point in their lifetime. This means that it is likely that staff within the workplace have or are likely to experience domestic abuse as well as those who are perpetrators of abuse.

Domestic abuse is the abuse of power and control over one person by another and can take many different forms, including physical, sexual, emotional, verbal and financial abuse.

Domestic abuse can happen to anyone, and in all kinds of relationships - heterosexual, gay, lesbian, bisexual and transgender. People suffer domestic abuse regardless of their social group, class, age, race, disability, gender, sexual orientation or lifestyle. The abuse can begin at any time – in new relationships or after many years spent together.

In 2008/09 domestic abuse accounted for 68% of female homicides and 15% of male homicides (Walby et al 2010).

There are four main areas of health and safety law relevant to violence at work:

- Health & Safety at work Act 1974
- Management of Health & Safety at Work Regulations
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
- Health & Safety (Consultation with Employees) Regulations 1996

An effective workplace policy on domestic abuse can ensure that employers are complying with these laws stated above.

The direct and indirect cost of domestic abuse on staff working for Nehemiah UCHA can be wide ranging; such as the quality of service provided to our customers, and:

- Increased sickness absence
- Poor work performance and lost productivity
- Bad time keeping such as lateness

Domestic abuse, as defined here, also includes issues such as

2. Purpose of Policy

The aim of this policy is to ensure that employees can be made aware of where appropriate assistance can be found where necessary.

3. Scope

This policy applies to all members of staff employed by Nehemiah UCHA Ltd.

4. Definitions

Domestic abuse is defined as “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.” (Home Office & ACPO, 2004).

5. Policy Links

Disciplinary Procedures
Health & Safety Policy
Equality & Diversity
Absence Management Policy

6. Policy Details

Nehemiah UCHA condemns domestic abuse and is committed to responding sensitively and effectively to staff that require help and support.

Nehemiah UCHA intends to make assistance available to employees involved in domestic abuse. This assistance may include:

- confidential means for coming forward for help;
- resource and referral information;
- special considerations in the workplace for employee safety;
- work schedule adjustments or leave necessary to obtain medical, housing, financial, counselling or legal assistance;

In responding to domestic abuse, Nehemiah UCHA will maintain appropriate confidentiality and respect for the rights of the employee involved.

6.1 Domestic Abuse and the workplace

Everyone has the right to a life free from abuse in any form. Domestic abuse is wholly unacceptable and inexcusable behaviour, and responsibility for domestic abuse lies with the perpetrator.

Nehemiah UCHA strives to create a working environment that promotes the view that abuse against people is unacceptable and that such abuse will not be condoned or made the subject of jokes or graphics.

Any incident of abuse that takes place on Nehemiah UCHA premises or in relation to carrying out the organisation's business should be reported to the individual's line manager or Corporate Services.

Employees should also be aware that conduct outside of work could lead to disciplinary action being taken because of its impact on the employment relationship.

The perpetration of domestic abuse by an employee may lead to disciplinary action being taken against that employee, up to and including dismissal, regardless of whether the abuse occurred at work or not. This measure reflects potential risks posed to our customers and also the reputational damage that may potentially be experienced by the organisation.

6.2 Confidentiality & Privacy

Nehemiah UCHA respects an employee's right to privacy in the event they do not wish to inform the organisation that they have experienced domestic abuse.

Employees who disclose experiencing abuse can be assured that the information they provide is confidential and will not be shared with other members of staff without their permission.

As far as possible, personal information of employees who are experiencing domestic abuse will only be shared on a need-to-know basis.

6.3 Discrimination and Reasonable Support

Nehemiah UCHA will not discriminate against anyone who has been subjected to domestic abuse, in terms of his or her existing employment or career development.

Nehemiah UCHA is aware that domestic abuse victims may have performance problems such as chronic absenteeism or lower productivity as a result of domestic abuse. When addressing performance and safety issues, all reasonable efforts will be made to consider all aspects of the employee's situation and / or safety problems.

Nehemiah UCHA will make reasonable effort to assist an employee experiencing domestic abuse. If an employee needs to be absent from work due to domestic abuse, the length of the absence will be determined by the individual's situation through collaboration with the employee and their manager (supported by Corporate Services) and their Union Representative if applicable.

