



# First Priority Housing Association

## Domestic Abuse Policy

Scope	The policy applies to all of First Priority Housing Association's tenancies
Policy relates to	Tenancy Policy Allocations and Lettings Policy Anti-social Behaviour Policy
Version	1.0
Release Date	1 April 2024
Responsible Officer	Chief Executive Officer
Review Frequency	No more than 2 years
Review Date	1 April 2026

## **1. Purpose**

- 1.1. This Policy sets out how FPHA will respond to anyone suffering from domestic abuse and the key principles that underpin our response. The policy also sets out how we will hold perpetrators to account.

## **2. Introduction and Aims**

- 2.1. FPHA recognise the need to share information and work in partnership with other relevant agencies involved with the tenant and who can support in addressing the concerns and to reduce the risk of harm to survivors.
- 2.2. This Policy has been written in accordance with the requirements of the Regulator for Social Housing's Consumer Standards.
- 2.3. Our aim is to support survivors of domestic abuse by:
  - (a) Speaking with the tenant and taking account of any safety concerns
  - (b) Listening to their account
  - (c) Working with the tenant to assess the risk and agree and appropriate action plan in conjunction with their designated Local Authority and Social Care team
- 2.4. We will work with relevant external agencies, share information appropriately in line with GDPR and data sharing protocols.

## **3. Relevant legislation**

- (a) Domestic Abuse Act 2021
- (b) Domestic Violence Disclosure Scheme (Clare's Law)
- (c) Data Protection Act 2018
- (d) Modern Slavery Act 2015
- (e) Serious Crime Act 2015
- (f) Anti-Social Behaviour Crime and Policing 2014
- (g) Protection of Freedoms Act 2014
- (h) Equality Act 2010
- (i) Domestic Abuse Policy 2 Police and Justice Act 2006
- (j) Sexual Offences Act 2003
- (k) Human Rights Act 1998
- (l) Protection from Harassment Act 1997
- (m) The Care Act 1996 Housing Act 1996
- (n) Social Housing (Regulation) Act (2023)

## **4. Definitions**

- 4.1. The Domestic Abuse Act (2021) defines abusive behaviour as any of the following:
  - (a) Physical or sexual abuse
  - (b) Violent or threatening behaviour
  - (c) Controlling or coercive behaviour
  - (d) Economic abuse
  - (e) Psychological, emotional or other abuse
- 4.2. Domestic abuse can encompass, but is not limited to, the above types of abuse. It does not matter whether the behaviour consists of a single incident or a course of conduct.

## **5. Responsibilities**

- 5.1. FPHA tenants are by their nature more vulnerable to different forms of abuse, including domestic.

- 5.2. All tenants are referred to FPHA by a local authority or Care Provider. As such, risk assessments are completed during the referral period to identify any concerns such as vulnerability to abuse or history of abuse (either as a victim or perpetrator).
- 5.3. FPHA and its contractors have a responsibility to implement this Policy and be vigilant in identifying any incidents that may fall under it. Any concerns should be escalated to the Head of Operations.
- 5.4. If there are immediate concerns about the safety and wellbeing of a tenant, this should be escalated under the FPHA Safeguarding Procedure.

## **6. Approach**

### **6.1. Disclosures of Domestic Abuse**

- 6.1.1. FPHA will accept all reports and disclosures of domestic abuse through any available communication channel and ensure all incidents are logged. All incidents must be escalated to the Head of Operations.
- 6.1.2. Where a member of staff or contractor suspects or witnesses domestic abuse taking place in our homes, they must log the incident and escalate to the Head of Operations.
- 6.1.3. When taking the report or disclosure, we will take their safety into consideration so as not to put them at further risk. We will agree how ongoing contact should be maintained and what will happen next.
- 6.1.4. All disclosures will be reported to the relevant local authority Commissioner in line with their respective safeguarding and domestic abuse procedures.

### **6.2. Assessing risk**

- 6.2.1. FPHA will not only work with the respective local authority and Care Provider, but also other agencies such as the Police and other specialist support and advice groups to support the tenant and reduce risk.

### **6.3. Ongoing work with survivors**

- 6.3.1. We will work with survivors, their respective local authority Commissioners and Care Provider to review the ongoing risk to that tenant. FPHA will consider the safety of the tenant's home and offer additional security measures alongside the Care Provider where advisable.
- 6.3.2. FPHA will take account of any recommendations following safeguarding reviews completed by the respective local authority.

## **7. Data protection**

- 7.1. FPHA recognises the need to share information with other partner agencies such as the respective local authority, Care Provider, Police, MARAC and other groups to deal with cases more effectively.
- 7.2. The principles of GDPR and FPHA's Data Protection Policy will apply to this Policy.

## **8. Equality and Diversity**

- 8.1. Domestic abuse can be experienced by anyone, including those with protected characteristics.
- 8.2. FPHA tenants are by their nature, vulnerable, often having complex needs affecting them every day. Due to the nature of their respective conditions such as learning disabilities, they could be more susceptible to becoming victims of abuse. As such, it is important that FPHA completes risk assessments with all tenants during the referrals process.

- 8.3. FPHA staff and contractors will also be provided with copies of the Policy and other available guidance to assist them in identifying and managing suspected cases of domestic abuse.
- 8.4. An Equality Impact Assessment has been completed and can be found at Section 10.

## 9. Reporting and monitoring

- 9.1. Cases of domestic abuse will be reviewed by the Head of Operations.
- 9.2. Cases will be reported to Board as part of the standing Operations Report each meeting, along with any learning from cases.
- 9.3. Case management reviews will take place following the completion of any safeguarding activity undertaken by respective local authorities in response to our referrals.

## 10. Equality Impact Assessment

Protected characteristic		Explanation (if required)	Controls
Is it likely that the policy could have a positive or negative impact on minority ethnic groups? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact due to gender (including pregnancy and maternity)? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact due to disability? What evidence (either presumed or otherwise) do you have for this?	Y	<p>A high proportion of our tenants have a learning disability and or complex mental health issue that effects them everyday. This could put them at higher risk of becoming a victim of abuse.</p> <p>As such it is important that this is always accounted for in our policies and procedures.</p>	<p>As FPHA work with local authority Commissioners, we are duty bound to report any safeguarding concerns to them to be investigated as per their policies and procedures. We will fully cooperate with any investigation.</p> <p>All reports of abuse will be taken seriously, with FPHA staff and contractors provided with copies of this Policy and associated safeguarding procedure to support them in identifying and managing cases.</p>
Is it likely that the policy could have a positive or negative impact on people due to sexual orientation? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact on people	N		

due to their age? What evidence (either presumed or otherwise) do you have for this?			
Is it likely that the policy could have a positive or negative impact on people due to their religious belief (or none)? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact on people with dependants/caring responsibilities? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact on people due to them being transgender or transsexual? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact on people due to their marital or civil partnership status? What evidence (either presumed or otherwise) do you have for this?	N		