

Devon Housing Associations Domestic Abuse Code of Good Practice



Working for Affordable Homes in Devon



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1. Aims of code

The purpose of this code is to ensure that a victim-centred, consistent approach to domestic violence and abuse is taken. It aims to raise awareness, improve effective responses and encourage partnership working with specialist agencies within the sector. It also sets out standards of good practice for Housing Associations across Devon.

2. Definition of domestic abuse

The Home Office defines domestic violence 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.’

Family members are defined as mother, father, son, daughter, brother, sister and grandparents, whether directly related, in-laws, common-law or step-family.

- Child on Child under 18 within the family (not a domestic abuse incident)
- Adult on Child under 18 within the family – (Child Abuse Investigation Unit)
- Adult on Adult over 18 within the family – (domestic incident)
- Partner on Partner both aged 16 years and over – (domestic incident)

This code also recognises definitions provided by the following agencies:

- Devon & Cornwall Constabulary
- Against Domestic Violence & Abuse (ADVA)
- Plymouth Domestic Abuse Services
- Women’s Aid

For the purposes of the code of practice the term domestic abuse is used to refer to all incidents of domestic abuse and violence.

3. Policy on domestic abuse

Each participating Housing Association in Devon:

- Pledges their commitment to treat domestic abuse seriously
- Will adopt a strategic approach in responding to domestic abuse
- Will develop working relations with other specialist agencies and make appropriate representation at MARAC and local Domestic Violence Forums
- Will ensure that the response to those affected by domestic abuse provides them with support and protection
- Recognises that a child experiencing or witnessing domestic abuse is a child in special circumstances and may be a child in need of protection
- Will provide a supportive and enabling environment, which encourages people to report domestic abuse to the police
- Will take a multi-agency approach in holding perpetrators accountable for their actions and will ensure that the full range of civil and criminal remedies can be pursued
- Will work co-operatively to enable households experiencing domestic abuse to access a range of housing and support options
- Will be sensitive to the diverse needs of victims and children considering their age, disability, gender, race or ethnicity, religion or belief, sexual orientation and transgender.
- Will recognise socio economic factors that may impact on those experiencing domestic abuse, such as, low income, low literacy or numeracy, rural isolation or caring status
- Will recognise additional barriers to those experiencing domestic abuse from fear that reporting will bring unwanted attention to their personal circumstances.

4. Confidentiality

Participating Housing Associations are committed to maintaining the highest standards of confidentiality in order to ensure the safety and well being of both victims and staff. Any information disclosed should be treated in the strictest confidence. The following points should also be considered:

- The health, safety and wellbeing of the victim will be paramount in the recording of information
- Staff must ensure that they act in accordance with their own organisations Confidentiality Policy
- Staff must not pass on or share information, including tenancy related matters with any third parties, irrespective of their stated relationship with the victim, except in circumstances where the victim has given written consent
- Staff must place a written record of any requests for information about a victim on the victim's file
- Staff must tell the victim about any requests for information they may receive from members of the public about the victim's situation at the earliest opportunity
- Staff must not take messages or accept gifts on behalf of the victim

Housing Associations will not normally disclose information to other agencies without prior consent from the victim. Housing Associations will make personal information available where required to do so by a Court, statutory obligation or under the Devon and Cornwall Domestic Violence Information Sharing Protocol (see 5 below).

Otherwise no third party outside an Association can have access to personal information without the consent of the individual. However, sharing information is permissible under certain circumstances. Responsible sharing of information in the public interest is supported by: The Public Interest Disclosure Act, Data Protection Act, Crime and Disorder Act.

In exceptional circumstances where the health and safety of an individual or other individuals is at risk, in particular children, and it is not feasible to obtain the individual's consent then information that would normally be considered confidential may be passed on to appropriate agencies.

