



Domestic Abuse Policy

Ref: 435

1. Aim

Domestic abuse is a widespread and often concealed problem that can affect all people regardless of class, ethnicity, sexuality, age, ability, faith, or gender identity. The impact of domestic abuse is significant, affecting the mental and physical health of victims and affecting children who witness abuse. At Pioneer we are committed to ensuring that we keep our customers safe from harm. This policy outlines our approach to safeguarding our customers who may be at risk of or experiencing domestic abuse.

This policy refers to Domestic 'Abuse' in preference to Domestic 'Violence' as its impact can go beyond actual physical violence, to involve emotional abuse, coercive and controlling behaviours, the destruction of property, isolation from friends, family or sources of support, control over decision making, money, transport or telephone and can include the impact of witnessing violence.

This policy is based on the principle that everyone has a right to live their lives with dignity, respect and freedom from abuse, violence, fear and exploitation. We take domestic abuse very seriously and are committed to handling any reports of domestic abuse sensitively and appropriately to work with victims / survivors to find solutions. Everyone who works for Pioneer has a duty to safeguard our customers from domestic abuse.

2. Scope

This policy applies to all customers of Pioneer, its contractors, and third-party organisations we work with. This policy applies to tenants, family members and visitors who are victims and/or perpetrators of domestic abuse, and other residents who may be the victims of domestic abuse caused by Pioneer tenants or their family members.

Domestic Abuse (DA) is not a form of ASB but there may be times where it gets brought our attention as a report of ASB from a neighbour (e.g. noise nuisance). Our colleagues are trained to recognise these situations and use professional curiosity to ensure that we aren't taking action against a DA victim as an ASB perpetrator etc.

3. Reference documents

3.1. Legislative Requirements

Domestic Abuse Act 2021
Children's Act 1989 and 2004
Family Law Act 1996
Housing Act 1996 and 1998
Protection from Harassment 1997
Human Rights Act 1998
Crime and Disorder Act 1998 – Section 115
Policing and Crime Act 2017
Every Child Matters Framework (2003)
Anti-Social Behaviour Act 2003 S145/S149
Domestic Violence, Crime & Victims Act 2004
Mental Capacity Act 2005
Safeguarding Vulnerable Group Act 2006
Anti-social Behaviour Crime and Policing Act 2014

Modern Slavery Act 2015
Data Protection Act 2018
General Data Protection Regulation (GDPR)
[Domestic abuse where to get help](#) Government guide.

3.2 Referenced and related policy documents

The Pioneer documents that support the delivery of this policy are:

- Anti-Social Behaviour Policy
- Harassment Policy
- Safeguarding Children Policy
- Safeguarding Adults Policy
- Hate Policy
- Personal Safety Policy
- Risk Alert Policy
- Allocations Policy

4. Definition of Domestic Abuse

The Domestic Abuse Act 2021 defines domestic abuse as the following:

- 1) Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if:
 - (a) A and B are each aged 16 or over and are personally connected to each other, and
 - (b) the behaviour is abusive.
- 2) Behaviour is “abusive” if it consists of any of the following:
 - (a) physical or sexual abuse.
 - (b) violent or threatening behaviour.
 - (c) controlling or coercive behaviour.
 - (d) economic abuse or financial abuse.
 - (e) psychological, emotional, or other abuse.

The behaviour can be a single incident or a course of conduct. Categories of harm or abuse relating to domestic abuse (but not exhaustive):

Physical: includes assault, hitting, slapping, pushing, kicking, misuse of medication, being locked in a room, inappropriate sanctions or force-feeding, inappropriate methods of restraint, and unlawfully depriving a person of their liberty.

Psychological or emotional: threats of harm or abandonment, deprivation of contact, humiliation, rejection, blaming, controlling, intimidation, coercion, indifference, harassment, verbal abuse, cyber bullying, isolation or withdrawal from services or support networks.

