



**Our vision is
"to deliver excellent Housing Services"**

Domestic Violence Policy

**Newark and Sherwood Homes
Limited**

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1 Introduction

Newark and Sherwood Homes provides a management service to all tenants and leaseholders of Newark and Sherwood District Council (NSDC). This Domestic Violence policy is one of many implemented in line with our vision “to deliver excellent Housing Services” and is further supported by the core values which underpin the work we do: -

- Delivering Excellence
- Making Positive Improvements
- Sharing Information
- Customer First
- Valuing Everyone

The promises captured in this policy are supplemented by a number of Newark and Sherwood Homes strategies and policies:-

- Access and Customer Care Strategy
- Equalities & Diversity Strategy

All of which can be accessed by contacting The Customer Access Team on 01636 687888 and via our website www.nshomes.co.uk

This Domestic Abuse policy is delivered through the NSDC’s Newark and Sherwood Domestic Violence Strategy 2008 – 2011, their mission statement supports the policy statement set out below: -

‘The aim of the Newark and Sherwood Domestic Violence Strategy is to achieve consistent and effective partnership working to tackle domestic violence and provide high quality services to make Newark and Sherwood a place where people want to live’

This strategy can be found by contacting Ms N Hoffman at Newark and Sherwood District Council or via www.newark-sherwooddc.gov.uk

1.1 Policy Statement

Newark and Sherwood Homes aims to deliver the best possible service for tenants and leaseholders who are experiencing domestic violence. We are committed to supporting people who find themselves in situations where domestic abuse is occurring; we will do this indirectly under a strategic approach in conjunction with Newark and Sherwood District Council and directly by working with our partners as detailed within section 4 of this document. The combined approach will enable Newark and Sherwood Homes to be an integral part of a multi agency team working to a standard and consistent level of service delivery for all victims of domestic violence. The issues surrounding domestic violence are complicated and multi faceted; this dictates the need for a partnership approach involving a variety of different agencies who can offer a varied menu of support and assistance.

This policy sets out what we will do in order to support tenants and leaseholders; it also acknowledges the need to raise awareness regarding this often hidden abuse and to promote the services available to sufferers.

Within any such policy consideration must be given to the challenges victims face regarding their housing needs and an acknowledgement that in all cases the course of action should be driven by the victim, with their safety as the leading factor. Recent research carried out within the district of Newark and Sherwood (NSDC Homelessness Review March 2008) suggests that 9.7% of all homelessness acceptances during 2007/2008 were from the category “violent breakdown of relationship involving partner”, to put this figure into context this category is only surpassed by the following: -

1. Termination of Assured Shorthold Tenancy – 26.2%
2. Parents no longer willing to accommodate – 21.3%
3. Other relative/friend eviction – 10.7%

This is an area where, working with partners, the recent implementation of a Sanctuary Scheme may have a positive impact on the homelessness acceptance rate. For further information on this scheme please see Section 4.1. The establishment of close working relationships with partners is integral to the success of preventative work in this area of homelessness.

1.2 Policy Objectives

Newark and Sherwood Homes will: -

- Assist tenants and leaseholders experiencing domestic violence or threatened with domestic violence to live in safety
- Ensure that tenants and leaseholders are given appropriate and accurate advice regarding their housing options, including any legal rights and responsibilities
- Work with partners to prevent homelessness where domestic violence is a factor
- Consider each case on an individual basis
- Ensure that access to services is available to all sections of the community regardless of age, gender, disability, race, religion or belief, or sexual orientation.
- Adopt a partnership approach to problem solving and achieving all the objectives listed.

2. Domestic Violence

Newark and Sherwood Homes has adopted the following definition of domestic violence: -

The Government 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." This includes issues of concern to black and minority ethnic (BME) communities such as so called 'honour based violence', female genital mutilation (FGM) and forced marriage.

(www.crimereduction.homeoffice.gov.uk)

3. The Scope of the Policy

Domestic violence occurs across society, regardless of age, gender, race, sexuality, wealth and geography and that the abuse is mainly carried out by men on women. However Newark and Sherwood Homes recognises that domestic violence can be experienced by gay and less able bodied people. Children living in a home where domestic violence occurs are also affected, causing distress and other long-term trauma.

