



Domestic Abuse Policy

April 2022 – 2025

Domestic Abuse Policy

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Brief Policy Summary:

Our Policy is to commit to the principles that Domestic Abuse is unacceptable behaviour and that everyone has the right to live free from fear and abuse.

We will ensure that those suffering from Domestic Abuse are provided with a fair, victim centered, confidential and supportive level of service within the constraints of current legislation and the resources available to us.

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1. Purpose and Statement

- 1.1 The purpose of this Policy is to provide a statement of how Lincolnshire Housing Partnership (LHP) will manage reports of domestic abuse.
- 1.2 By adopting this policy, LHP aims to:
- Develop a consistent and fair approach in dealing with domestic abuse.
 - Provide adequate staff training to ensure all employees understand the important role they can have in tackling domestic abuse.
 - Improve the safety and welfare of adults and children that are affected.
 - Increase awareness and understanding of this issue within the locality and workplace.
 - Improve LHP's response to domestic abuse and provide tailored support to tenants who experience domestic abuse, taking in to consideration their needs and circumstances.
 - Work together with Partnership agencies to provide a supportive and specialised service to those experiencing or affected by domestic abuse.
- 1.3 Domestic Abuse is unacceptable and should not be tolerated. Abuse in relationships is an abuse of power and could be a criminal offence. Domestic Abuse occurs in all communities and affects people of all backgrounds. It affects not only the victim, but also children, whole families and often can divide communities.
- 1.4 Domestic abuse usually involves partners or ex partners, but it can also include abuse between other family members e.g. by children to parents. Furthermore, it is the victim's perception of the situation that has to be paramount at all times.

2. Objectives

- 2.1 We will ensure that individuals experiencing domestic abuse are provided with a fair, consistent and sympathetic service and, within the constraints of the law and the resources available to LHP, all assistance in helping to resolve their situation.
- 2.2 All Individuals approaching LHP for assistance in situations of domestic abuse will have access to their own designated member of staff of the same sex if they prefer, who has received appropriate training about domestic abuse issues.
- 2.3 LHP will ensure, through liaison and co-operation with specialist counselling agencies, the Local Authority, Social Care (Adult and Children), Police Specialist Unit and other groups, that those experiencing domestic abuse have access to appropriate advice and support.
- 2.4 LHP recognises that each reported case of domestic abuse has its own complexities and individual circumstances, which would be too numerous to detail. Therefore, each reported case should be dealt with on an individual basis,

using this policy and the Domestic Abuse procedure as a guideline for the appropriate action to take.

- 2.5 Individuals will be advised to seek legal advice and speak with the Local Authority in respect of their position under homelessness legislation, if appropriate.
- 2.6 LHP will use the tenancy agreement to support the victim in cases of Domestic Abuse.
- 2.7 LHP will initiate Court Proceedings against illegal occupants or those occupying the property without authorisation from LHP, including, for example, where a joint tenant has relinquished the tenancy by a Notice to Quit served on LHP or one partner has left the dwelling because of abuse or threats of abuse (please refer to Domestic Abuse Procedure, LHP Mutual Exchange, Assignment and Subletting Policy and Procedure)
- 2.8 To offer assistance to those experiencing domestic abuse by not re-charging them for lock changes and damages, and where possible to charge the perpetrator. Each reported case will be looked at individually to assess the situation. Also to offer those in potential dangerous situations help in the form of a Lifeline to use in Lincolnshire or a referral to Carelink in North East Lincolnshire.
- 2.9 To assist individuals to remain in their own home and consideration will be given to providing extra security for their home.

3. Scope

- 3.1 This policy extends to all LHP tenants.
- 3.2 Although statistics and research show that domestic abuse tends to be perpetrated by men against women, this policy extends to all genders and sexual orientations as well as abuse of or by sibling to parent/carers.

