



berneslai
homes

Domestic Abuse Policy

Document Control

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Contents

No.	Contents	Page
1.	Purpose of the policy	4
2.	Policy Aims	4
3.	What is Domestic Abuse – Definitions and Legislative Context	5
4.	Our responsibility tackling domestic abuse and supporting customers	6, 7
5.	Training and awareness	7,8,9,10
6.	Data protection and confidentiality	10
7.	Equality, diversity and inclusion	10
8.	Appeals, reviews, complaints	11
9.	Associated documents	11

1. Purpose of the policy

Berneslai Homes are committed to supporting any customer who is experiencing or are at risk of Domestic Abuse. We will work closely with our partner agencies to both strategically and operationally to make sure that victims, children, and other household members receive the most effective support.

Perpetrators may also have the right to support and be offered interventions aiming to prevent further domestic abuse and/or Anti-Social behaviour.

Berneslai Homes also has a workplace policy for staff which can be found [here](#).

Anyone reporting domestic abuse to Berneslai Homes or experiencing domestic abuse, will be treated in a sympathetic, supportive, and non-judgemental way and any disclosure of abuse will be taken seriously. Advice and guidance will be provided as a priority.

2. Policy aims

This policy aims to set out our approach to supporting customers affected by domestic abuse and demonstrates:

- Our organisational approach to reducing the impact of domestic abuse and promoting a positive and appropriate response to customers.
- How we will respond to a disclosure of domestic abuse.
- How we train and raise staff awareness, and how we support staff to identify the signs of potential abuse to support and advise our customers.
- How we will work in partnership with others to tackle domestic abuse for our customers.
- How we aim to deal with tenancy rights and housing needs for both the victim and the perpetrator.
- How we will safeguard adults and children who are at risk (also contained within safeguarding policies).

This policy applies to:

- Tenants, households' members, residents, and leaseholders living in homes managed by Berneslai Homes.
- Applicants on our housing register.

Regardless of tenure, where we are made aware of domestic abuse, we will take appropriate action in accordance with this policy.

3. What is Domestic Abuse – Definitions and Legislative Context

The Domestic Abuse Act 2021 provides a statutory definition of domestic abuse:

“Any incident or pattern of incidents of controlling, coercive, 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. The abuse can encompass, but is not limited to psychological, physical, sexual, financial, emotional.”

Domestic abuse can take different forms including:

- physical abuse
- sexual abuse
- financial abuse
- coercive control and gaslighting/emotional abuse
- digital/online abuse
- so called “honour-based” violence
- psychological abuse

The 2021 Act extended the definition to include children who have witnessed the abusive behaviour as victims. Any concerns for the safety of children within a household will be addressed in line with relevant organisational and local safeguarding policies.

There is a statutory definition of domestic abuse, and both stalking and controlling behaviour are classed as a criminal offence. Domestic Abuse Protection Orders, forced marriage, and female genital mutilation (FGM) can be enforced against offenders in order to protect individuals from harm. Other measures detailed in the Act relate to the provision of accommodation with support to victims and their children residing in their homes, or in temporary refuge, dispersed and move on accommodation.

The following legislation is relevant to and informs this policy and the approach of Berneslai Homes:

- Housing Act 1996
- Family Law Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Children Act 2004
- Crime and Disorder Act 1998
- Police and Justice Act 2006
- Equality Act 2010
- Protection of Freedoms Act 2012
- Anti-social Crime and Policing Act 2014
- Care Act 2014
- Serious Crime Act 2015
- Clare’s Law (Domestic Violence Disclosure Scheme) 2014
- Homelessness Reduction Act 2017
- Domestic Abuse Act 2021

4. Our responsibility with tackling Domestic Abuse and supporting customers

We will treat all reports of domestic abuse seriously and we are committed to working in partnership with other agencies to ensure the safety of all those who may be, or have been, subjected to domestic abuse.

4.1. Where a customer reports domestic abuse to us directly we will manage the case in accordance with our domestic abuse guidance, vulnerability protocol, safeguarding and ASB procedures, ensuring that the police and other relevant partners are informed so far as this is agreed and deemed safe for the customer.

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 crime
- Safeguard children or vulnerable adults

All individuals will be made aware of instances where we have a duty to disclose information.

4.2. Staff may also become aware of domestic abuse through our interactions with partners/attendance at MARAC, (Multi Agency Risk Assessment Conference) MATAC, (Multi Agency Task and Coordination) MAPPA, (Multi Agency Public Protection Assessment) Domestic Abuse Partnership, Adult or Children Safeguarding, or may suspect that domestic abuse is taking place within a customer's home. In such situations staff should report this information via our Vulnerability Protocol in the first instance and discuss with their line manager.

