

# North Tyneside Council

## Report to Cabinet

Date: 29 July 2019

### ITEM 5(d)

Title: Housing Services  
Domestic Abuse Policy

Portfolio(s): Housing and Transport

Cabinet Member(s): Councillor Steve Cox

Report from Service

Area: Environment, Housing and Leisure

Responsible Officer: Phil Scott, Head of Environment, Housing and Leisure (Tel: 0191 643 7295)

Wards affected: All

## PART 1

### 1.1 Executive Summary:

Domestic abuse is still a largely hidden crime and happens in all communities, regardless of sex, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership, pregnancy or maternity. Domestic abuse is underreported and disproportionately affects women and children. Given that domestic abuse is largely perpetrated at home, as a housing provider, the service is well placed to recognise the signs of domestic abuse.

The Authority is aiming to achieve accreditation from the Domestic Abuse Housing Alliance, as highlighted in 1.5.1 in the cabinet report. Although the Authority has a corporate Domestic Violence Policy which all staff refer to, to achieve this accreditation and to meet its standards there is a requirement to have a stand alone Housing Domestic Abuse Policy.

The Domestic Abuse Policy sets out how North Tyneside Council's Housing Service will assist and support any person experiencing or threatened with domestic abuse. The policy aims to ensure that our customers should not live in fear of violence, abuse or harassment from a partner, former partner or member of their family.

### 1.2 Recommendation(s):

It is recommended that Cabinet approve the draft Housing Services Domestic Abuse Policy as set out in Appendix 1 of this report.

### 1.3 Forward Plan:

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 5 April 2019.

### 1.4 Council Plan and Policy Framework

This report relates to the following priorities in the 2018/20 Our North Tyneside Plan

Our People will:

- Be listened to
- Be cared for, protected and supported
- Be healthy and well

Our Places will:

- Offer a good choice of quality housing
- Be great places to live

Tackling domestic abuse is a key priority for the Safer North Tyneside Partnership and the Children, Young People and Learners Partnership.

## **1.5 Information:**

### **1.5.1 Background**

Housing Services current Domestic Abuse Policy is part of the Authority's Anti-Social Behaviour Policy. Housing Services are aiming to achieve accreditation from the Domestic Abuse Housing Alliance (DAHA) in the autumn of 2019. One of the DAHA's national service standards relates to policies and procedures and requires housing organisations to create a 'stand alone' Domestic Abuse Policy.

#### **The National Policy Context**

In March 2016 the Government published the new Ending Violence Against Women and Girls Strategy (VAWG). The strategy committed to ongoing reductions in the prevalence of domestic abuse by:

- Breaking the intergenerational cycle of abuse
- Giving greater attention to the risk of becoming a perpetrator
- Challenging attitudes and beliefs about abuse
- Improving awareness among children and young people about healthy relationships

### **1.5.2 Definition of Domestic Abuse**

Domestic abuse is defined by the Home Office as:

'Any incident or pattern of incidents of controlling, coercive or 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'. It can include but is not limited to the following types of abuse:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

#### **Domestic Abuse Housing Alliance**

This is a partnership between three agencies:

- Standing Together (Standing Together Against Domestic Violence)

- Peabody
- Gentoo

These three agencies have a longstanding commitment to tackling domestic abuse and promoting best practice. The DAHA's mission is to improve the housing sector's approach to domestic abuse through an established set of eight national domestic abuse service standards. These service standards bring together best practice in responding to domestic abuse in the housing sector. The DAHA is recognised by the Home Office for its work at a national level.

### **Make a Stand – The Pledge**

The housing service has also signed the **Make a Stand** pledge. The Make a Stand pledge has been developed by the Chartered Institute of Housing in partnership with Women's Aid and the Domestic Abuse Housing Alliance. It was created to encourage housing organisations to make a commitment to support people experiencing domestic abuse. Number one, out of the four commitments under the pledge, is to put in place and embed a policy to support residents who are affected by domestic abuse.