As stated previously domestic violence is often a hidden form of abuse, but research demonstrates that:

- 15% of violent incidents are categorised as domestic violence
- 25% of women and 17% of men will be a victim of domestic violence in their lifetime
- Where repeat incidents (4 or more) occur 89% of these sufferers will be women
- Every minute an incident of domestic violence is reported
- Each week, two women are killed by a current or former partner

These facts underline the need for a robust and effective multi-agency response to domestic violence in our community.

This policy applies to:

- Women
- Men
- Children
- Less able bodied tenants and leaseholders

This list is definitive yet not exhaustive

4. Partnership Working

Newark and Sherwood Homes is a member of Newark and Sherwood Domestic Violence Forum, which works with other agencies including Newark Primary Care Trust, Children and Young People Services, Supporting People, Victim Support and Nottinghamshire Police. The forum works to the Newark and Sherwood Domestic Violence Strategy.

Agencies have a responsibility to work together to tackle domestic violence and Newark and Sherwood Homes plays an active role in this multi-agency approach. As a partner in the Newark and Sherwood Domestic Violence Forum we have the opportunity to refer through to the newly formed Multi Agency Risk Assessment Conference (MARAC) approach to tackling this abuse.

4.1 Housing options through partnership working

Working with partners Newark and Sherwood Homes can offer a variety of housing options to victims of domestic violence: -

- Sanctuary Scheme – This scheme allows the victim to remain safely in their own home (should they wish to do so) when the perpetrator is no longer a member of the household. The installation of a number of safety measures, jointly agreed with the victim, allows the victim to remain in their home. The process associated with this scheme brings together Nottinghamshire Police (Crime Reduction Section and Public Protection Unit), Victim Support, Newark and Nottinghamshire Women’s Aid, Newark and Sherwood Homes, Newark and Sherwood District Council, A1 Housing and Bassetlaw District Council. An information leaflet can be found at www.nshomes.co.uk. Ongoing support for the victim, as part of the scheme, is provided by the relevant geographical women’s aid team.
- Any woman experiencing domestic violence has the option to be temporarily housed in a women’s refuge or in emergency accommodation supplied by Newark and Sherwood District Council. The decision to move is not an easy one for the victim to take and therefore all agencies should deal sensitively with this issue. The Housing Options Team at Newark and Sherwood District Council would take the decision whether it is reasonable for the victim to continue to occupy their home, and if not, under the duties of the Homelessness Act 2002 the provision of either temporary or permanent accommodation is given to those in priority need.

- Under homeless legislation anyone fleeing violence can approach any authority for assistance.
- For men experiencing domestic violence advice and assistance is available from Victim Support and via www.mankind.org.uk. Newark and Sherwood Homes will assist where possible to support male victims and sign post to the relevant and appropriate agencies.
- In certain circumstances, where investigations demonstrate that a move to another part of the district would alleviate the violence and result in no loss of tenure security, a management transfer can be arranged by the housing provider; in this case by Newark and Sherwood Homes. The decision to take this course of action is taken by a senior manager with supporting evidence from the Police.
- In certain circumstances, tenants and leaseholders experiencing domestic violence may prefer not to contact Newark and Sherwood Homes but a voluntary or community organisation instead. Partnership working allows this support to be made available regardless of the route taken to access it.

It is worth noting, and further mentioned in section 6, that where joint tenancies are in existence specialist legal advice should be sought by the victim. In line with recent case law authorities and housing providers need to take account of article 8 (2) of the European Convention on Human Rights and in particular the case of *McCann v The United Kingdom*, as difficulties can often arise if the victim is transferred or moves to another authority and brings the joint tenancy to an end.

5. Legislative and Statutory Duties

There are a number of Acts that can be applied to incidents of domestic violence: -

- Part IV of the Family Law Act 1996
- The Protection from Harassment Act 1997
- Crime and Disorder Act 1998
- European Convention of Human Rights 1998
- The Children Act 1989
- The Adoption and Children Act 2002
- The Children Act 2004
- The Domestic Violence, Crime and Victims Act 2004
- The Civil Partnership Act 2004
- The Adoption and Children Act 2006

Newark and Sherwood Homes will work with partners to ensure that all actions taken to support victims will comply with all legal requirements. In line with the Crime and Disorder Act 1998 information can be shared between partners for the purposes of reducing crime and disorder, under section 115 of the Act.

