

Domestic Abuse Policy

Policy Number:	N/A
Responsibility:	Neighbourhood and Customer Improvement Manager
Approved by:	Executive Team
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Domestic Abuse Policy (Customers)

Summary
<p>This policy sets out a clear definition of domestic abuse (as defined by the Domestic Abuse Act 2021) and outlines what measures we'll take to:</p> <ul style="list-style-type: none"> • help victims and survivors experiencing domestic abuse to access appropriate services as early as possible to support them to make choices about what to do next • support victims and survivors who are experiencing / have experienced domestic abuse to rebuild their lives by working in partnership with them and support agencies and • support victims and survivors to employ the use of civil and criminal laws which can offer them protection and act as a preventive measure to avoid further abuse.

1. Introduction

You and your household should not have to live in fear of violence or abuse from anyone including from a partner, former partner, adult child or other relative. Home can be a dangerous place for victims and survivors of domestic abuse. Housing insecurity and uncertainty are the primary barrier to victims and survivors attempting to leave the abuser.

This policy and the associated procedure is for all our customers and their household members and should be read alongside our Safeguarding Policy.

2. Our Approach

Anyone can be affected by domestic abuse regardless of gender, age, ethnicity, religion, sexual orientation, disability, and circumstances. Domestic abuse disproportionately impacts women with the majority experiencing abuse from a male partner or ex-partner. We also see cases where men and trans or non-binary people are victims and survivors of domestic abuse, as well as between adult children and their parents / carers. We recognise the experience of all victims and survivors.

We take a victim-centered approach to domestic abuse. We'll believe you as a victim / survivor when you disclose domestic abuse to us and prioritise your immediate safety without judgement. And we'll respect your right to choose the actions and outcomes that are safe for you.

You can report domestic abuse to us:

- by phoning our customer services team on 0300 323 0011. Calls outside of office hours are taken by our out-of-hours service who can provide signposting advice and will pass your report back to us on the next working day.
- by email customer@moat.co.uk
- on our online portal [myMoat](#)
- on webchat [Moat | Contact us](#)
- at our regional offices in person.
- at an arranged visit.

You can tell us safe in the knowledge that we'll respond sensitively to you or anyone coming to us for assistance, including people not directly involved such as neighbours and contractors. Because we are serious about supporting you, we'll respond to reports within one working day, we normally do this by phone initially and always in a way that looks to prioritise your safety and recognises your needs.

We know there can be obstacles for you to reporting and accessing support. We'll take a holistic approach in order to understand your needs and support you by working with specialist agencies.

We'll help to protect you from culturally specific abuse too such as such as so-called 'honour-based' violence, forced marriage and female genital mutilation (FGM). If you approach us about these types of abuse, we'll connect you with appropriate specialist support services.

Your age and any disability and physical or mental health condition may increase the risk to your safety. We'll work with you and appropriate specialist support services to assess your risk and make safety plans.

We'll:

- ensure that our colleagues are trained to deal with disclosures of domestic abuse effectively and sensitively putting you as the person affected by domestic abuse at the centre.
- give you as the person affected by domestic abuse the opportunity to opt for a colleague of a specific gender to deal with your case where possible.
- give you as the person affected by domestic abuse the option to meet a colleague in confidence at our offices or an agreed choice of safe venue – We'll also agree on the method of contact you want us to use and how often and provide interpreting and translation services where needed.
- work together with appropriate agencies (statutory and voluntary) to prevent, intervene and reduce the impact of domestic abuse and increase safety and wellbeing - This may include improving the security of your home.
- refer cases of domestic abuse to a Multi-Agency Risk Assessment Conference (MARAC) to share information to reduce risk to those involved and the whole family. We'll tell you when we do.

- ensure that you as the person affected by domestic abuse receive clear information about your options in relation to your tenancy with us (if applicable)
- consider enforcement action against people who are responsible for domestic abuse, but only in cases where we can do so without compromising the safety of those affected by domestic abuse and in agreement with partner agencies; and
- record and monitor all cases of domestic abuse, to ensure appropriate action is taken – We'll use this to continue to make our services better and learn lessons that can help victims and survivors in the future.

Housing Options

The law around joint tenancy agreements can cause particular challenges for victims and survivors who have a joint tenancy with someone who is abusing or has abused them. We'll be as flexible as we can within the law to support your choices. If you decide to leave your home, we'll work with partners to support your rehousing. In the first instance, we'll refer you to the local authority homeless person's service if you need emergency temporary accommodation. We'll also on a case-by-case basis explore the possibility of offering you a tenancy of another home through our Priority Moves Policy.

Sharing Information

Your safety and privacy are important to us. We'll treat all reports of domestic abuse confidentially. We'll only share information when we have a lawful basis to do so in order to safeguard and promote the welfare of adults and children living with domestic abuse. We'll make sure our data is handled sensitively in line with our Data Protection Policy.

