

	Title	NCHA Domestic Abuse Policy		
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NCHA Domestic Abuse Policy Statement

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NCHA DOMESTIC ABUSE POLICY STATEMENT

All persons have the right to live their lives free from violence and abuse. This right is underpinned by the Human Rights Act (1998) and the duty of agencies to intervene proportionately to protect the rights of citizens. The Domestic Abuse Act (2021) defines the first statutory definition of domestic abuse which includes physical violence, emotional, coercive, or controlling behaviour and economic abuse which may be limited to a single event or a series of actions.

NCHA is committed to recognising and responding to incidents of domestic abuse affecting our customers and will:

- work in a victim/survivor centred approach in all cases of domestic abuse
- consider the safety of the individual experiencing domestic abuse and respond to any damage caused to our properties
- replace locks where required and work with our Local Authority partners to access target hardening/additional security offers
- work with our customers who may be perpetrating domestic abuse and refer them to RESPECT accredited support programmes.

We are committed to working within a multi-agency coordinated community response framework and will attend MARAC meetings, Local Authority domestic abuse panels and perpetrator panels where requested.

To comply with our responsibilities conveyed through the Care Act (2014) NCHAs Care Committee (sub-committee of the main Board of Management) reviews the domestic abuse statistics quarterly and considers a full analysis of trends annually through our detailed safeguarding review. The minutes from the Care Committee are reported to the NCHA main Board.

Where concerns or trends are noted through our reporting analysis and where NCHA has a duty to respond or change our approach, the action required will be recommended to and approved by the Care Committee for the whole Association.

1. Purpose and scope

- 1.1 This policy defines NCHAs approach to supporting customers following reports of domestic abuse which includes gender based violence and how we will hold perpetrators to account.
- 1.2 The policy applies to all customers living in NCHA properties, regardless of tenure, any adults and/or children living with them and customers receiving services from NCHAs Care and Support teams. This also includes children who have statutory recognition as ‘victims’ rather than witnesses if they see, hear or experience abuse in the home.
- 1.3 This policy has been developed in conjunction with the Domestic Abuse Housing Alliance (DAHA).

2. Responsibilities and Risk

2.1 Responsibilities

- 2.1.1 NCHA is committed to ending domestic abuse in line with the Domestic Abuse Act (2021) and recognises all persons have the right to live their lives free from violence and abuse. This right is underpinned by the Human Rights Act (1998) and the duty of agencies to intervene proportionately to protect the rights of citizens.
 - 2.1.2 The Care Act (2014) conveys a responsibility on NCHA that we will ensure that our customers are safeguarded against risk of abuse. The Social Housing Regulation Act (2023) sets out what tenants can expect from their landlords including how they can expect to be supported if they are facing domestic abuse.
 - 2.1.3 As part of our commitment to recognising and responding to domestic abuse, NCHA has developed policies, procedures and training aids to assist colleagues working with and supporting individuals who may be experiencing abuse. A full definition of domestic abuse can be found in these policies.
 - 2.1.4 If any colleague has an immediate concern about a customer or colleague in relation to domestic abuse and is unsure about what to do, they should immediately refer to their line manager or to the Care and Support Duty Manager via Customer Contact Wellbeing Team on 0345 650 5599. If there is a risk of immediate harm or life is in danger, call the Police on 999. Colleagues must act on concerns of domestic abuse and must not assume that someone else will do it.
 - 2.1.5 The Director of Homes and Wellbeing is the overall NCHA domestic abuse lead to organise and co-ordinate organisational and inter-agency domestic abuse arrangements. The following colleagues are nominated lead officers and responsible for the co-ordination of domestic abuse prevention within their departments:
 - Resources: HR Business Partner
 - Homes and Wellbeing: Contracts Manager (domestic abuse lead)
 - Development/Assets: Assistant Director of Property Services
- ### **2.2 Risk**
- 2.2.1 Failure to identify and respond to domestic abuse will have several potential consequences:
 - adults, children and young persons needs are not being addressed or risk of further harm
 - breach of legislative and statutory reporting requirements
 - reputational damage in multi partner agency work

- negative impact on tenancy sustainment.