4.3. Measures that Berneslai Homes may take in reducing the risk of harm to customers who are experiencing domestic abuse include (but are not limited to):

- Working within the Council's Lettings Policy to ensure the appropriate priority is given to both victims and perpetrators to be rehoused from private sector accommodation or transfer to a property that reduces the risk of domestic abuse to the victim and/or their family.
- Supporting other specialist providers, i.e., IDAS (Independent Domestic Abuse Service) to facilitate emergency accommodation in terms of refuge, and or supporting tenants to contact the Council's Housing Options service for customers fleeing domestic abuse and considering use of hotel accommodation in emergency situations if other providers are unable to.
- Agreeing to a managed move away from the direct area they currently reside
- Making appropriate use of our tools and powers to sanction and/or support those who are perpetrators of domestic abuse.
- Target hardening referrals submitted to IDAS (including providing customers with enhanced security measures to properties)
- Consideration of providing additional security measures on an individual case basis such as high specification doors, external fencing.

- Completing risk assessments and referrals to local partner IDAS and or other specialist agencies who can tackle complex issues and give advice to customers on legal actions and considering best outcomes.
- Informing new tenants at sign up that they can report issues of domestic abuse in line with our policy as they feel necessary.
- Ensuring all staff are trained to “spot the signs” and know how to offer that first step support/referral.
- Encourage perpetrators to seek help and refer to specialist providers as appropriate.
- Raising safeguarding concerns; and/or reporting to South Yorkshire Police
- Submit referrals to South Yorkshire Fire and Rescue Service to reduce any potential fire risk through arson, install letter guards
- Referring to Tenants First Service
- Joint Tenancies - where the victim is the joint tenant with the perpetrator we will discuss the best option that is available to them.

This will include:

Options of seeking independent legal advice to have the tenancy transferred into the victim’s sole name. A referral can be made to the Council specialist domestic abuse support provider to support tenants to do this this can include advise on any legal tools that may be available to limit access to the property by the perpetrator

Considering offering the perpetrator alternative accommodation through our Lettings Policy.

Taking tenancy action to move the tenancy to the sole name of the victim.

4.4. We will work with partner agencies including the Police, The Council’s Safer Neighbourhood Services, Adult and Children Safeguarding, IDAS, (Independent Domestic Abuse Service) the Councils Housing Options team and we will attend multi agency meetings MARAC/MATAC (Multi Agency Risk Assessment Conference/Multi-Agency Task and Coordination) and the Domestic Abuse Partnership.

5. TRAINING AND AWARENESS (recognising, reporting, responding, and recording)

We expect all our staff to be able to recognise the signs of domestic abuse and know who and how to report concerns. Please refer to our Domestic Abuse guidance [Domestic Abuse Guidance for staff](#)

5.1 Training and awareness

We will equip staff with the knowledge and awareness to identify signs of domestic abuse and respond to disclosures in the most effect way to support customers and colleagues.

We will offer specific E-Learning module on domestic abuse through INSPIRE, as well as guidance on how to use Berneslai Homes vulnerability policy which can be found on our “Something doesn’t look right”, “Safeguarding at Berneslai” Intranet page.

We will train all staff to have a basic understanding of the impact of domestic abuse on customers, and train front line staff offering interventions to those customers with a bespoke training session which will give officers an in depth understanding of how to approach customers, make referrals, support and reduce any risk posed to the tenant. We will offer those tenants wishing to undertake a training programme with a referral to a Keyworker from Tenants First.

We will ensure staff receive periodic training and awareness sessions based on their roles and responsibilities:

- Generic – a basic awareness that will allow for accurate signposting and referrals.
- Front Line – Knowledge to identify domestic abuse, respond appropriately to a disclosure and provide housing related advice.
- Tenants First Service - Knowledge to manage a domestic abuse report, work directly with specialist support agencies, provide direct intervention to both victims and perpetrators and to represent Berneslai Homes in multi-agency forums.

5.2 Recognising and responding to the signs of domestic abuse

We expect all our staff to be able to recognise the signs of domestic abuse and know who and how to report concerns. We have and will continue to share information with staff about the different types of domestic abuse and offer training relevant to staff roles. We expect all staff attend organised training on how to recognise and respond to domestic abuse and follow our Vulnerability Protocol (“Something doesn’t look right” and Safeguarding @ Berneslai Intranet Page) [Safeguarding @ Berneslai](#)

Our Neighbourhood Teams, Anti-Social Behaviour Team and Tenant First teams are our specialist services equipped to deal with reports of domestic abuse.