Raising Awareness

We're committed to raising awareness of domestic abuse and ensuring that our customers and communities are clear on our position. This may include giving information in newsletters, customer communications and on our website. We'll regularly publicise information and best practice on internal colleague platforms and our social media platforms.

3. Impact Assessments

Equality Impact Assessment – attached.

Data Protection Impact Assessment – attached.

Link to Corporate Strategy

This policy enables us to deliver for, and with, our residents.

Definitions

- The terms “**we**”, “**our**” and “**us**” means Moat.
- **Victims** and **survivors** of domestic abuse refer to people who have experienced or are experiencing domestic abuse. When referring to an individual (for example in case notes) we will be guided by the individual about what wording they want us to use.
- **Abuser** refers to the person whose behaviour is abusive.
- **Witness** refers to a person who has seen or heard the domestic abuse.
- A **MARAC (multi-agency risk assessment conference)** is a regular local meeting to discuss how to help victims at high risk of serious harm. A domestic abuse specialist (**IDVA – independent domestic violence advocate**), police, children’s social services, health and other relevant agencies all sit around the same table. They talk about the victim, the family and perpetrator and share information. The meeting is confidential.
- **Safeguarding** aims to prevent and reduce the risk of harm to adults / children who are experiencing or are at risk from, abuse or neglect.
- **Domestic Abuse** - The statutory definition of domestic abuse is set out in the Domestic Abuse Act 2021:

Behaviour of a person (A) towards another person (B) is domestic abuse if the following apply:

a) They are both aged 16 or over (any abuse of children is child abuse and not therefore defined as domestic abuse).

b) They are ‘personally’ connected to each other, i.e., if any of the following apply:

They are, or have been:

- married to each other or ever agreed to marry each other.
- civil partners of each other or ever entered into a civil partnership agreement.
- in an intimate personal relationship with each other.

They have, or have had, a parental relationship (as a parent or person with parental responsibility) in relation to the same child.

They are relatives.

c) the behaviour (which may be a single incident or course of conduct) is abusive, i.e., it consists of any of the following:

- Physical or sexual abuse.
- Violent or threatening behaviour.
- Controlling or coercive behaviour.
- Economic abuse (abuse that has a substantial adverse impact on the abused person’s ability to acquire, use or maintain money or other property, or obtain goods or services).
- Psychological, emotional or other abuse

A's behaviour may be 'towards' B despite the fact that it consists of conduct directed at another person, for example, B's child.

Children who see, hear or experience the effects of domestic abuse by or towards someone who is their parent (or has parental responsibility for them) or relative are also victims of domestic abuse.

This definition includes so-called 'honour based' abuse (including so-called 'honour-based' violence), forced marriage and female genital mutilation (FGM) which can be defined as follows:

So called 'honour-based' abuse (including so-called 'honour-based' violence) is a crime or incident committed to protect or defend the so-called honour of the family / community.

A forced marriage is a marriage conducted without the valid consent of one or both parties and where duress is a factor.

Female genital mutilation (FGM) is a collective term for a range of procedures which involve partial or total removal of the external female genitalia for non-medical reasons. It is sometimes referred to as female circumcision or female genital cutting

Linked Policies

- Anti-Social Behaviour Policy and Procedure.
- Tenancy Management Policy and Procedure.
- Data Protection policy
- Safeguarding Policy and Procedure.

Legislation

- Adoption and Children Act 2002
- Anti-Social Behaviour Act 2003
- Anti-Social Behaviour Crime and Policing Act 2014
- Children Act 1989 and 2004
- Clare's Law, also known as Domestic Violence Disclosure Scheme (DVDS)
- Domestic Abuse Act 2021
- Domestic Violence, Crime and Victims Act 2004
- Forced Marriage (Civil Protection) Act 2007
- Homelessness Act 2002
- Homelessness Reduction Act 2017
- Housing Act 1996
- Human Rights Act 1998
- Matrimonial Causes Act 1973
- Police and Justice Act 2006
- Protection from Harassment Act 1997
- Protection of Freedoms Act 2012
- Serious Crime Act 2015
- The Care Act 2014
- The Data Protection Act 1998 and General Data Protection Policy
- The Equality Act 2010
- The Family Law Act 1996
- The Housing Act 1988 & 1996

National Policy/Statement Links

- [HM Government \(July 2021\): Tackling Violence Against Women and Girls Strategy](#)
- [DLUHC. Delivery of support to victims of domestic abuse in domestic abuse safe accommodation services \(2021\)](#)
- [ADASS Adult Safeguarding and Domestic Abuse - guide to support practitioners and managers](#)
- [HM Government Forced Marriage Guidance including info on Forced Marriages Unit \(FMU\)](#)

Customer Engagement

We consulted our Customer Advocates on a draft of this policy. We also worked with the Domestic Abuse Housing Alliance in the development of this policy.