3. Policy details and guidance

- 3.1 Domestic abuse is a largely hidden crime meaning that the true scale of the issue is difficult to measure. It is estimated that 1 in 3 women and 1 in 7 men will experience domestic abuse in their lifetime.
- 3.2 NCHA considers domestic abuse to be any incident(s) or pattern 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. We recognise that children are recognised as victims/survivors of domestic abuse also. The abuse can include, but is not limited to:
- coercive control
 - psychological or emotional abuse
 - physical or sexual abuse
 - violent or threatening behaviour
 - financial or economical abuse
 - harassment and stalking; and
 - on-line digital abuse
 - so called Honor based abuse
 - familial abuse.
- 3.3 Domestic abuse happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity.
- 3.4 Domestic abuse is a form of gender based violence. Whilst both men and women may experience domestic abuse, women are more likely to experience repeated and severe forms of abuse. There are differences between male violence against women and female violence against men:
- women experience higher rates of repeated victimisation and are more likely to be seriously hurt or killed than male victims of domestic abuse
 - women are more likely to experience higher levels of fear and are likely to be subjected to coercive and controlling behaviours.
- 3.5 **NCHAs commitment**
- 3.5.1 NCHA is committed to ending domestic abuse in line with the Domestic Abuse Act (2021) and recognises all persons have the right to live their lives free from violence and abuse. This right is underpinned by the Human Rights Act (1998) and the duty of agencies to intervene proportionately to protect the rights of citizens.
- 3.5.2 The Care Act (2014) conveys a responsibility on NCHA that we will ensure that our customers are safeguarded against risk of abuse by means of taking reasonable steps to identify the possibility of abuse, prevent it before it occurs and respond appropriately to any allegation of abuse.
- 3.5.3 As part of our commitment to preventing and responding to domestic abuse we have:
- developed policies, procedures and blended training to assist colleagues working with and supporting individuals who may be experiencing abuse

- provided specialist training for the Community Coordinators to complete risk assessments and have a dedicated Domestic Abuse Coordinator to support customers
- promoted awareness of domestic abuse and its different forms (and will continue to do so) through posters, leaflets, articles in customer magazines and on our website and social media sites.

3.6 **Reporting Domestic Abuse**

3.6.1 Domestic abuse can be disclosed to NCHA through any contact i.e. our website, telephone, email, in person or in writing. We will ensure anyone can report domestic abuse to us and will provide interpreters and translate information into other languages or formats as needed.

3.7 **How we will respond**

3.7.1 We take all reports of domestic abuse seriously and will always respond in a sympathetic, supportive and non-judgemental way. We will respect the views of the survivor/victim and actions taken will be survivor/victim led and based upon their concerns and wishes.

3.7.2 NCHA will:

- respond to reports of domestic abuse within one working day
- arrange to meet in a safe location, either in private at our offices or an agreed safe place
- agree how we can stay in contact in a safe way
- only share information with permission unless there are safety concerns for the survivor/victim, children or vulnerable adults or where we have a legal duty to share information such as safeguarding concerns
- arrange for one of the Community Coordinators to complete a risk identification checklist
- signpost to other organisations for legal advice as appropriate
- manage appeals and complaints in line with NCHA Complaints Policy.

3.8 **Domestic Abuse Coordinator**

3.8.1 All reports of domestic abuse will be referred to our qualified Domestic Abuse Coordinator who will:

- provide information about various options available based on individual circumstances
- provide information about other agencies (including local culturally specific and specialist domestic abuse services) that can offer further advice and support
- make a referral to other services with consent
- establish working partnerships with any other agencies involved such as the Police and specialist domestic abuse support services and for those are a high risk of further abuse, we will make a referral to a Multi-Agency Risk Conference where professionals meet and co-ordinate their roles to minimise risk to survivors/victims of domestic abuse
- review the home security and may recommend and install additional security measures or make a referral to the local authority and/or Police to install them
- work alongside the Customer Accounts Team or other relevant agency if support relating to financial issues is needed
- complete and agree a safety plan which sets out the support we offer and provide a copy of the plan if it is safe to do so
- maintain contact at a minimum of every 10 working days until case closure and seek feedback 4 weeks after case closure, where possible.