5.3 Reporting

Anyone can report concerns about domestic abuse to Berneslai Homes. This includes:

- individuals experiencing domestic abuse.
- individuals witnessing or suspecting domestic abuse.
- the perpetrator of domestic abuse.

- Staff
- Partner organisations

Our website has these details. - [Support for Tenants - Domestic Abuse](#)

We want all our staff and our repair partner(s) to report any concerns they may have about domestic abuse occurring amongst our customers.

Staff should complete the Vulnerability Protocol to raise concerns or follow advice and guidance on our intranet page. Safeguarding at Berneslai or “something doesn’t look right” - [Safeguarding @ Berneslai](#)

As well as the above, staff and partners should be aware of the process to follow up reports and concerns and can do either of the following:

- When there is immediate danger dial 999.
- They can refer the case direct to IDAS using the referral form on IDAS website [IDAS Webpage](#); or
- Complete a Tenants First Referral

If there are children in the household who you suspect may be at risk of harm a referral to Children Social Care should be made.

If there are vulnerable adults in the household who you suspect may be at risk of harm, a referral to Adult Social Care should be made.

Referrals to social care can be accessed here: [Safeguarding @ Berneslai](#)

5.4 Recording

We will record the relevant details using our NEC Housing Management system and within the relevant tenancy and/or housing application files. We will take care to ensure that sensitive data is recorded appropriately and with restricted access where necessary. Where there is a joint tenancy or lease and the perpetrator and/or victim is the tenant or leaseholder we will ensure that any entries or records are stored and restricted appropriately to prevent the sharing of data between the joint tenants/leaseholders which could put someone at risk of harm.

Serious cases of domestic abuse may be overseen by the Anti-Social Behaviour Team and/or Tenants First.

5.5 Responding to Domestic abuse

We expect all our staff to offer support and understanding to people who disclose they are the victim of domestic abuse. We recognise that not all staff will have the necessary skills or knowledge to offer more than basic support and signposting, and for that reason it is our policy that the Neighbourhood and Tenant First Teams are

the lead contacts for taking more formal or detailed steps in tackling the issues or supporting the customer.

We will treat all initial reports of domestic abuse as high risk and aim to speak to the person reporting the concerns and carry out a risk assessment within **one working day** of receiving a report.

6. Data protection and confidentiality

We are committed to providing a sensitive and confidential response for cases of domestic abuse and will adhere to the General Data Protection Regulations 2018.

Wherever possible, we will seek consent to share information.

People who disclose that they are a victim of domestic abuse can be assured that the information they provide is confidential and will not be shared without their permission.

There are, however, some circumstances in which the information supplied has to be shared. This may occur when there are concerns regarding children, vulnerable adults, a high-risk level to the victim or where the organisation is required to protect the safety of their staff. In these circumstances the victim will be informed as to the reasons why confidentiality cannot be maintained. Information will only be shared on a need-to-know basis.

We reserve the right to make a referral to social services, our specialist domestic abuse support provider, to the police or other relevant agency without the permission of the complainant, where the situation and the provisions of the General Data Protection Regulations 2018 (and any other relevant legislation) justify it, including when a safeguarding concern arises.

7. Equality, Diversity, and Inclusion

We will ensure equal and fair access to our services; we will do this by taking into consideration the individual needs of our tenants, their family or other persons living with them.

We will ensure that individual needs are considered throughout the process and make reasonable adjustments where necessary. We will treat people fairly and with dignity and respect.

8. Appeals, Reviews and Complaints

Appeals

A tenant does have the right to appeal a decision in terms of Tenants First eligibility and the offer of support.

Review

You can at any time request a review of our decisions by using:

[Review - Contact us](#)

Complaints

A tenant can make a complaint where they believe that we have failed to follow the terms of this policy. These complaints will be handled under our Your Comments Count Policy.

[Complaints - Contact us](#)

9. Related documents

Anti-social Behaviour Policy - [ASB Policy](#)

Lettings Policy - [Lettings Policy](#)

Dignity at work policy - [Dignity at work](#)

Health and Safety policy- [Health & Safety Policy](#)

Target Hardening Referral - [IDAS Webpage](#)

Your Comments Count Policy - [Your comments count](#)