Policy Name: **Domestic Abuse Policy**

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1. Policy Summary

1.1 Our tenants and staff should not live in fear of abuse or violence from a partner, former partner, or other member of their household.

1.2 This policy sets out how we 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.

1.3 We recognise the need to share information and work in partnership with other agencies with greater experience of domestic abuse, in order to reduce the risk of harm to victims/ survivors.

1.4 This policy is supported by Midland Heart's Domestic Abuse Guidance Note and Safeguarding and Anti-Social Behaviour Policies.

1.5 There may be occasions where there is good reason to apply discretion when decision making. We will always consider the individual circumstances of the individual involved when making our decisions.

2. Policy Principles

2.1 Our aim is to support victims/ survivors of domestic abuse by:

- Speaking to the customer or colleague and taking account of any safety concerns
- Listening and believing their account
- Working with them to assess risk and agree to an appropriate action plan.

2.2 We will work with relevant external agencies and share information appropriately, in line with GDPR and our data sharing protocols. All parties should be aware that confidentiality and consent are not absolute where we deem there to be a safeguarding or serious risk basis for information sharing.

2.3 We will work with victims/ survivors, ensuring we stay focused on their individual needs and the needs of their family/ household.

3. It applies to…

3.1 This document should be used by employees, contractors and agents acting on behalf of Midland Heart, to understand how to report and respond to disclosures or incidents 2 of domestic abuse, relating to those living in our properties or receiving a service from us.

3.2 It will also detail our response to colleagues who disclose that they and their household are affected by domestic abuse.

4. Definition: What is Domestic Abuse?

4.1 Domestic abuse can happen to anyone, regardless of gender or transgender status, sexuality, social group, class, economic status, age, race, disability, religion or geographic location.

4.2 The Domestic Abuse Act 2021 defines abusive behaviour as any of the following:

- Physical or sexual abuse.
- Violent or threatening behaviour.
- Controlling or coercive behaviour.
- Economic or financial abuse.
- Technology-facilitated abuse
- Psychological, emotional, or other abuse.

4.3 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. Abuse can begin at any time in a relationship, at the start of a new relationship or after many years.

4.4 In accordance with the Domestic Abuse Act 2021, domestic abuse occurs where both individuals are aged 16 or over and are personally connected. Individuals are considered personally connected if they:

- Are, or have been, married to each other or civil partners.
- Have agreed to marry one another or enter into a civil partnership, whether or not that agreement remains in place.
- Are, or have been, in an intimate personal relationship with each other.
- Have, or have had, a parental relationship in relation to the same child.
- Are relatives, including relationships between parents and adult children, siblings and other family members as defined by the legislation.

Domestic abuse can occur regardless of whether individuals live together or have previously shared a household. It can also continue or begin after a relationship has ended.4.5 The term 'violence against women and girls' refers to acts of violence or abuse that we know disproportionately affect women and girls. Crimes and behaviour covered by this term include, rape and other sexual offences, domestic abuse, stalking, and honour-based abuse, as well as many others, including offences committed online.

4.6 We recognise that abuse relating to faith and honour-based violence (HBV) has many similarities to other forms of domestic abuse, but it is also very different. We will apply the same principles when dealing with reported cases of HBV, but we recognise that additional sensitivity in this area may be required. We will therefore work in partnership with specialist agencies who have experience of different types of domestic abuse, in order to reduce the risk of harm to survivors.

4.7 The Domestic Abuse Act 2021 recognises children as victims/survivors of domestic abuse.

Any reference in the Act to a victim of domestic abuse includes a reference to a child who:

(a) sees or hears, or experiences the effects of, the abuse, and

(b) is related to either of the parties.

Children living in households where domestic abuse occurs are recognised as victims of that abuse in their own right, and our approach reflects this. The safety of all survivors is our priority, and we will inform statutory services where we believe that a child is harmed or at risk, due to domestic abuse.

