

Domestic Abuse Policy & Procedures

Housing Services

Version 4
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VERSION HISTORY

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Section 1: Introduction and context

1.1 Introduction

- 1.1.1 Domestic abuse does not discriminate and can affect anyone regardless of their gender, ethnicity, religion, class, age, sexuality, disability or lifestyle.
- 1.1.2 Many survivors of abuse will not approach agencies for months or even years. It is vital that when help is sought it is sympathetic, appropriate and consistent. We accept that, for many survivors, it can take repeated incidents before they seek support. However, we believe that each incident of domestic abuse, including the first, is a serious offence. We will work with people who are experiencing domestic abuse for the first time through to those who have suffered repeatedly.
- 1.1.3 Survivors will often need to approach a number of different agencies in order to resolve the situation and ensure that their needs and the needs of their children, where relevant, are met. As an organisation, we acknowledge the expertise of a wide range of agencies and seek to work in partnership and use their knowledge and range of measures for support and protection when working with survivors of domestic abuse.

1.2 Defining domestic abuse

- 1.2.1 This Policy adopts the definition of domestic abuse adopted by the Home Office and recognised by Harrow's Violence Against Women and Girls (VAWG) Strategy group. This 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, and emotional [behaviour]”.
- 1.2.2 The Home Office defines “controlling behaviour” as 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, resistance and escape and regulating their everyday behaviour.
- 1.2.3 The Home Office defines “coercive behaviour” as an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten the survivor.
- 1.2.4 The VAWG Strategy group, and this Policy, interprets domestic abuse to include a range of illegal sexually-, religiously- or culturally-motivated practices, such as human trafficking, forced marriages and female genital mutilation.
- 1.2.5 Domestic abuse can begin at any stage of a relationship and may continue after the relationship has ended. It is rare to only happen once. Ultimately, it is the misuse of

power and the exercise of control by one partner over the other in an intimate or family relationship.

- 1.2.6 Examples of abusive behaviours include those listed below. One or more of these behaviours may be exhibited in an abusive relationship:
- a) Psychological / emotional abuse – intimidation and threats, social isolation, verbal abuse, humiliation, constant criticism, enforced trivial routines, marked over intrusiveness
 - b) Physical violence – slapping, pushing, kicking, stabbing, damage to property, attempted murder or murder, physical restriction of freedom, stalking, forced marriage
 - c) Sexual violence – any non-consensual sexual activity, including rape, sexual assault, coercive sexual activity or refusing safer sex
 - d) Financial abuse – stealing, depriving or taking control of money, running up debts, withholding benefits or bankcards.
- 1.2.7 Domestic abuse can affect anyone, regardless of their characteristics or lifestyle, and this definition recognises that men may experience domestic abuse. However it should be noted that the vast majority of the survivors of domestic abuse are women and children, and women are also considerably more likely to experience repeated and severe forms of violence and sexual abuse.
- 1.2.8 Domestic abuse is normally interpreted as applying to people who live in the same dwelling. However, the threat of abuse from someone who does not live at the same address will be considered as part of this policy.

1.3 Impact of domestic abuse

- 1.3.1 Domestic abuse can have an immediate and/or long lasting effect on the lives of survivors. In the most serious cases, the abuse may result in murder or suicide. Other effects include:
- a) Physical injuries (both short-term and permanent): including bruising, broken bones, internal injuries, gynaecological problems, chronic pain, disfigurement, hearing or visual impairment, dental injuries, organ dysfunction, infertility and death. As pregnancy can often start or escalate violence it can include miscarriages, pre-term births, still births and foetal damage
 - b) Mental and emotional well-being: Psychological abuse can result in low motivation, low confidence, low self-esteem, confusion, disturbed eating and sleeping, Post Traumatic Stress Disorder (PTSD), depression, self-harm, suicidality and can lead to the misuse of drugs and alcohol
 - c) Social consequences: loss of, or separation from family, isolation, loss of job, financial difficulties, limited access to employment or educational opportunities, homelessness, loss of possessions and no sense of belonging and lack of support from friends and family.
- 1.3.2 There is a strong link between domestic violence and child abuse and one should be regarded as a potential indicator of the other. Children may witness or hear the violence or be coerced into taking part. It can lead to bed wetting, poor health, loss of confidence, loss of concentration, withdrawal, disruptive behaviour, homelessness,

self-harm, temper tantrums, aggression, eating disorders, anxiousness and poor school performance.

