

Policy Name	Domestic Abuse Policy
Lead Directorate	Housing
Author	Jamie Lock, AD Housing Operations
Reason for change	New policy
Date	March 2022

APPROVAL PROCESS FOR CURRENT VERSION

Presented to	Services Committee
Date	March 2022
Decision	Approved

1. Introduction

This policy sets out how Poplar HARCA will respond to reports of domestic abuse. It supersedes all previous policies.

Poplar HARCA will:

- Act impartially and proportionately
- Provide information about the role of, and services available from, statutory and other agencies
- Respect decisions made by individuals with capacity
- Work with statutory and other agencies to prevent, and protect from, domestic abuse

2. Definitions

Domestic abuse is *an incident, or pattern of incidents, of controlling, coercive, threatening, degrading or violent behaviour by a partner, ex-partner, or family member and both parties are over the age of 16.*

3. Confidentiality

Personal data will be collected, stored, shared, and retained in-line with Data Protection legislation and the Information Commissioner’s guidance.

Disclosure of personal or sensitive data to a third party will normally only happen with the consent of the individual. If an individual with capacity refuses consent their choice will be respected.

Disclosure without permission may happen when Poplar HARCA believes that there is a risk of serious harm. Disclosure without permission can be approved only by the Head of Community Safety, Assistant Director of Housing Operations, or Director of Housing and Corporate Services.

4. Case management

criminal behaviour	<p>Poplar HARCA does not have legal powers to investigate crime. Criminal behaviour should therefore be reported to the Police.</p> <p>Once a Police report has been made, Poplar HARCA will support the Police to prevent, detect, investigate, and prosecute crime.</p> <p>Substantiated criminal behaviour that is a breach of a Poplar HARCA tenancy agreement or lease will normally result in legal proceedings to end the contractual relationship.</p>
initial contact	Within 1 working day
required information	<p>Complainants will be asked:</p> <ul style="list-style-type: none"> • how long the problem has been going on • how regularly it occurs • if anyone else is affected by it • has it been reported to any other agency • whether any action has already been taken • details about the alleged offender
action plan	Agreed within one week
contact	Agreed with the person affected
closure	<p>With the agreement of the person affected, and/or</p> <p>When another agency is providing advice or support, and/or</p> <p>When Poplar HARCA is not able to take further action</p>
legal action	Poplar HARCA will support those affected by domestic abuse who decide to use civil and criminal laws
appeal against enforcement decision	Will be considered as a review in-line with Poplar HARCA's customer care policy
re-housing	<p>Anyone asking to be re-housed because of domestic abuse will be referred to the local authority for an assessment of a statutory duty.</p> <p>Anyone who has perpetrated domestic abuse in the preceding five years will not be considered for rehousing</p>
children and young people	Children and young people affected by domestic abuse will be referred to appropriate services
MARAC	Poplar HARCA will refer those affected by domestic abuse to the Local Authority Multi Agent Risk Assessment Conference

5. Policy review

Policies are reviewed every 5 years or sooner if they no longer reflect best practice.

6. Impact assessment

<p>How does the policy contribute to Poplar HARCA's aims?</p>	<p>Our community can only take advantage of opportunity if it feels safe.</p>
<p>Which group(s) of people will benefit from the policy?</p> <p>If any group could be disadvantaged, what is the mitigation or justification?</p>	<p>Everyone who lives in, works in or visits Poplar HARCA homes.</p> <p>When Poplar HARCA is aware that an offender has a statutory protected characteristic, Poplar HARCA will have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. • Advance equality of opportunity between people who share a protected characteristic and those who do not. • Foster good relations between people who share a protected characteristic and those who do not. <p>Through</p> <ul style="list-style-type: none"> • Removing or minimising disadvantages suffered by people due to their protected characteristics. • Taking steps to meet the needs of people from protected groups where these are different from the needs of other people. • Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
<p>How have residents been involved in developing the policy?</p> <p>If they have not been involved, why not?</p>	<p>Estate Board members have provided guidance and suggestions.</p>
<p>How will the policy be monitored and measured? (e.g., performance indicators?)</p>	<p>Quarterly report to Services Committee and Poplar Board</p>
<p>If any, what are the Value for Money implications?</p>	<p>Domestic abuse costs in terms of time and money; and, most importantly, also in peace of mind. Preventing or reducing it will, therefore, offer savings and reduce the fear of crime.</p>