Financial or economic: theft, fraud, internet scamming, coercion in relation to financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions, or benefits. Acquire, use, or maintain money, obtain goods or services.

Sexual: rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing

sexual acts, sexual exploitation, sexual assault, or sexual acts to which the adult has not consented or was pressured into consenting.

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.

Coercive behaviour: is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten a person. This includes isolating them from sources of support, exploiting their resources and capacity for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour. This can also include forced marriage and so-called 'honour violence.'

5.0 Legal framework and context

5.1 The Domestic Abuse Act 2021

The Domestic Abuse Act 2021 marks a significant step towards providing further protections to the millions of people suffering from Domestic Abuse. The Act has four main objectives relating to Domestic Abuse:

- To promote awareness.
- To protect and support victims.
- To transform the justice process.
- To improve performance of the justice system.

Significant changes of the Act:

- Creates a statutory definition of Domestic Abuse Under the Act
- It is no longer a requirement for perpetrators and victims to either still be in a relationship or to still live together.
- The act also recognises children as victims of domestic abuse. A child who sees, hears, or experiences domestic abuse, and is related to the person being abused or the perpetrator, is regarded as a victim of domestic abuse in their own right.
- Establishes a new of Domestic Abuse Commissioner to help drive consistency and performance in response to domestic abuse local areas and hold both government and agencies to account.
- The Act introduces a new civil Domestic Abuse Protection Notice (DAPN) and a new civil Domestic Abuse Protection Order (DAPO).
- The Act has placed a statutory duty on tier one local authorities to provide support to victims of domestic abuse and their children within refuges and other safe accommodation.
- Eligible homeless victims of domestic abuse will automatically have ‘priority need’ for homelessness assistance.
- Perpetrators will no longer be allowed to directly cross-examine their victims in the family and civil courts.
- Victims will also be given better access to special measures in the courtroom to help prevent intimidation – such as protective screens, giving evidence via video link, separate entrances and exits and waiting rooms.
- Threats to share intimate images is a crime – extending an offence to cover the threat to disclose intimate images.
- The act also puts the guidance supporting the Domestic Violence Disclosure Scheme (Clare’s Law) on a statutory footing.

Clare’s Law: the ‘right to ask,’ and the ‘right to know.’

- ‘Right to ask’ – a person can apply for a disclosure if they are concerned about whether a partner or potential partner has a history of abusive behaviour. Third parties can also seek a disclosure if they are worried that a someone is at risk. When such an application is made, the police have to decide whether or not to disclose any history of violent or abusive behaviour on the basis of whether it could prevent further harm.
- ‘Right to know’ – this allows the police to make a proactive disclosure to a potential victim on their own initiative if they believe it could protect that person. The ‘right to

know' could arise following information received from a criminal investigation, or through a statutory or third sector agency.

5.2 Compliance

We comply with The Regulator of Social Housing, Neighbourhood and Community Standard which explicitly states:

'2.3 Domestic abuse – required outcome:

Registered providers must work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.

2.3.1 Registered Providers must have a policy for how they recognize and effectively respond to cases of domestic abuse.'

6. POLICY STATEMENT

Our Commitment / Response

All Pioneer customers, tenants, homeowners, leaseholders, householders, and staff should Live free from fear of violence or abuse. We take domestic abuse seriously and are committed to providing a sensitive and supportive service for anyone reporting domestic abuse to us. As part of our policy and commitment, we will:

- Consider how we support and empower the victim to take their own action
- Aim to identify people suffering, or at risk of suffering, DA at the earliest stages.
- Offer a person-centred, victim lead approach.
- Enable customers to report domestic abuse in a way that meets their needs, including in person, in writing, by telephone, online or through a third party such as the police or an advocate.
- Complete a risk assessment and action plan in collaboration with the person, this plan will include the type and frequency of contact they would like, extent of the involvement of other agencies and third parties.
- Explore safe options for future contact and follow up to ensure safety is priority.
- Regularly update and review plans and risk assessments.
- Support victims to access services that can offer support and expertise in dealing with domestic abuse.
- Where children are involved, make relevant referrals to safeguard the children's well-being in line with the statutory duty imposed upon us. Refer perpetrators to relevant agencies to access support and prevention services.
- Offer target hardening advice and where relevant adaptations to their property to ensure safety is a priority.
- Take appropriate legal action against the perpetrator either as the lead agency or in partnership with other agencies (West Midlands Police/Victim Support/Birmingham City Council)
- Promote and publicise our approach to raise awareness amongst staff and customers, making it easy and simple to report domestic abuse.
- Consider there may be times where the symptoms of DA are causing nuisance and annoyance to others and ASB tools such as the injunction process may be an appropriate intervention. Any action under the ASB Policy would be completed in full

consultation with support agencies/partners to ensure we are not placing victim at risk.

- Utilise all contacts, ensuring that those people who act on our behalf, such as contractors, are trained to be able to identify if something doesn't seem right and how to raise a concern.

6.1 Reporting Domestic Abuse

On receiving a report of DA, we will arrange for an officer to take the detail of the case, either the same day or within one working day. We will take the information in a way that best suits the person reporting the incident, either in person, over the phone or any other appropriate method. Where the report of domestic abuse is received from a professional, third party such as a police officer, we will establish what support has been offered and in place, and what is required from us.

In all cases, we will conduct a risk assessment and develop a live action plan which may include referrals to support agencies, or escalation of support and intervention if the victim is at immediate risk. We promote the Make Safeguarding Personal (MSP) initiative to empower and engage the customer in any solutions and decisions to determine how best they can be protected if it is appropriate and safe to do so.

We will work with West Midlands Police and MARAC to ensure the victim is supported and offered any relevant referrals and support at the earliest opportunity. All intervention will be conducted in line with consent from the victim. Each step will be confirmed in the action plan and agreed with the victim.

6.2 Supporting Victims

- All action plans and risk assessments will be completed jointly, and the victim will be encouraged, where appropriate, to take ownership of their plan alongside us.
- A list of agencies who support people experiencing DA will be provided, this can be found in appendix 2.
- We will support victims to remain in their home wherever possible and appropriate.
- We will consider transfers, or urgent management moves if this is not possible.
- We will offer targeting hardening measures to attempt to reduce or mitigate the risks involved with DA. This could include a range of options such as physical changes to the home such as additional locks or installing window alarms. In some serious cases it could include the installation of temporary CCTV.
- Where there is a requirement for emergency or temporary accommodation, we will consult with the local authority to ensure all housing options are explored.
- We will keep victims informed of the progress from agreed actions as detailed in the action plan.
- Where referrals are made to other agencies, we will stay connected with the victim to obtain updates and liaise directly with agencies where appropriate.
- We will support the victim to obtain the relevant support to manage any financial matters, including benefit advice and/or debt advice and support.
- We will respect the confidentiality of victims and witnesses and ask for permission to share information.

- We recognise that children need to be safeguarded and will ensure that we make the relevant referrals.
- All staff will be required to undertake DA training.
- We conduct our own Early Help Assessments and identify if a child needs a referral to social services.

6.3 Partnership and Multi Agency Approach

We work in partnership with the Local Authority, Police, and other agencies through multi agency forums such as the Multi Agency Risk Assessment Conference (MARAC), Birmingham Social Housing Partnership and Birmingham (North) Community Safety Partnership. We actively participate in all activities and meetings that involve these agencies to ensure we remain in touch with any Government changes and continue to provide a consistent and victim lead approach. Where we are the lead agency, we will ensure communication is consistent with other agencies and support is delivered in a timely way.

7. Enforcement – Perpetrator

We will work with the those experiencing domestic abuse and firstly support and empower them to consider what action they can take, we will make full use of the range of civil and legal remedies available to safeguard the victim(s) /survivor(s) against the perpetrator. We will collaborate with the Police, as appropriate, to support criminal proceedings, as well as specialist agencies to ensure appropriate support is available. Our Anti-Social behaviour Policy will be followed should enforcement action be required.