- 3.8.2 If alternative accommodation is required we will provide information, advice and support to:
- access emergency safe accommodation and/or a property if it is not safe to remain in the home
 - apply for a transfer either with NCHA, other housing providers or the local authority and with permission, we will share relevant information regarding any safety plan and risk assessment with any new housing provider.
- 3.8.3 We may take appropriate legal action against the alleged perpetrator of the abuse and hold them to account which may include:
- seeking eviction of the alleged perpetrator if they are still residing in the home
 - seeking protection for the survivor/victim in the home by obtaining a civil injunction to protect them against the actions of the alleged perpetrator
 - termination of the alleged perpetrators tenancy where appropriate by the Community Safety Team.
- 3.8.4 The safety of the survivor/victim is our main concern so we will not inform the alleged perpetrator of any discussion or contact we have had. We will not take any action against this alleged perpetrator without consulting the survivor/victim first.
- 3.9 **Perpetrator Support**
- 3.9.1 We will work in partnership with appropriate RESPECT accredited services to support or signpost perpetrators of domestic abuse who recognise and want to change their behaviour.
- 3.9.2 **Colleagues must have regard to NCHA policies and procedures** relating to data protection and confidentiality which enable information to be shared and stored for domestic abuse purposes including information which may be sensitive or personal. Information about specific residents, customers, service users, children and young persons, applicants, colleagues, other individuals and commercially sensitive information will only be divulged to third parties in accordance with NCHAs policies.
- 3.10 **New NCHA tenancies following recent domestic abuse**
- 3.10.1 If during a tenancy sign up recent domestic abuse / concerns around domestic abuse is identified, a referral will be made to our Domestic Abuse Coordinator.
- 3.10.2 We will offer a home security review for customers with a new NCHA tenancy allocated as a result of recent domestic abuse. We may recommend and install additional security measures or make a referral to the local authority and/or Police to install them.
- 3.11 **Training**
- 3.11.1 NCHA has a range of training aids available to colleagues. All colleagues regardless of their job role are trained to recognise the signs of domestic abuse and how to report it. Specific domestic abuse training is available via face-to-face training or e-learning to all NCHA colleagues who have a designated role in fulfilling our corporate responsibilities.

3.12 **Recording**

3.12.1 NCHA will record all allegations and incidents of domestic abuse as follows:

- For Care and Support, all allegations and incidents will be recorded on SuRe. Where the service user consents, colleagues will support them to make a Police report and contact local or national domestic abuse specialist providers.
- For all other departments, any allegations or incidents regarding tenants should be reported, via the line manager if appropriate, to the relevant Community Coordinator, who will open a safeguarding/domestic abuse contact on Capita. The Homes and Wellbeing Domestic Abuse Coordinator will arrange to meet with the customer to discuss referrals to local specialist services.

3.12.2 Colleagues who have access to Total Mobile should submit a safeguarding form.

3.12.3 In cases of domestic abuse where children are resident, a safeguarding children referral will be raised with the Local Authority. The purpose of this is to co-ordinate support around the family and the customer will be notified before the referral is made.

4. **Supporting documentation and key legislation**

4.1 Guidance

Domestic Abuse Act - factsheets

4.2 Legislation

[Anti-Social Behaviour, Crime and Policing Act 2014](#)

[Care Act 2014](#)

[Data Protection Act 2018](#)

[Domestic Abuse Act 2021](#)

[Equality Act 2010](#)

[Family Law Act 1996](#)

[Housing Act 2004](#)

[Human Rights Act 1998](#)

[Protection from Harassment Act 1997](#)

[Serious Crime Act 2015](#)

4.3. Related policies

NCHA Safeguarding Adults, Children and Young Persons Policy

NCHA Data Protection and Access Policy

Allocations Policy

Anti-Social Behaviour and Hate Incident Policy (under review)

Equality, Diversity and Inclusion Policy

Tenancy Policy

Domestic Abuse Service Standard

5. **Monitoring and reporting**

5.1 Managers receive reports to monitor how quickly we respond to reports of domestic abuse.

5.2 We ask customers how satisfied they are with the service we provide. This information is anonymised and reviewed by managers to improve the service in future.