4 Definition

- 4.1 The Home Office 2021 definition of domestic violence and abuse now states: Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if A and B are each aged 16 or over and are personally connected* to each other, and the behaviour is abusive.
- 4.2 Behaviour is “abusive” if it consists of any of the following:
 - **Physical or sexual abuse;**
Physical - Being, or threatened to be, kicked, punched, pinched, pushed, dragged, shoved, slapped, scratched, choked and bitten; Use, or threats of use, of ‘weapons’ including knives and irons; Being burned, scalded or poisoned; Objects being thrown; Violence or threats against family members and/or pets; Causing harm by denying access to medical aids or equipment – for example Deaf persons may be prevented from communicating in sign language

or may have their hearing aids removed; and Harming someone whilst performing 'caring' duties, which are often performed by relatives. This is especially relevant for disabled victims and may involve force feeding, withdrawal of medicine or over-medication

Sexual - Rape; Being pressured into sex, or sexual acts, including with other people; Being forced to take part in sexual acts because of threats to others, including children; Unwanted sexual contact or demands; 'Corrective' rape (the practice of raping someone with the aim of 'curing' them of being LGBT); Intentional exposure to HIV or sexually transmitted infections; Being pressurised or being tricked into having unsafe sex, including deception over the use of birth control. Forced involvement in making or watching pornography; and Hurting a victim during sex including non-fatal strangulation

- **Violent or threatening behaviour;**
- **Controlling or coercive behaviour;**
- **Economic abuse;**

Controlling the family income; Not allowing a victim to spend any money unless 'permitted'; Denying the victim food or only allowing them to eat a particular type of food; • Running up bills and debts such as credit/store cards in a victim's name, including without them knowing; Refusing to contribute to household income; Deliberately forcing a victim to go to the family courts so they incur additional legal fees; Interfering with or preventing a victim from regularising their immigration status so that they are economically dependent on the perpetrator; Preventing a victim from claiming welfare benefits, or forcing someone to commit benefit fraud or misappropriating such benefits; Interfering with a victim's education, training, employment and career; Not allowing a victim access to mobile phone/car/utilities; Damaging property; and Not allowing a victim to buy pet food or access veterinary care for their pet

- **Psychological, emotional or other abuse;**

Manipulating a person's anxieties or beliefs; Withholding affection; Turning children and friends against the victim (which may have a subsequent impact on children) including falsely and without justification telling a child that the other parent abandoned them, never loved them, or never wanted them; Distorting a child's memories about the victim parent, including telling a child the other parent will pick them/meet them, when that was not true, falsely telling medical/school staff they have sole custody of a child so that no information is provided to the other parent, painting the other parent in a negative light to the child, including mocking their personality characteristics, job, friends, family and belittling them (including in front of the child); Being stopped from seeing friends, relatives, or care workers; Being insulted, including in front of others. This includes insulting someone about their race, gender, sexual orientation, disability, faith or belief, ability to parent and ability to work; Repeatedly being belittled; Keeping a victim awake/preventing them from sleeping; Using violence or threats towards pets to intimidate the victim and cause distress, including threatening to harm the animal as well as controlling how the owner is able to care for the animal; Using social media sites to intimidate the victim; and Persuading a victim to doubt their own sanity or mind (including "gaslighting")

It does not matter whether the behaviour consists of a single incident or a course of conduct.

*Personally connected: They are, or have been, married; civil partners; have agreed to marry one another; have entered into a civil partnership agreement; are or have been in an intimate personal relationship; they have or have had a parental relationship in relation to the same child; or are relatives.

4.3 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.

4.4 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 their victim.

5 Associated Forms of Domestic Abuse

5.1 Teenage abusive relationships

As with adults, abuse in teen relationships doesn't just cover physical violence. Other examples of this type of abuse include:

Pressuring you into having sex.

Controlling behaviour including what friends you can see or speak to and where you go.

Jealousy or anger.

Threatening to put lies, personal information, pictures on social networking sites.

Constant name calling and comments.

5.2 Abuse through technology

As a professional, the case you are involved with may have elements of online/digital abuse. Many of us now use mobile, social media, e-mail and shop online for example. If someone wants to upset, scare or intimidate another person they may use technology to do it.

This abuse can take various forms: bullying, harassment, stalking, domestic abuse, trolling, and/or hate campaigns.

5.3 Child to Parent/Carer Abuse

The official definition of domestic abuse covers individuals from the age of 16 years. However, there are occasions of familial abuse where the parent/victim is over the age of 16 years but the child displaying abusive behaviour is under that age.

5.4 Stalking or Harassment

The definition for Stalking is from the Suzy Lamplugh Trust as there is:

'A pattern of fixated and obsessive behaviour which is repeated, persistent, intrusive and causes fear of violence or engenders alarm and distress in the victim.'