### **1.5.3 Aims of the Domestic Abuse Policy**

North Tyneside Council's customers should not live in fear of violence, abuse or harassment from a partner, former partner or any member of their family.

Anyone reporting domestic abuse to the council will be treated in a sympathetic, supportive and non judgemental way. Any disclosure of abuse will be taken seriously and advice and assistance given as a priority. The service will work with statutory and voluntary organisations to support victims. The service will take action against perpetrators of domestic abuse where it is safe and appropriate to do so. In addition the service will assist perpetrators who wish to positively change their behaviour by helping them access advice and support.

The service aims to:

- Raise awareness of domestic abuse.
- Ensure that employees of North Tyneside Council's housing service understand the role they can play in tackling domestic abuse and to develop a consistent approach across the borough.
- Create a safe environment where victims of domestic abuse feel that they can approach the Authority, are encouraged to talk and are listened to, thus enabling them to make informed decisions about their lives.
- Ensure employees are trained to deal with disclosures of domestic abuse effectively
- Support people who are experiencing domestic abuse, or who have experienced abuse, by working in partnership with them and other support agencies.
- Support victims to take appropriate legal measures to protect themselves and their families.
- Make appropriate safeguarding referrals if it is believed that a child, or a vulnerable adult, is at risk due to an abusive relationship.
- Support victims to make decisions around their housing needs, whether they wish to remain in their home or move to a new home.
- Signpost perpetrators of domestic abuse who recognise and seek to change their behaviour to agencies, including a Multi Agency Task and Co-ordination (MATAC) referral, who can offer them support in order to prevent the abuse occurring.

#### **1.5.4 Disclosure of Domestic Abuse**

The housing service recognises that victims will often find it extremely difficult to make a disclosure and ask for help. It is vitally important therefore that if a disclosure is made that it is dealt with in a sensitive and supportive manner.

##### **Confidentiality**

Any disclosure of domestic abuse will be treated in strictest confidence however, under the General Data Protection Regulation; the Authority has a duty to disclose information in order to:

- Protect the victim
- Prevent harm to someone else
- Prevent or detect a crime

##### **Safeguarding**

When dealing with domestic abuse full consideration will be given to the service's safeguarding responsibilities. A significant number of adults who need safeguarding are often experiencing domestic abuse.

##### **Use of tools and powers**

Every case of domestic abuse will be assessed on its own circumstances, taking into account the wishes and needs of the victim, the severity of the abuse and any additional criminality.

The housing service will make use of the appropriate tools and powers to support victims of domestic abuse including injunctions, Notice of Seeking Possession and possession proceedings.

##### **Review**

The Authority's Housing Service's Domestic Abuse Policy will be reviewed as a result of any changes in legislation and in line with best practice.

#### **1.6 Decision options:**

The following decision options are available for consideration by Cabinet:

1. To approve the draft Housing Services Domestic Abuse Policy as set out at paragraph 1.2.
2. To approve the draft Housing Services Domestic Abuse Policy subject to amendments or conditions.
3. To reject the draft Housing Services Domestic Abuse Policy and request Officers to consider the Authority's response to this matter further.

Option 1 is the recommended option.

#### **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

- Housing service's Domestic Abuse Policy currently forms part of the Anti-Social Behaviour Policy. The housing service is aiming to achieve accreditation from the Domestic Abuse Housing Alliance, which requires housing organisations to create a 'stand alone' Domestic Abuse Policy.
- The Authority's housing service has also signed the **Make a Stand** pledge which requires the service to put in place and embed a policy to support residents who are affected by domestic abuse.
- The policy has been developed in accordance with good practice guidance and the Domestic Abuse Housing Alliance's eight national service standards. It sets out how the Authority's Housing Service will assist and support any person experiencing or threatened with domestic abuse. The policy has been produced in consultation with tenants, residents and stakeholders.

## 1.8 Appendices:

Appendix 1 - Draft North Tyneside Council Housing Service's Domestic Abuse Policy.