Nehemiah UCHA will reasonably help an employee to address their own domestic abuse. Depending on circumstances, these options may include:

- arranging flexible work hours so the employee can seek protection, go to court, look for new housing, enter counselling, arrange child care, etc.,
- considering job sharing options,
- provide, for a reasonable and proportionately short period of, normally, paid or unpaid leave
- Divert phone calls and email messages and look to change phone extension if an employee is receiving harassing calls.
- Agree with the employee what to tell fellow colleagues and how to respond if their ex/partner telephones or visits the workplace.
- Keep a record of any incident of abuse in the workplace, including persistent telephone calls, emails or visits to the workplace
- Put up a domestic abuse helpline poster on the back of toilet doors.
- Have a list of support services offered in local area that is accessible and refer employees to appropriate organisation that deal with domestic abuse.

6.4 Safety at work

Nehemiah UCHA will actively provide support to employees to minimise the risk to their safety while at work, if they make it known to the organisation that they are experiencing domestic abuse.

6.5 Providing support

Nehemiah UCHA intends to make support available to employees involved in domestic abuse. Nehemiah UCHA will provide support through its managers, Corporate Services and occupational health.

Nehemiah UCHA recognises that perpetrators of domestic abuse may wish to seek help and support voluntarily. Reasonable support will be provided by the organisation particularly where the matter is proactively raised outside of any formal processes being taken against them by external agencies

7. Roles and Responsibilities

7.1 The Managers:

- be available and approachable to employees experiencing domestic abuse;
- keep information confidential, subject to the requirements of safeguarding children and vulnerable adults processes and the Crime and Disorder Act.
- discuss the specific steps that can be taken to help the employee stay safe in the workplace;
- ensure the employee is aware of options available to them, as referenced in this document;
- encourage affected employees to seek advice from external agencies_
- encourage affected employees to utilise support mechanisms available internally to the organisation (e.g. Occupational Health).

7.2 The Employee

- take note of this policy, and act in accordance with its contents.
- ensure their behaviour at work reflects the aims and values of Nehemiah UCHA and that they follow this policy in maintaining confidentiality and privacy for colleagues experiencing domestic abuse.

8 Training

All staff will receive training on using and accessing this policy and will also be made aware and receive training on the procedures of any best practice. The level of training individuals receive will be considered in proportion to the role within the organisation.

9 Monitoring

This policy will be reviewed every 3 years or as deemed necessary due to legislative or good practice changes.

10 Reference

This policy has been compiled with reference to the CIPD Guide for Employers March 2013 on Managing and Supporting Employees Experiencing Domestic Abuse and the Home Office & ACPO, 2004

11 Useful links and Information

<p>Black Association of Women Step Out (BAWSO) www.bawso.org.uk Women's Aid is the national domestic abuse charity that helps up to 250,000 women and children every year. They work to end violence against women and children and support over 500 domestic and sexual violence services across the country.</p>	<p>Corporate Alliance Against Domestic Violence www.caadv.org.uk The Corporate Alliance aims to raise awareness and reduce the social and economic impact of domestic violence in the workplace. Working together with employers, their vision is to create a work environment where employees have the opportunity to seek practical support and advice and, ultimately, take positive action to end domestic violence. Membership is open to any employer, trade union or representative body in the UK.</p>
<p>Broken Rainbow www.broken-rainbow.org.uk Broken Rainbow provides support for lesbian, gay, bisexual and transgender people experiencing domestic abuse.</p>	<p>Man Kind Initiative www.mankind.org.uk The Man Kind Initiative is a national charity that provides help and support for male victims of domestic abuse.</p>
<p>Men's Advice Line www.mensadviceline.org.uk The Men's Advice Line offers practical advice, information and support to male victims of domestic abuse as well as concerned friends and families.</p>	<p>Refuge www.refuge.org.uk Refuge is one of the largest single providers of specialist accommodation and services to women and children escaping domestic violence, supporting over 1,000 women and children every day.</p>
<p>Respect www.respect.uk.net Respect is the UK association for professionals working with domestic violence perpetrators and associated support services. The organisation's key aim is to increase the safety of those experiencing domestic violence through promoting effective interventions with perpetrators.</p>	<p>Women's Aid www.womensaid.org.uk Women's Aid is the national domestic abuse charity that helps up to 250,000 women and children every year. They work to end violence against women and children and support over 500 domestic and sexual violence services across the country.</p>
<p>24-hour National Domestic Violence Freephone Helpline – 0808 2000 247 This is run by Women's Aid and Refuge</p>	