Stalking can consist of any type of behaviour such as regularly sending flowers or gifts, making unwanted or malicious communication, damaging property and physical or sexual assault. If the behaviour is persistent and clearly unwanted, causing you fear, distress or anxiety then it is stalking and you should not have to live with it.

The most common forms of STALKING/harassment are:

- Frequent, unwanted contact e.g. appearing at the home or workplace of the victim.
- Telephone calls, text messages or other contact such as via the internet (i.e. social networking sites).
- Driving past the victim's home or work.
- Following or watching the victim.
- Sending letters or unwanted gifts to the victim.
- Damaging the victim's property.
- Burglary or robbery of the victim's home, workplace, vehicle or other.
- Threats of harm to the victim and/or others associated with them (including sexual violence and threats to kill).
- Harassment of people associated with the victim (e.g. family members, partner, work colleagues).
- Physical and/or sexual assault of the victim and even murder.

5.5 **Forced Marriage**

A forced marriage is where one or both people do not (or in cases of people who lack mental capacity), cannot, consent to the marriage and pressure or abuse is used. The practice of Forced Marriage is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights.

The pressure put on people to marry against their will can be physical (including threats, actual physical violence and sexual violence) or emotional and psychological (for example, when someone is made to feel like they're bringing shame on their family). Financial abuse (taking your wages, or not giving you any money) can also be a factor.

5.6 **Honour Based Abuse**

Honour based abuse refers to crimes or incidents committed to protect or defend the honour of a family and/or community. It can take many forms including harassment, criminal damage, arson, sexual assault, forced marriage, kidnap and even murder.

When dealing with potential victims it is important to recognise the seriousness/immediacy of the risk. Consider the possibility of forced marriage,

abduction, missing persons and murder. Incidents that may precede a murder include:

- Forced marriage
- Domestic abuse
- Attempts to separate or divorce
- A pre-marital relationship
- Pre-marital conflict
- Pregnancy
- Threats to kill or denial of access to children
- Pressure to go abroad
- House arrest and excessive restrictions
- Denial of access to the telephone, internet, passport and friends

5.7 **Female Genital Mutilation**

Female genital mutilation (FGM) is child abuse and violates the rights to health, security and physical integrity of the person and to be free from torture, cruel and degrading treatment.

6. **Relevant Legislation**

6.1 This policy document takes into account the following legislation:

- a) Anti-Social Behaviour, Crime and Policing Act 2014
- b) Anti-Social Behaviour Act 2003
- c) Crime and Disorder Act 1998
- d) Data Protection Act 1998 & 2018
- e) Equalities Act 2010
- f) Housing Act 1985, 1988, 1996
- g) Human Rights Act 1998
- h) Protection from Harassment Act 1997

7. **Service Standards**

7.1 If we receive a report that domestic abuse has taken place we will:

- Provide a supportive and caring response, taking the matter seriously.
- Respect the confidentiality of victims and complainants.
- Ensure the individual's circumstances and needs are taken into consideration
- Ensure that interviews take place in appropriate surroundings, and that complainants can be accompanied for support if necessary.
- Provide "same sex" interviewers, if requested.
- Take firm and prompt action against perpetrators where appropriate and make every effort to support victims in their homes.
- Carry out emergency repairs if necessary.

8. **Partnership Working**

8.1 No single organisation or agency can tackle domestic abuse alone and so LHP will work in partnership to better safeguard victims. Our partners include, but are not

limited to, specialist advice and support agencies, Humberside and Lincolnshire Police, Lincolnshire County Council, Boston Borough Council, North East Lincolnshire Council, children and adult social care and other housing providers.

- 8.2 We will engage in multi-agency initiatives such as the Multi Agency Risk Assessment Conference (MARAC) and Multi-agency tasking and co-ordination panel (MATAAC).

9. Legal Remedies

- 9.1 LHP has a wide range of tools available in order to help manage and tackle domestic abuse. LHP will act proportionally and investigate each report before any action is taken. This may include support from a partner agency. These tools include:

- Possession action/Eviction
- Undertaking injunctions
- Joint working with the Police and other agencies
- Support legal action such as Non-Molestation orders, Restraining Orders and Harassment Orders
- Dealing with tenancy and occupancy issues
- Re housing in exceptional circumstances

- 9.2 All legal action will be appropriately authorised by either the ASB Manager or Corporate Head of Income and Enforcement.

