

Domestic Abuse Policy



INTRODUCTION

Our mission is about making Warrington a great place to live.

We are committed to promoting a safe and secure environment where tenants are able to live peacefully in their homes and communities.

Domestic abuse is very common, can mask itself in many ways, and can ruin lives. Domestic abuse is a wider term and domestic violence is an aspect of this.

Domestic abuse is a complex issue and one that affects all sections of society.

Warrington Housing Association (WHA) remains committed to actively supporting those who live in our properties, access any of our services or work with us to support the neighbourhoods we serve to access the right support in a timely manner.

The Domestic Abuse Act (“DAA”) received royal assent on 29 April 2021 and came into effect on 5 July 2021, WHA adheres to the guidelines in respect of the changes including its duty to support the local authority to accommodate those identified in need.

WHAT IS DOMESTIC ABUSE?

The revised statutory definition of “domestic abuse” now recognises a wide range of abusive, coercive or controlling behaviours beyond the use of physical violence.

ABUSIVE BEHAVIOUR

A person’s behaviour is defined as ‘abusive’ if it consists of:

- a. Physical or sexual abuse;
 - b. Violent or threatening behaviour;
 - c. Controlling or coercive behaviour;
 - d. Economic abuse, defined as “substantial adverse effect on one's ability to ... acquire, use or maintain money or other property, or to obtain goods or services”;
 - e. Psychological, emotional or other abuse.
- ‘Abusive’ behaviour can consist of a single incident or a course of conduct. Furthermore, behaviour can be abusive towards others even if it consists of conduct directed towards one or more people.

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“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 an alleged victim.”

PERSONALLY CONNECTED

Whilst this list is not exhaustive, WHA accepts the impact of those who are ‘personally connected’ to one another by way of marriage, those who are engaged or those in “intimate personal relationships”; persons who each have a parental relationship with a child; and “relatives”, former spouses, in laws and ‘step’ relatives, first cousins, and certain persons who are cohabiting or have cohabited with each other.

WHA also recognises and will work with relevant specialist agencies and local authority to support those identified as a victim of or at risk of “honour-based” abuse, female genital mutilation and forced marriage. We will endeavour to offer support and/or accommodation subject to availability in line with our multi agency approach.

PURPOSE

We aim to take effective action on each reported case using a victim centred approach. We will work with local and specialist support agencies to provide appropriate information and help for victims.

The key to this is being sensitive and non-judgemental to all reported incidents in dealing with alleged victims or witnesses of abuse and having a procedure to ensure fair and consistent treatment.

SCOPE

This Policy applies to all WHA tenants, non-tenants living or accessing or supporting delivery in of WHA services.

All colleagues or those working on behalf of WHA in a voluntary or paid capacity have a responsibility in reporting all identified or suspected incidents as soon as possible.

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Where there are tenancy breaches linked to a tenancy, legal action may be taken to stop and prevent further incidents in line with the revisions to the Domestic Abuse Act from the 5th July 2021.

POLICY

We will:

- Ensure that people who have experienced or witnessed domestic abuse can access available services as early as possible and are given advice that allows them to make choices about what to do next.
- We will record all agreed actions onto our in-house HomeMaster CRM and share appropriate information with relevant colleagues who work in or outside WHA. When a record is made this will be deemed as an 'open case' and each case will be monitored in line with standard HomeMaster timeframes and guidelines.
- Work with other agencies and the local authority to support people who are / have experienced abuse in any of the forms noted above to access available resources including rehousing to rebuild their lives.
- Ensure that where children and young adults are affected by domestic abuse, that they too have access to services and appropriate information as early as possible.
- Support victims to employ the use of civil and criminal laws which can offer them protection and also act as a preventative measure to avoid further abuse.
- Ensure that people experiencing abuse are not deterred from reporting abuse.
- Seek appropriate support solutions for alleged perpetrators of domestic abuse to prevent abuse recurring or further impact on any people involved.
- Seek appropriate, timely expertise and advice to ensure that relevant equality and diversity considerations have been actioned in line with good practice, cultural expectations and wants of both the alleged victim/s and alleged perpetrator, if relevant.
- Follow Adult Safeguarding procedures and appropriate procedures if we believe an adult is considered 'vulnerable' and at risk due to an abusive or coercive relationship.
- Follow Child and Young Adult Safeguarding procedures if we believe a vulnerable child or young person is at risk due to an abusive or coercive relationship.
- Make domestic abuse awareness training available to all front-line colleagues, this includes volunteers, apprentices, involved customers and those delivering services on behalf of WHA.
- Provide support and guidance to WHA employees and WHA non-employees experiencing domestic abuse in any of its guises.