5. Accessibility and Awareness

5.1 Midland Heart will accept reports of domestic abuse through any available communication channel and ensure all incidents are logged. A confidential service will be offered at offices, by telephone or at an agreed safe venue, so that people experiencing domestic abuse can access appropriate services and advice as early as possible.

5.2 Any access or communication needs will be considered. This may include translation services, meeting at a safe location away from the property or, where possible, providing the opportunity to speak to an employee of the same gender. Midland Heart will develop links with specialist domestic abuse agencies that can provide services reflecting survivors' identities and characteristics.

6. Reasonable Adjustment and Support

6.1 We understand that some tenants and residents may have difficulty communicating their experiences with us, as such we will always make reasonable adjustments, enabling tenants and residents to report their concerns and engage in the process.

6.2 There is no prescribed list of reasonable adjustments; the adjustment will depend on the individual's needs. We will discuss the requirements with the person concerned and seek to reach agreement on what may be reasonable in the circumstances.

6.3 In the majority of cases, we will be able to agree and deliver the required reasonable adjustment with a minimum of delay. In some cases, we may need to consider in more detail how best to overcome the difficulty or seek advice from expert organisations that can assist with signposting and other forms of support.

6.4 An equality impact assessment has been completed for this policy.

7. Disclosures/ Reporting of Concerns

7.1 We will provide clear guidance and training for all relevant staff on being alert to the signs of domestic abuse, how to report concerns and disclosures, and how relevant staff manage cases of domestic abuse. Where appropriate, we will work with the Police, Courts and other relevant agencies where Domestic Abuse Protection Orders (DAPOs) or Domestic Abuse Protection Notices (DAPNs) or other protective orders are being considered or have been made. Staff will record and respond appropriately to relevant restrictions or requirements affecting the survivor, perpetrator or property.

7.2 If a customer or colleague discloses, they are suffering domestic abuse to any employee or operative of Midland Heart; the employee / operative should listen to the customer without judging them.

7.3 We will accept reports and disclosures of domestic abuse through any available communication channel and

ensure all incidents are logged.

7.4 Where a member of staff suspects or witnesses domestic abuse taking place in our homes, they must log the report on our system (HomeChecker tool and/ or Safeguarding business action).

7.5 Reports or disclosures concerning colleagues should be escalated to the relevant line manager (if appropriate to do so) and HR Business Partner. Consent should be sought where possible, from the individual.

7.6 Reports may also be made by third parties (i.e., neighbours, family members or professionals). As much information as possible must be collected to enable us to take steps to investigate further.

7.7 Domestic abuse is treated with the highest priority in the first instance, to ensure the safety and wellbeing of the victim (and their children), so initial triaging will take place by the next working day. The victim/ survivor will be provided with a named Case Officer, who will be responsible for working with them and managing their case.

7.8 We will listen without judgement, take all disclosures seriously and respond on the basis of the safety risks identified. Where enforcement action is considered, decisions will be informed by an appropriate assessment of the available evidence and individual circumstances.

7.9 We will deal with any safety related repairs which are needed because of domestic abuse as an emergency (within 24 hours); and we will remove offensive graffiti within 1 working 5 day. We may provide additional security measures to a customer's home where necessary, in line with the completed risk assessment and action plan.

8. Assessing Risk

8.1 We will work with victims/ survivors to assess the risk to them and their household/ family, and we will support them to make choices that best meet their needs, and those of their household/ family.

8.2 Having a long-term illness or disability, including mental health conditions, increases a person's risk of experiencing domestic abuse. Pregnancy can also be a significant risk factor. It is therefore important to capture and consider any additional 'risk factors' when assessing risk and action planning with the victim/ survivor.

9. Partnership Working

9.1 We will work in partnership with agencies such as the Police, Social Care, Children's Services and other specialist support, advice and accommodation services to support the survivor and reduce risk.