10. Monitoring

- 10.1 Reporting and monitoring will be carried out through the Anti-Social Behaviour system in accordance with the Anti-Social Behaviour Policy.

- 10.2 This policy is reviewed every 3 years, or when any Legislative changes impact.



Equality Impact Assessment

Name of policy / strategy / project (the" initiative"):

Domestic Abuse Policy

Provide a brief summary of the aims and main activities of the initiative: (bullet points)

- To ensure that individuals experiencing domestic abuse are provided with a fair, consistent and sympathetic service and, within the constraints of the law and the resources available to LHP all assistance in helping to resolve their situation..
- All individuals approaching LHP for assistance in situations of domestic abuse will have access to their own designated member of staff of the same sex if they prefer, who has received appropriate training about domestic abuse issues.

STAGE 1: SCREENING

This stage establishes whether a proposed initiative will have an impact from an equality perspective on any particular group of people or community – i.e., on the grounds of race, religion/faith/belief, gender (including transgender), sexual orientation, age, disability, or whether

Completed by: **Susan Sendall**

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it is "equality neutral" (i.e., have no effect either positive or negative).

Q 1. Who will benefit from this initiative? Is there likely to be a positive impact on specific groups/communities (whether they are the intended beneficiaries), and if so, how? Or is it clear at this stage that it will be equality 'neutral' i.e. will have no particular effect on any group? *Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality*

All customers of LHP.

Q 2. Is there likely to be an adverse impact on one or more minority/under-represented or community group as a result of this initiative? If so, who may be affected and why: Or is it clear at this stage that it will be equality 'neutral'? Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality

We do not envisage any negative impact with any of our service delivery through the implementation of this policy.

Q 3. Is there sufficient data on the target beneficiary groups/communities? Are any of these groups under or over represented? Do they have access to the same resources? What are your sources of data and are there any gaps? Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality

All LHP customers will have access to support and benefit from this initiative Support is provided on a case by case basis and in line with the customers circumstance and needs.

Q 4. Outsourced services – if the initiative is partly or wholly provided by external organisations / agencies, please list any arrangements you plan to ensure that they promote equality and diversity. Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality

Referrals are only made to formal external agencies such as the Police and Children and Adult Social Care who are registered and regulated on equality and diversity.

Q 5. Is the impact of the initiative (whether positive or negative) significant enough to warrant a full impact assessment – see guidance? If not, will there be monitoring and review to assess the level of impact over a period of time? Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality

We do not perceive any negative impact that would warrant a full equality impact assessment.

Q 6. To be completed at six monthly review Detail actions taken to assess the level of impact over a period of time, or to address any gaps in data. Please consider all aspect of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality

To be picked up at reviews

Guidelines: Things to consider

- Where a negative (i.e. adverse) impact is identified, it may be appropriate to make a full EIA (see Stage 2), or, as important, take early action to redress this – e.g. by abandoning or modifying the initiative. NB If the initiative contravenes equality legislation; it must be abandoned or modified.
- Where an initiative has a positive impact on groups/community relations, the EIA should make this explicit, to enable the outcomes to be monitored over its lifespan.
- Where there is a positive impact on particular groups, does this mean there could be an adverse impact on others, and if so can this be justified? - e.g. Are there other existing or planned initiatives which redress this?
- It may not be possible to provide detailed answers to some of these questions at the start of the initiative. The EIA may identify a lack of relevant data, and that data-gathering is a specific action required to inform the initiative as it develops, and also to form part of a continuing evaluation and review process.
- It is envisaged that it will be rare for full impact assessments to be required. Usually, where there are particular problems identified in the screening stage, it is envisaged that changing the approach at this stage, and/or setting up a monitoring/evaluation system to review a policy's impact over time will tackle the problem.

ⁱ MAPPA: Multi-agency public protection arrangements in place to ensure the successful management of violent and sexual offenders

ii MARAC: Multi-Agency Risk Assessment Conference is a meeting where information is shared on the highest risk domestic abuse cases