In cases of domestic abuse it would be reasonable to disclose information if:

- The victim is considered at risk
- A vulnerable adult is considered at risk
- A child is considered at risk
- A member of staff is at risk
- Information about the perpetrator could reduce risk

5. Sharing of information

The Devon and Cornwall Domestic Violence Information Sharing Protocol covers statutory authorities, housing providers, voluntary and charitable organisations.

The protocol is concerned with the exchange of personal data and aims to:

- Identify the true level of the incidence of domestic abuse within the Devon & Cornwall area
- Reduce the incidence of domestic abuse within the Devon & Cornwall area
- Encourage the maximum numbers of victims of domestic abuse and repeat victims to be guided by the recording agency into subsequent multi-agency assistance and support
- To allow those agencies involved with the victim to have sufficient information to contribute to an effective outcome
- To allow those agencies involved with the victim to feed back information to the partnership to ensure re-offending can be identified and minimised

Participating Housing Associations should sign up to the protocol and ensure that staff are aware how to use it.

6. Dealing with disclosures

Housing Associations may be a victim's first and only contact regarding a domestic abuse issue. It is therefore essential that people who experience domestic abuse feel safe and supported in order that they can talk about their experiences. The initial response from front-line staff will be very important and Housing Associations need to adopt a clear procedure to ensure that appropriately trained staff know what to do, who to contact, what information and advice to give and who in their organisation is responsible for investigation and reporting.

Staff should:

- Listen and take the victim seriously
- Create a safe, confidential and comfortable environment for the victims to discuss their situation
- Offer the choice of speaking to a woman or a man
- Be confident to raise the subject of domestic abuse where they suspect abuse is taking place and ask appropriate questions
- Be aware of the signs of abuse
- Remember that the safety of the victim and any children will be paramount
- Offer a written summary after every interview to ensure clarity about any discussions and decisions made
- Check where further information should be sent and what contact numbers are safe to use

It can add to a victims' distress if they have to keep repeating the detail of their experience of domestic abuse in order to access services. When victims have given written consent, information can be shared with the usual agencies on the person's behalf to ease access to services.

Referrals to the following agencies should be considered:

- Specialist Domestic Abuse Services
- Police – Domestic Violence Unit
- MARAC
- Local Housing Advice Centre
- Social Services
- Education Welfare
- Legal Services
- Equality and diversity support agencies

7. Supporting victims

Victims may be concerned about losing their home, possessions, family support, friends, social networks and employment; as well as the upheaval of having to potentially move and change their children's schools. They may have also been financially dependant on the abuser and are worried about future income and resources. Being drug and alcohol dependent as a way of coping with the situation could also be a factor, which requires consideration.

Victims may also require information on the legal and service based options available to them and may find approaching statutory agencies difficult, especially if they have communication difficulties or their first language is not English. Their support needs may differ due to their age, disability, gender, race or ethnicity, religion or belief, sexual orientation or transgender. They may also fear reporting will bring unwanted attention to their personal circumstances (sexual orientation, male victim of abuse etc).

Staff should:

- Liaise with the appropriate agencies to identify the range of housing solutions available to them
- Work with the victim to identify their wants and needs
- Where possible respect the victims wishes and decisions
- Be sensitive to the individual needs of the victim
- Encourage the victim to work with agencies which can increase the victims awareness, knowledge, self-esteem and confidence
- Where appropriate, offer continued support and contact with the victim or refer to specialist services
- Be aware that the abuse may continue after the relationship has ended

Domestic abuse should always be considered as having a negative impact on children. If there are concerns regarding the welfare or safety of children or vulnerable adults, staff should discuss the issue with their line manager.

8. Supporting staff

Dealing with a case of domestic abuse or disclosure can have a significant impact on staff.

Housing Associations should ensure that line management support and counselling services are available to any affected staff.