RESPONSIBILITIES

There will be designated staff to cover each stage of the process. Directors and Managers will ensure action is taken to comply with timescales.

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Directors, Managers, and colleagues have overall responsibility for the implementation of this policy.

ACTION TO SUPPORT THOSE LIVING WITH OR PERPETRATING ABUSE

WHA will adopt a multi-agency approach when dealing with those living with or accused of alleged domestic abuse.

This may include working with the police, appropriate local authority departments, but may involve other types of specialist organisations and agencies.

Our multi-agency approach is intended to make sure that the full range of civil and criminal remedies can be considered and pursued. We will where appropriate, encourage alleged victims to use restraining orders or injunctions to prevent threats of or actual domestic abuse.

Where relevant, we will work with others to remove an alleged perpetrator from the household into suitable accommodation to reduce risk or harm.

The action taken against alleged perpetrators will depend upon the individual circumstances. WHA will seek expertise and guidance from specialist organisations in relation to civil and legal processes.

Action advised may include ‘possession action’ against an alleged perpetrator where other members of the household have left the home and cannot return safely due to domestic abuse. Dependent upon the circumstances, this may provide an opportunity for the alleged victim and any dependents to either return to the home, or to provide the alleged victim and dependents with an alternative permanent home and re let the original home to another family.

Generally, WHA staff will not be involved in interviewing alleged perpetrators. Such interviews will only be undertaken if:

- It is considered appropriate by the investigating officer, their manager and supporting liaison officer from the local authority.
- The victim is in agreement with such a proposal; and
- It is considered safe and appropriate to do so.

CLOSURE OF CASES

A case will be closed when:

- It has been successfully and safely resolved by whatever means; or

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- The alleged perpetrator of the domestic abuse has been evicted or sent to correctional facility (prison) away from the alleged victim/s or
- There is no further action which can be taken and all partners supporting the case agree that the case can be closed.

A clear conclusion is important to all concerned, i.e., the alleged victim, the alleged perpetrator and WHA.

Ideally, the alleged victim should be satisfied with the result, but some cases will have to be closed even though the alleged victim is not satisfied, WHA will work with all partners to endeavour that this is on the rare occasion only.

WHA accepts that this may be due to insufficient evidence to support an action, whether legal or otherwise.

Officers should never raise a complainant’s expectations falsely and clarity in all cases at each stage is essential.

If there is no rational basis for the complaint, or rigorous investigation cannot verify the problem, the complainant and related agencies must be advised of this and discussions around the reason a case may be closed must take place.

WHA will work with all partners and alleged victims to endeavour that this is on the rare occasion. A decision to close a case will always be discussed in detail with all parties, focus on full agreement should be sought and ideally agreed.

Formal closure of a case must be recorded on WHA’s internal CRM system Home Master. The Head of Customer Service will evaluate the effectiveness of every closed case.

WHO TO CONTACT WITHIN WHA

The housing officer is the first point of contact when reporting alleged or actual domestic abuse. The housing officer will be appropriately trained to support with such incidents and will be supported by other colleagues, external agencies and the local authority to manage each case appropriately.

Each housing officer will provide relevant contact details and will continue to regularly contact all parties while the case remains open.

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APPEALS

Where an alleged victim or alleged perpetrator is dissatisfied with the investigation, the handling of a case or the decision ultimately arrived, they may appeal against the way an investigation has been handled or the decision reached and request a review of the case. The Head of Customer Services will conduct this review.

MONITORING AND REVIEW

This Policy will be reviewed every 3 years, or sooner if required by statutory, regulatory or best practice.

EQUALITY AND DIVERSITY

An Equality Impact Assessment supports this, Policy.

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