

Policy on Responding to Domestic Abuse within Kettering Borough Council Tenanted Properties

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Lead Officer	Leona Mantle, Tenancy Services Manager
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1 Introduction

- 1.1 This policy applies to tenants and their families living in Kettering Borough Council properties.
- 1.2 Kettering Borough Council takes a zero-tolerance approach to domestic abuse. We will treat all reports with the upmost sensitivity and take a victim-centred approach to all cases, with the aim of reducing the risk to the victims.
- 1.3 We will work closely with partner agencies in both the public and voluntary sectors in order to respond appropriately to domestic abuse.
- 1.4 We support the Chartered Institute of Housing's 'Make a Stand' campaign which aims to ensure that all social housing providers are fully committed to tackling domestic abuse in our homes.
- 1.5 This policy supports and complements the Countywide Domestic Abuse and Sexual Violence Strategy 2019-2022.

2 Aims

- 2.1 The key aims of this policy are:
 - a) To provide an appropriate and effective response to victims of domestic abuse
 - b) To enable staff to confidently support victims by taking a victim-centred approach
 - c) To take effective action against perpetrators using legal remedies where appropriate
 - d) To work closely with partner agencies to source effective solutions and also to raise awareness of domestic abuse.

3 Definitions

- 3.1 The government defines domestic abuse as:

'any incident or pattern of incidents of controlling, coercive, 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. The abuse can encompass, but is not limited to:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

We have adopted the same definition in this policy.

3.2 Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence or other abuse that is used to harm, punish, or frighten their victim.

3.3 Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

3.4 Domestic abuse is rarely a one-off event and is often used systematically to gain power and control over the victim, with the violence and abuse increasing in frequency and severity over time. Domestic abuse relates to abuse of a victim over the age of 16, while abuse of a person under the age of 16 is defined as a child safeguarding matter.

3.5 Who can experience Domestic Abuse?

Any person can experience domestic abuse, regardless of age, culture, race, ethnicity, gender, sexuality, religion, tenure or any other characteristics.

Domestic abuse occurs in intimate partner relationships, but also includes abuse between family members.

Domestic abuse also includes 'honour' based violence, forced marriage and female genital mutilation.

3.6 Examples of behaviour:

- Physical abuse e.g. slapping, pushing, kicking, punching, stabbing, attempted murder or murder
- Sexual abuse e.g. rape and sexual assault
- Emotional or psychological abuse e.g. intimidation, bullying, isolation, verbal abuse, humiliation, degradation, not allowing visitors
- Destruction of belongings, threat of legal sanctions e.g. deportation, custody of children, financial abuse, restriction of personal freedom
- Using coercion and intimidation to control someone

4. Supporting Victims

4.1 We will take a victim-centred approach when responding to reports of domestic abuse.

4.2 We will take action against perpetrators using legal remedies where appropriate

4.3 We will work closely with partner agencies, both statutory and voluntary, to source effective solutions and support for victims of domestic abuse.

5. Responding to reports of domestic abuse

We will:

- a) Meet with the victim within one working day, or at a time that is safe and convenient for them.
- b) Offer a meeting with a member of staff of the same gender as the victim
- c) Treat all complaints seriously
- d) Give priority to the safety of victims and their household members
- e) Ensure confidentiality at all times
- f) Work with specialist partner agencies
- g) Take or support legal action against perpetrators where appropriate

With consent, victims may be referred to partner agencies that provide action and/or support including:

- Police
- Domestic abuse support agencies
- National domestic violence helplines
- Independent legal advice

- Child or Adult services
- Community Mental Health Teams

6. Actions and Solutions

Options include:

- a) Supporting victims to stay in their tenancy and home (depending upon tenancy rights)
- b) Provide emergency temporary accommodation
- c) Assist with application to move to alternative accommodation
- d) Signpost to independent legal advice service for specialist remedies

We understand that some victims want to stay in their home, with additional protections.

6.1 For Sole KBC tenants, we can take actions to assist victims by:

- a) repairing damage caused by the perpetrator
- b) offer additional target hardening to make the home more secure
- c) signpost to independent legal advice services for legal advice on specialist remedies (such as civil solutions).
- d) make a referral to a victim support service or domestic abuse support service

6.2 For Joint KBC tenants, we will always advise independent legal advice as we cannot determine the tenancy. Options include:

- a) Seeking an occupation order
- b) Application for a court order to transfer the tenancy into their sole name.

We also understand that some victims are not able to remain within the family home.

6.3 In cases where there is evidence that it is not safe for the victim to remain within their home, but it is safe for them to move elsewhere in the Borough, solutions may include:

- a) Assistance to make a Keyways application.
- b) Consideration of a direct let to alternative accommodation, upon the approval of the Allocations Manager.

- 6.4 Where it is not safe for the victim or their family to remain in the home, emergency temporary accommodation may be provided.
- 6.5 In some cases, a move outside of the Borough is the safest option for the victim and advice will be given on rights to make a homeless application in another local authority area.

7. Action against Perpetrators

- 7.1 We will advise and support victims to take their own legal action against perpetrators of domestic abuse by signposting to local support services. Possible remedies include non-molestation orders, occupation orders or restraining orders.
- 7.2 Where the perpetrator is a Kettering Borough Council tenant, we will take legal action in accordance with our Anti-Social Behaviour Policy.
- 7.3 Decisions upon actions will be taken in consultation with the victim and partner agencies.
- 7.4 Examples of legal actions against tenants who are perpetrators of domestic abuse include:
 - i) possession proceedings
 - ii) injunctions.

8. Partnership Working

- 8.1 We will liaise with Police, statutory and voluntary agencies.
- 8.2 We will actively participate in Multi Agency Risk Assessment Conferences (MARAC) to support and protect victims and follow all reasonable recommendations made.

9. Confidentiality and Information Sharing

- 9.1 All staff will respect confidentiality when dealing with reports of domestic abuse and record and store sensitive data in accordance with GDPR guidelines.
- 9.2 There are circumstances where we are required by law to disclose information (for example where we are made aware of a child or vulnerable adult safeguarding

concern, or for the purposes of preventing or detecting crime). We will advise that we need to disclose information where appropriate.

9.3 We will share information with partner agencies according to agreed information sharing protocols.

10. Equality and Diversity

10.1 We will ensure that this policy is applied fairly and consistency.

10.2 We will act sensitively towards the diverse needs of individuals and communities.

11. Consultation

11.1 We welcome any comments or queries about this policy. Any such matters should be referred in writing to:

Tenancy Services Manager
Kettering Borough Council
Municipal Offices
Bowling Green Road
Kettering
Northants, NN15 7QX

11.2 All comments, complaints and concerns regarding the Domestic Abuse Policy will be logged by the Lead Officer and monitored against equality and diversity issues.

12. Review

12.1 The policy will be reviewed annually, unless changes in legislation requires an earlier review.