9. Awareness raising

Housing Associations should aim to adopt the following strategies to raise awareness of domestic violence and abuse:

- Nominate a domestic abuse “champion”
- Identify staff with specialist knowledge
- Include information on services available in the locality to tenants via residents handbooks, newsletters and other formats
- Make relevant local information available both for staff and service users
- Offer information in a variety of formats
- Invite local domestic abuse services to attend staff briefings
- Provide briefings to tenant’s or resident’s panels (where appropriate) to inform them of the impact of domestic abuse
- Assist in developing a Devon wide toolkit for use by all housing providers

10. Training

In order to provide a comprehensive approach to the issues of domestic abuse it is essential that staff are properly and sensitively trained, ensuring that they are aware of the key issues and appropriate legislation.

Organisations should seek specialist advice to ensure that all relevant staff are trained to the correct level. Appropriate staff will be trained:

- During their induction to make them aware of the DV Code of Practice
- To the equivalent of ADVA level 1 Tackling Domestic Violence & Abuse
- ADVA - Preventing Murder & Serious Harm in Domestic Violence & Abuse
- On the aims, best practice and processes held within this text.

11. Preventing homelessness

Domestic abuse is a significant cause of homelessness. In many cases early intervention can prevent homelessness. Housing Associations have a duty under the Housing Act 1996, as amended by the Homelessness Act 2002 to co-operate with Local Authorities in their homelessness functions and should wherever possible endeavour to prevent homelessness through whatever means possible.

The Local Authority Housing Department has a duty to provide advice and information about homelessness and homelessness prevention. However, Housing Association staff should be aware of the range of options that are available through their own and partner organisations, including:

- The use of legal remedies to remove the perpetrator from the accommodation
- The use of injunctions to ensure the perpetrator does not return to the property
- The use of sanctuary schemes to improve the security of accommodation and help the victim feel safe in their own home
- Accessing alternative accommodation for instance transfers or mutual exchanges

12. Sanctuary schemes

Sanctuary schemes exist to help victims of domestic abuse to feel safe and secure when they choose to remain in their own homes, by improving the security with professionally installed security measures. The scheme is not an immediate response to the problem, but it is a long-term solution to prevent homelessness and improve a victim's quality of life.

Housing Associations will work in conjunction with partner agencies on a case by case basis to ensure that every sanctuary provision is tailored to meet the needs and circumstances of the individuals involved. Housing Associations should consider carrying out the proposed improvements to security using their own resources or contractors.

Identifying funding for sanctuary schemes, either solely or jointly with other agencies should be considered as part of the Housing Associations responsibility.

13. Dealing with perpetrators

Housing Associations should adopt a clear policy for dealing with perpetrators of domestic abuse.

In particular tenancy agreements should clearly state that any form of domestic abuse will not be tolerated and enforcement will be considered.

In reviewing existing tenancy agreements Housing Associations will aim to include a clause that specifies Grounds 12 (breach of one or more terms of the tenancy) and 14 (nuisance) of Schedule 2 of the Housing Act 1988 (as amended 1996) as grounds for possession in cases where domestic violence and abuse has been evidenced.

An example clause could be:

“You must not use or threaten to use violence or abuse, including psychological abuse, against any other person living with you, nor against their children. If you do, and that person has to leave the property because of violence, or threats of violence or abuse against them, we may take steps to evict you from your home and will have no responsibility to rehouse you.”

Staff should never contact a perpetrator about the alleged abuse as this may put the victim and any children at greater risk. However, if the perpetrator does contact the Housing Association, staff should:

- Be aware of confidentiality and the victim’s safety and not disclose any information that may jeopardise this
- Not act as a go between
- Where appropriate and in conjunction with other specialist agencies aim to assist the perpetrator in changing their behaviour by enrolment in perpetrator programmes
- Where appropriate advise the perpetrator that the consequences of their actions may mean they are not eligible to be allocated further housing via the Devon Home Choice scheme due to unacceptable behaviour

Should a perpetrator make a counter claim of domestic abuse a report should be logged and the case should be investigated. It is particularly important that links are made with partner agencies when investigating the case and that any decisions made are based on evidence available.