6. Service Provision

What you can expect from Newark and Sherwood Homes;

- We will arrange for you to speak to a member of staff in private and in a safe environment
- Where possible we will arrange for you to discuss your situation with a member of staff who is of the same sex
- We will be honest and realistic about the services Newark and Sherwood Homes can provide.
- We will work with you to establish what your needs are and respect that no action may be requested.
- We will be supportive but let any decisions be your own.
- We will explain what services, e.g. The Sanctuary Scheme, are available and provide contact numbers and names where possible.
- Where a decision is made to report the incident to the police we will again offer support, and attend the initial meeting if required and if possible.
- We will consult with NSDC Housing Options Team, and arrange joint interviews where appropriate
- We will have staff that is adequately trained to deal with domestic violence.

Newark and Sherwood Homes identifies domestic violence as a breach of tenancy conditions, and will deal with this breach in line with standard procedure. It is detailed in the tenancy agreement: -

- 4.2 You must not harass nor racially harass any other person, including officers of the Council or Newark and Sherwood Homes. Harassment includes, but is not limited to:
- violence or threats of violence, **including domestic violence** and racial violence;
 - abusive or insulting words or behaviour;
 - damage or threats of damage to another person's property or home;
 - writing threatening, abusive or insulting graffiti;
 - doing anything likely to interfere with the peace or comfort of any other person;
 - inducing or allowing any other person to do any of the above things.

In cases of joint tenancies specialist legal advice and support is a necessity, and as a social housing provider Newark and Sherwood Homes have a duty to effectively manage the housing stock on behalf of the District Council. This will include consideration where under occupancy arises following a relationship breakdown, and if the relinquishing of a secure tenancy is an appropriate course of action.

When dealing with domestic violence and tenancy issues consideration should be given to the following: -

- The safety of the victim
- Are there any children involved?
- Is it a joint tenancy?
- The provision of accommodation for the victim

- What support networks does the victim have, and where are they situated?

The establishment of all these facts will assist in the decision making process and highlight the fact that legal advice may well be a priority.

7. Monitoring

The Tenancy and Estate Team will record all incidents of domestic violence in line with standard reporting procedures. Where cases of domestic violence are reported a housing officer will attempt to make contact and/or make arrangements for an interview as soon as possible. In cases where a third or independent report is received the same process will be applied. In all cases of domestic violence a monitoring form will be filled in and these will be reported to the Newark and Sherwood Domestic Violence Forum on a quarterly basis. The collection, management and sharing of this data will assist in the future development of effective strategies for dealing with domestic violence. This will also provide a tracking system where repeated victims and perpetrators can be identified, and referred through to MARAC where appropriate.

This forum also considers strategic approaches and responses to incidents of domestic abuse.

8. Policy Review

The Customer Services Director (or designated other) will instigate the review of this policy on a three yearly basis, and any associated documents.

An additional review process may be required following: -

- New legislation
- Emerging best practice
- Case law affecting the rights of victims and/or perpetrators
- Day to day operational issues

Any review which takes place will be done in conjunction with partners to ensure compatibility with existing strategies and service development.

This policy has been subject to an equality impact assessment which is available on request. Please contact Newark and Sherwood Homes on 0845 2585550 or Mrs J Davidson; details in section 9.

9. Comments on the Policy or Service

If you wish to comment on this Policy or the service you should do so in the first instance by writing to: -

The Estates Manager – Mrs J Davidson
Newark and Sherwood Homes
Kelham Hall
Newark-on-Trent
Notts
NG23 5QX

Or by making any comments/complaints through the ‘Housing Matters or Complaints Matter’ procedure, you can do this by completing the necessary form, emailing us at housing@nshomes.co.uk or visiting our website at www.nshomes.co.uk. The issues raised will then be investigated and a reply sent in writing.

If you would like this document in another language or format, or if you require the services of an interpreter, please contact us.



Prosimy skontaktować się z nami, jeśli chciał(a)by Pan(i) uzyskać ten dokument w innym języku lub formacie albo też potrzebuje Pan(i) skorzystać z usług tłumacza ustnego.

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(Polish)

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Signing



Audio Tape

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