8. Damage to Property

Where there is damage to the property by a perpetrator of domestic abuse, we will carry out repairs in line with relevant policies. A crime reference number will be required, and photographs should be taken of the damage caused. Where appropriate, we may consider taking direct action against the perpetrator and report the damage to the police as a crime, if this does not place the victim at risk.

According to National Centre for Domestic Violence less than 24% of domestic abuse is reported to the police. Requiring victims to make a report to obtain a crime number may result in a victim (and their family) living in a property that may be insecure or unsafe, or at the very least retraumatising the victim. Housing Officers (or support workers) may be able to override this requirement for a crime number if they judge that the person is a victim of domestic abuse but isn't ready to report it to the police.

9. Performance Measures

We will:

- Keep all records of reported cases securely.
- Monitor our performance and implement learning and best practice.

- Periodically undertake our own internal compliance audits to ensure that our practice reflects our policy and operational procedure.
- We will implement any recommendations to ensure continued compliance and train colleagues where appropriate to their role.
- Undertake regular case reviews to ensure we are consistent and effective with our approach.

10. Monitor and Review

We monitor and review our approach to DA through our '*Safeguarding, Domestic Abuse and Hate Crime Forum*,' which meets bi-monthly to monitor all cases that fall within its remit. We provide case reflections sessions to support our colleagues managing such sensitive and emotive cases which also allows us to identify learning and adopt best practice.

Our policy regarding DA will be monitored and reviewed every three years or sooner if any relevant changes in legislation or regulations fundamentally change our approach.

11. Data Protection Statement

We encourage anyone experiencing abuse to allow sharing of information with other agencies (including the police, local authority departments and specialist domestic abuse support services) to ensure that the full range of civil and criminal remedies can be pursued and help to recover provided.

All information provided will be treated with the utmost confidence, only passed to external agencies with the person's prior informed consent.

Information may be shared without the person's consent if a child may be at risk or there is an elevated risk of serious harm to any other person in the situation described. In these circumstances we have a duty to report concerns. The DPO will approve any disclosure without the person's consent. Staff will at all times, work within Pioneers Data Protection, Confidentiality and Safeguarding Policies

Appendix 1 Examples of Domestic Abuse.

Power and control

- Telling them what to do and expecting obedience
- Using force to maintain power and control
- Not accepting responsibility for the abuse – not their fault
- Forced marriage.

Physical abuse:

- Being kicked, punched, pinched, slapped, choked, and bitten.
- Use or threats of use of 'weapons' including knives and irons.
- Being scalded or poisoned
- Objects being thrown.
- Violence against family members or pets

Verbal abuse:

- Constant yelling and shouting
- Verbal humiliation either in private or in company
- Constantly being laughed at and being made fun of
- Blaming you for their own failures

Threatening Behaviour:

- The threat of violence
- The threat of use of 'weapons' including knives and irons
- The threat of use of violence against family members or pets
- Threatening to use extended family members to attack you
- Destroying personal items
- Threatening to tell the police that you are the person committing the domestic abuse.
- Threatening to remove your children

Emotional and Psychological Abuse:

- Intimidation
- Withholding affection
- Turning your children and friends against you
- Being stopped from seeing friends or relatives
- Constantly being insulted, including in front of others
- Repeatedly being belittled
- Keeping you awake/stopping your sleeping.
- Excessive contact, for example stalking.
- Using social media sites to intimidate you (such as Facebook and Twitter)

Financial Abuse:

- Totally controlling the family income
- Not allowing you to spend any money unless 'permitted'
- Making you account for every pound you spend.
- Running up huge bills such as credit/store cards in your name
- Purposely defaulting on payments

Examples of Sexual Abuse:

- Sexual harassment/pressure
- Forcing sex after physical assaults
- Sexually degrading language
- Rape

Examples of Isolation:

- Limiting outside involvement such as family, friends, and work colleagues
- Not allowing any activity outside the home that does not include constant checking up on your whereabouts.