14. Reviews and monitoring

This document will be reviewed on an annual basis by the participating partners, or sooner if any changes to legalisations affecting this document are implemented.

Each participating Housing Association will take responsibility for arranging the annual review meeting, by rotation.

Housing Associations should monitor their organisation’s compliance with practical suggestions offered in this code of practice.

Housing Associations should monitor domestic abuse cases reported to them.

15. Participating Housing Associations

Cornerstone

18 Southernhay East
Exeter
Devon EX1 1QD
Tel: 01392 273462

<http://www.cornerstonehousing.net>

Devon & Cornwall Housing Association

Paris Street
Exeter
Devon EX1 2JZ
Tel: 01392 252566

<http://www.dcha.co.uk>

Magna Housing Association

Hollands House
Poundbury Road
Dorchester
Dorset DT1 1SW
Tel: 01305 216000

<http://www.magna.org.uk>

North Devon Homes

Westacott Road
Barnstaple
Devon EX32 8TA
Tel: 01271 312500

<http://www.ndh-ltd.co.uk>

Plymouth Community Homes

Princess Court
23 Princess Street
Plymouth
Devon PL1 2EX
Tel: 01752 398300

<http://www.plymouthcommunityhomes.co.uk>

Riviera Housing Trust

Woodview House
Torbay Business Park
Woodview Road
Paignton
Devon TQ4 7HP
Tel: 01803 696123

<http://www.rivierahousing.org.uk>

Sanctuary Shaftesbury

Estuary House
Peninsula Park
Rydon Lane
Exeter EX2 7XE

Tel: 0800 0839283

<http://www.sanctuary-housing.co.uk>

Sarsen Housing Association

4-5 Russell Court
Palace Street
Plymouth PL1 2AS
Tel: 01752 827730

<http://www.sarsen.co.uk>

Signpost Housing Association

Signpost House
Sunrise Business Park
Blandford Forum
Dorset DT11 8SA
Tel: 01258 484800

<http://www.sha.co.uk>

Sovereign South+West

Abbey House
North Road West
Plymouth
Devon PL1 5DH
Tel: 01752 234460

<http://www.sovereign.org.uk/south+west>

Tamar Housing Society

Belgrave House
73 Mutley Plain
Plymouth
Devon PL4 6JJ
Tel: 01752 250902

<http://www.tamarhs.org>

Tarka Housing

Gammaton Road
East the Water
Bideford
Devon EX39 4FG
Tel: 01237 428 080

<http://www.tarkahousing.org.uk/tarka>

Teign Housing

Templar House
Collett Way
Newton Abbot
Devon TQ12 4PH
Tel:01626322722

<http://www.teignhousing.co.uk>

Tor Homes

Tor House
St Peter's Quay
Totnes
Devon TQ9 5SH
Tel: 01803 869600

<http://www.torhomes.com>

Westcountry Housing

Hatfield House
Hatfield Road
Torquay
Devon TQ1 3HF
Tel: 01803 200300

<http://www.westcountryha.org.uk/wha>

West Devon Homes

The Quay
Plymouth Road
Tavistock PL19 8AB
Tel: 01822 813770

<http://www.wdh.org.uk>

**William Sutton Homes - part of Affinity
Sutton**

12 Elstree Way
Borehamwood
Hertfordshire WD6 1JE
Tel: 0845 217 8601

<http://www.williamsutton.org.uk>

16. Certification

Devon Housing Associations

Domestic Abuse Code of Good Practice

By signing below, the participants accept and will adopt the statements included in this code of good practice, and agree to maintain the specified standards.

Participating Housing Association	
Name	
Title	
Signature	
Date	

One signed copy of this certificate should remain as part of the document to be held by the participating Housing Association.

One signed copy of this certificate should be returned to the Devon Strategic Housing Group.


william sutton homes

Part of Affinity Sutton

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Housing
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 Magna Housing Association

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Plymouth
Community Homes 

Devon & Cornwall
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Association 

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Housing
Society

corner
stone
Housing People

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