9.2 We will support the lead statutory agency in taking action against those committing the abuse. This includes taking tenancy enforcement action against perpetrators, where it is appropriate to do so, and does not put the victim/ survivor at further risk.

9.3 Midland Heart is signed up to MARAC protocols (multi-agency risk assessment conference) across our areas of operation. The purpose of MARAC is to provide a confidential forum where agencies are able to share information which will increase the safety, health and wellbeing of individuals and children related to the case. This will take place through the sharing of information, expertise and resources, and the development of multi-agency plans which identify appropriate interventions or other actions to safeguard individuals and their children.

10. Ongoing work with victims/ survivors

10.1 It is important that we work with victims/ survivors to support them, and therefore throughout the case, we should ask what action they want to take. We will work with them to review the risk and update any action plan on an ongoing basis. We will consider the safety of the victim's/ survivor's home and offer additional security, or alternative housing options advice, based on circumstances.

10.2 We also acknowledge that not all survivors of domestic abuse end their relationship with the perpetrator, and we will work to support and maximise survivor safety whilst being respectful of their decision.

10.3 When a survivor decides they want to leave their relationship, careful planning is important because abusers can become more violent and controlling, and their actions can continue to pose a danger, after the relationship has ended.

10.4 We understand that the survivor may have practical and emotional reasons which they feel stop them making the decisions and taking the action they want. We will work with survivors to provide advice and support on any barriers and challenges they have.

11. Protecting children and vulnerable adults

11.1 We will make a safeguarding referral to the relevant local authority when needed to protect children or vulnerable adults impacted by the abuse.

12. Action against the Perpetrator

12.1 Midland Heart is committed to preventing domestic abuse, supporting victims and survivors, and holding perpetrators accountable for their behaviour. We recognise that domestic abuse can take many forms, as defined by the Domestic Abuse Act 2021, and that certain behaviours may constitute criminal offences and/or breaches of tenancy or lease conditions. Where domestic abuse is reported or identified, we will take a victim and survivor focused approach, prioritising safety and safeguarding while considering the individual circumstances of those involved. Where appropriate, we will work with the Police and other relevant agencies and consider proportionate tenancy enforcement or legal action against perpetrators, based on the available evidence and applicable legal requirements. Our approach will seek to minimise disruption to victims and survivors, protect their housing security wherever possible and reduce the risk of further harm.

12.2 In holding perpetrators to account we will ensure:

- Case management focuses on ways to support survivors so disruption to their lives is minimised, including signposting to agencies who can provide legal advice and support.
- Work with partner agencies including the Police to share information or evidence that may support perpetrator prosecution.
- Consider taking action to end a perpetrator's tenancy where appropriate, if this does not put the victim/survivor at further risk.

12.3 We will work alongside survivors to ensure that any action we take is done so in partnership with them and their wishes will be considered.

12.4 We may refer perpetrators for support or where available, to domestic abuse programmes. As part of the

new national standard framework for stalking and domestic abuse perpetrator interventions published in July 2026, perpetrators may now be referred to specialist domestic abuse perpetrator interventions. Any intervention should be appropriately risk assessed and delivered in accordance with relevant national standards and local commissioning arrangements.

12.5 We will manage any breach of tenancy by perpetrators in line with our Anti-Social Behaviour and/or Hate Policy. Staff will maintain professional curiosity when responding to reports of anti-social behaviour, tenancy breaches, neighbour disputes, property damage, noise complaints or other incidents where domestic abuse may be a contributing factor. We recognise that individual incidents, when considered in isolation, may not immediately indicate domestic abuse, but could form part of a wider pattern of coercive, controlling or abusive behaviour. Staff will therefore consider previous incidents, repeat reports and relevant information held across Midland Heart and, where appropriate, by partner agencies, to identify potential patterns of abuse and escalating risk. Where concerns are identified, staff will seek specialist advice from Midland Heart's Domestic Abuse Co-ordinator and ensure that appropriate safeguarding and risk assessments are undertaken.