Examples of False Allegations:

- Telling the police that you are the one committing the domestic abuse when it is the other way around.
- Telling friends, families, your employer, and others such as sports clubs that you are the one committing the domestic abuse.
- False allegations of another 'crime'

Appendix 2 Domestic Abuse Information and Contacts

Service Name	Contact Details
Local Services	
West Midlands Police http://www.west-midlands.police.uk/advice-centre/help-and-advice/domestic-abuse/index.aspx	0345 113 5000, or 101 for non emergencies 999 for emergencies
Freedom project - 12 week programme for women ran at various locations to help and support women understand the beliefs of abusive men, recognise the effects on children, self esteem, future potential abusers, and an introduction to other services.	07868163103 http://birminghamfreedomproject.org/
Birmingham Women's Aid	http://www.bswaid.org/how-we-can-help/ 0808 8000028
Spitfire Services	http://castlevale.org.uk/ 0121 747 5932
Compass Support The Sanctuary, Tangmere Drive Access services such as: Employment support, tenancy support and family support.	http://www.cvcha.org.uk/main.cfm?type=CV CRS 0121 748 8111
The Childrens Centre, Castle Vale.	0121 675 0637 http://castlevalenursery.co.uk/
Victim Support (BRAVE) – Visual evidence for victims (VEV)	https://www.victimsupport.org.uk/what-we-do/local-services/west-midlands/vev-visual-evidence-victims 0808 1689111
Compass Support Services Limited– provides tenancy and family support for victims and their families to access services for support. Access to this service can be self referral or referral from another agency	0121 748 8111 based at the Sanctuary Building, Tangmere Drive, Castle Vale
Specialist Services	
National centre for Domestic Violence	www.ncdv.org.uk
National Domestic Violence helpline	www.nationaldomesticviolencehelpline.org.uk Free phone Helpline 0808 2000 247
Inland revenue	0845 3020203 / www.inlandrevenue.gov.uk
Rape Crisis	www.rapecrisis.org.uk
Shelter	0808 800 4444 / www.shelter.org.uk

Womens refuge: legal advice and housing options as well as support and information.	http://www.refuge.org.uk/ 0808 2000 247
National Centre for Domestic Violence	0844 8044 999 / www.ncdv.org.uk
Crimestoppers	0800 555 111 / www.crimestoppers-uk.org
Karma Nirvana: Supporting victims of honour crimes and forced marriages since 1993	08005999247 http://www.karmanirvana.org.uk/
Support for Children and young people	
Childline	0800 1111 / www.childline.org.uk
NSPCC	0808 800 5000 / www.nspcc.org.uk
Get Connected (16–25-year-olds)	0808 808 4994 / www.getconnected.org.uk
Support for men	
Men's Advice Line (for men experiencing domestic violence)	0808 801 0327 / www.mensadviceline.org.uk
Respect (for perpetrators of domestic violence)	www.respect.uk.net
DVmen focuses on male specific issues relating to abuse and gives advice on other support networks	http://www.dvmen.co.uk/help-for-men/help-lines/
Mankind initiative: confidential help line and source of information	01823 334244 http://www.mankind.org.uk/
Victim Support: for victims of sexual and domestic violence	08003283623 https://www.victimsupport.org.uk/help-victims/ive-been-affected/rape-or-sexual-assault-info-men
Support for men and women: LGBT	
Broken Rainbow	0300 999 5428 / 08452 60 44 www.brokenrainbow.org.uk
Other Support	
National Stalking Helpline	0808 802 0300 / www.stalkinghelpline.org
Women and Girls' Network	www.wgn.org.uk
Gingerbread	http://www.gingerbread.org.uk/
Advocacy After Fatal Domestic Violence (for bereaved friends and family):	www.aafda.org.uk