- 5.3 This policy will be reviewed every 3 years unless legislation, business or sector developments require further amendments. This will ensure that the policy continues to meet the stated objectives and take account of good practice developments.

6. Definitions

The full legal definition of domestic abuse can be found at Appendix A.

Domestic abuse - is any single incident, course of conduct or pattern of abusive behaviour between individuals aged 16 or over who are 'personally connected' to each other as a result of being, or having been, intimate partners or family members, regardless of gender or sexuality. Children who see, hear, or experience the effects of the abuse and are related to either of the parties are also considered victims of domestic abuse.

Abusive behaviour – consists of any of the following:

- physical or sexual abuse
- violent or threatening behaviour
- controlling or coercive behaviour
- economic abuse
- psychological, emotional, or other abuse (incidents where the abusive party directs their behaviour at another person e.g. a child).

Economic abuse – any behaviour that has a substantial adverse effect on someone's ability to acquire, use or maintain money or other property, or obtain goods or services.

Gender based violence – directed against a woman because she is a woman or that affects women disproportionately. Includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty (United Nations CEDAW 1992: parag.6).

7. Equality and diversity

- 7.1 This procedure has been written in line with NCHAs Equality, Diversity and Inclusion Policy and Equality Statement.

8. Appendices

Domestic Abuse Act 2021 – Part 1 Definition of Domestic Abuse

9. Policy Approval

- 9.1 This procedure has been approved prior to issue by the Director of Homes and Wellbeing or if applicable by NCHAs Board, Customer or Care Committees.

Domestic Abuse Act 2021 – Part 1 Definition of Domestic Abuse

1	<p>Definition of “domestic abuse”</p> <p>(1) This section defines “domestic abuse” for the purposes of this Act.</p> <p>(2) Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if—</p> <ul style="list-style-type: none"> (a) A and B are each aged 16 or over and are personally connected to each other, and (b) the behaviour is abusive. <p>(3) Behaviour is “abusive” if it consists of any of the following—</p> <ul style="list-style-type: none"> (a) physical or sexual abuse; (b) violent or threatening behaviour; (c) controlling or coercive behaviour; (d) economic abuse (see subsection (4)); (e) psychological, emotional or other abuse; <p>and it does not matter whether the behaviour consists of a single incident or a course of conduct.</p> <p>(4) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to—</p> <ul style="list-style-type: none"> (a) acquire, use or maintain money or other property, or (b) obtain goods or services. <p>(5) For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).</p> <p>(6) References in this Act to being abusive towards another person are to be read in accordance with this section.</p> <p>(7) For the meaning of “personally connected”, see section 2.</p>
2	<p>Definition of “personally connected”</p> <p>(1) For the purposes of this Act, two people are “personally connected” to each other if any of the following applies—</p> <ul style="list-style-type: none"> (a) they are, or have been, married to each other; (b) they are, or have been, civil partners of each other; (c) they have agreed to marry one another (whether or not the agreement has been terminated); (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated); (e) they are, or have been, in an intimate personal relationship with each other; (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2)); (g) they are relatives. <p>(2) For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if—</p> <ul style="list-style-type: none"> (a) the person is a parent of the child, or (b) the person has parental responsibility for the child. <p>(3) In this section—</p> <ul style="list-style-type: none"> • “child” means a person under the age of 18 years; • “civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004; • “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act); • “relative” has the meaning given by section 63(1) of the Family Law Act 1996.
3	<p>Children as victims of domestic abuse</p> <p>(1) This section applies where behaviour of a person (“A”) towards another person (“B”) is domestic abuse.</p> <p>(2) Any reference in this Act to a victim of domestic abuse includes a reference to a child who—</p> <ul style="list-style-type: none"> (a) sees or hears, or experiences the effects of, the abuse, and (b) is related to A or B. <p>(3) A child is related to a person for the purposes of subsection (2) if—</p> <ul style="list-style-type: none"> (a) the person is a parent of, or has parental responsibility for, the child, or (b) the child and the person are relatives. <p>(4) In this section—</p> <ul style="list-style-type: none"> • “child” means a person under the age of 18 years; • “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act); • “relative” has the meaning given by section 63(1) of the Family Law Act 1996.