13. Reviewing and closure of cases

13.1 The assigned Case Officer will agree with a communication method with the survivor, and the case will be regularly reviewed and monitored, at agreed times.

13.2 When risks have sufficiently been mitigated, we will consult the survivor about closure of the case.

14. Our Strategic Approach

14.1 Making a Stand

Midland Heart is signed up and is committed to the Chartered Institute for Housing, Women's Aid and Domestic Abuse Housing Alliance (DAHA) pledge, 'Make a Stand'. We have pledged to meet the four key commitments, which are:

1. Having a policy to support tenants who are affected by domestic abuse.

2. Making information about national and local domestic abuse support services available.

3. Supporting colleagues who may be experiencing domestic abuse.

4. Having a champion at senior level drives our activity. Our champion is Rebecca Larkin – Director of Housing.

14.2 Prevention

We will review our cases and use tenant insights to understand how domestic abuse can be prevented and addressed in the areas we operate. We will work in partnership with statutory partners on strategic responses to domestic abuse and the effect this can have on homelessness, and we will support initiatives to minimise the impact.

15. Ensuring we are doing what we say…

15.1 We will continually improve our response to domestic abuse by asking for and learning from victim/ survivor feedback. We will review feedback from other agencies including Domestic Homicide Reviews (DHR's)/ Domestic Abuse Related Death Reviews (DARDR's), Safeguarding Adult Reviews (SAR's), and Serious Case Reviews (SCR's).

15.2 We will also undertake regular audits to ensure our policy and procedures are followed.

16. Related Law & Regulations…

Legislation/Regulation	Relevance to This Policy
Domestic Abuse Act 2021	Provides the statutory definition of domestic abuse.
Domestic Violence Disclosure Scheme (Clare's Law)	A police policy giving people the right to know if a current or former partner has a previous history of violence or abuse.
Modern Slavery Act 2015	Designed to combat modern slavery in the UK and consolidates previous offences relating to trafficking and slavery.
Serious Crime Act 2015	Controlling or coercive behaviour could amount to a criminal offence under section 76.
Protection from Harassment Act 1997 / Protection of Freedoms Act 2012	Created offences of stalking and stalking involving fear of violence or serious alarm and distress.
Anti-Social Behaviour, Crime and Policing Act 2014	Provides tools and powers for tackling anti-social behaviour.
Equality Act 2010	Provides the framework of protection against direct and indirect discrimination, harassment and victimisation in services and public functions.
Home Office: Domestic Abuse Statutory Guidance 2023	These regulations bring into force sections 68,77 and 82 of the Domestic Abuse Act 2021
Regulator of Social Housing: Neighbourhood and Community Standard, April 2024	Registered providers must have a policy for recognising and effectively responding to domestic abuse and must co-operate with appropriate local authority departments in relation to safe accommodation duties.

17. This policy links to…

External:

- Domestic Abuse Act 2021
- Domestic Violence Disclosure Scheme (Clare's Law)
- Data Protection Act 2018 9
- Modern Slavery Act 2015
- Serious Crime Act 2015
- Protection from Harassment Act 1997
- Anti-Social Behaviour Crime and Policing Act 2014
- Equality Act 2010
- Care Act 2014
- Crime and Disorder Act 1998, as amended in 2002.
- Home Office: Domestic Abuse Statutory Guidance 2022
- Regulatory Framework – HCA Neighbourhood and Community Standard

Internal:

- Domestic Abuse Guidance Note
- Safeguarding and Wellbeing Policy & Procedure
- Anti-Social behaviour Policy
- Hate Policy
- Data Protection Policy & Procedure
- Complaints, Comments and Compliments Policy
- Allocations Policy
- Tenancy Policy
- Risk Alerts Procedure
- Appeals Procedure
- CCTV/ Surveillance Policy
- Additional Needs Policy and Guidance Note
- Whistleblowing Policy