## 1.9 Contact officers:

Phil Scott, Head of Environment, Housing and Leisure, tel. (0191) 643 7295  
 Paul Worth, Senior Manager Housing Operations, tel. (0191) 643 7554  
 Toby Hartigan-Brown, Housing Services Manager, tel. (0191) 643 7736  
 Dawn Statham, Neighbourhood Housing Operations Manager, tel. (0191) 643 7915

## 1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- [Council Plan 2018 – 2020](#)
- [Domestic Abuse Housing Alliance – Policies and Procedures Service Standard](#)
- [Make a Stand Pledge – Our homes, our people, our problem](#)
- [Ending Violence against Women and Girls Strategy, 2016-2020. Home Office](#)
- [Equality Impact Assessment - Housing Services Domestic Abuse Policy](#)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### 2.1 Finance and other resources

The financial cost of not dealing with domestic abuse is significant. There are also cost implications associated with the training required for Housing Services employees. The cost is approximately £1500 and will be funded by existing training budgets within the Housing Revenue Account.

### 2.2 Legal

- The Housing Act 1985 specifies domestic abuse as an anti-social behaviour ground for possession.
- Domestic abuse is a clear breach of section 10.1 (Anti-social and criminal behaviour) of the Tenancy Agreement.
- The Domestic Violence, Crime and Victims Act 2004 concentrates on legal protection and assistance to victims of crime, particularly domestic violence.
- The Anti-Social Behaviour Crime and Policing Act 2014 introduced Civil Injunctions to tackle anti-social behaviour. They can be used in domestic abuse cases. Breaching an

injunction may result in a mandatory ground for possession. Under mandatory ground 7A if the circumstances are proven then the court must make an order for possession

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

Internal consultation has taken place with teams within the housing service and Customer Services.

Consultation has taken place with the Cabinet Member for Housing and Transport and the Housing Sub Committee, both of which support the contents of the draft policy.

### **2.3.2 External Consultation/Engagement**

External consultation has taken place via the Council's website and the Residents Panel.

Consultation has also taken place with the Neighbourhood Housing Group. This is a group of involved Council tenants who scrutinise the performance of the housing neighbourhood operations teams.

A focus group was held with domestic abuse professionals, including attendees from Harbour, who provide the refuge service in North Tyneside.

Consultation has also taken place with the North Tyneside Domestic Abuse Partnership.

## **2.4 Human rights**

- Right to life
- Protection from torture
- Protection from slavery and enforced labour
- Right to liberty and security
- Right to respect for private and family life
- Freedom of thought, belief and religion
- Freedom of expression
- Protection of property
- Right to education

## **2.5 Equalities and diversity**

The Authority's housing service is committed to the principles of equality and diversity. Housing service's Domestic Abuse Policy aims to:

- Meet the needs and choices of people from all backgrounds and take into consideration sex, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership, pregnancy and maternity.
- Ensure the housing service is responsive and meets the needs of our existing and prospective customers.
- Understand the cultural implications and barriers to reporting domestic abuse.
- Ensure that all sections of the community have access to housing services.

An Equality Impact assessment has been undertaken. There may be a potential positive impact upon the groups with protected characteristics.

## 2.6 Risk management

There are no risk management implications directly arising from this report.

## 2.7 Crime and disorder

The housing service is a key participant of the North Tyneside Domestic Abuse Partnership's multi agency approach to tackling domestic abuse and supporting victims on a one-to-one basis.

Every case of domestic abuse will be assessed on its own circumstances, taking into account the wishes and needs of the victim, the severity of the abuse and any additional criminality. The housing service will make use of the appropriate tools and powers including injunctions and possession proceedings.

## 2.8 Environment and sustainability

There are no environment and sustainability implications arising from this report.

### PART 3 - SIGN OFF

- Chief Executive  X
- Head(s) of Service  X
- Mayor/Cabinet Member(s)  X
- Chief Finance Officer  X
- Monitoring Officer  X
- Head of Corporate Strategy and Customer Service  X