- 1.3.3 Ending an abusive relationship can be extremely difficult for the survivor, and either the reality or the prospect of the impacts listed above can exacerbate these difficulties. Ending an abusive relationship is often a process rather than a single event and therefore survivors may present to Housing Services for advice/accommodation on more than one occasion.
- 1.3.4 There is a clear association between alcohol and drug misuse and domestic abuse. Alcohol and drugs are often wrongly attributed as being the cause or an explanation or excuse for domestic abuse. Drug or alcohol abuse may be used as an excuse by the perpetrator for the domestic abuse they are inflicting.

1.4 Prevalence of domestic abuse in the UK and in London

- 1.4.1 A 2009 Government report established that children who have witnessed domestic abuse are 2.5 times more likely to have serious social and behavioural problems than other children and that, in 30% to 60% of domestic abuse cases, the abusive partner is also directly abusing children in the family. It also revealed that domestic violence is a factor in two thirds of cases where children have been killed or seriously injured. (HM Government, 2009)
- 1.4.2 It is estimated that the Police remain unaware of 81 per cent and 87 per cent of domestic abuse and sexual assault victims, respectively (Home Office, 2010). Domestic violence is cited as the direct reason for presenting as homeless by 13 per cent of applicants to housing authorities (Lilith, 2005).
- 1.4.3 The Forced Marriage Unit recorded 1,618 cases of forced marriage across the UK in 2008 (GLA, 2010). Of these cases, 339 were identified in London.
- 1.4.4 There were 48,873 domestic abuse crimes reported to the Metropolitan Police Service (MPS) in London in 2012/13. 33 per cent of violence with injury in London occurs in the home.
- 1.4.5 Around 40 per cent of young homeless women have left home because of sexual abuse (Hendessi, 1992; GLA, 2013). 60 per cent of all homeless women surveyed by Crisis had experienced domestic violence at some point, and 49 per cent other abuse (Crisis, 2006). In one study, 77 per cent of women identified housing as a barrier to exit (London Southbank University & Eaves, 2012).
- 1.4.6 Compared to the rest of the country, London has the lowest percentage of successful outcomes (measured as convictions of prosecuted cases) for violence against women offences (Crown Prosecution Service, 2009). This is linked to the higher proportion of the population aged 20-44 - an age group which is associated with a greater risk of domestic violence and sexual assault - when compared nationally (Walby & Allen, 2004).
- 1.4.7 London's higher levels of poverty are also linked to experiences of violence; whilst violence against women cuts across all social classes, research shows that women in

households with an income of less than £10,000 per annum are three and a half times more likely to suffer domestic violence than those living in households with an income of £20,000 (GLA, 2010).

1.5 Prevalence of domestic abuse in Harrow

- 1.5.1 Harrow's Crime Record Information System (CRIS) provides information about Police Officer attendance at an incident, regardless of whether a crime has been committed. Reports of domestic abuse have been consistent over much of the past five years in Harrow, with an average of 196 reports per month or 2,368 per financial year. However, recent Police figures have shown an upward trend in incidence; reports of domestic abuse to the Police rose 8.5 per cent in the first quarter of 2013/14 compared to the same period in the previous year.
- 1.5.2 The number of homeless presentations as a result domestic abuse fell by 45 per cent from a peak of 107 in 2010/11 to 59 for 2012/13. This constitutes approximately 2 per cent of total homeless presentations. It is recognised that this may not reflect true need in the borough, and domestic abuse was the second highest presenting need (after Possible Neglect or Abuse) to Safeguarding Children over the past 5 years.
- 1.5.3 The domestic abuse Ready Reckoner Tool (Home Office, 2004) can be used to estimate the prevalence of domestic abuse, sexual violence and stalking in Harrow. The estimates indicate that in Harrow:
- 5,250 women and girls aged 16-59 have experienced domestic abuse in the past year
 - 4,691 women and girls aged 16-59 have experienced sexual assault in the past year
 - 9,291 women and girls aged 16-59 have experienced stalking in the past year.
- 1.5.4 The same tool reveals the estimated total economic cost of domestic and sexual abuse in an area of Harrow's size to be £21,337,828 (not including human and emotional impacts). The breakdown of hidden costs is as follows:
- Health: £4,597,999
 - Criminal Justice System: £2,896,122
 - Safeguarding Children: £545,396
 - Other (including housing): £13,298,311 and
 - Human and emotional: £68,127,349.

1.6 National and legislative context

- 1.6.1 Under the Housing Act 1996 (as amended by the Homelessness Act 2002), housing authorities have a duty to provide temporary accommodation to households who they believe to be:
- eligible (i.e. have the right to be in the UK and to access housing)
 - homeless or threatened with homelessness (including if remaining in their current accommodation would lead to domestic abuse), and
 - in priority need (for example, if the household includes children under the age of 16 or someone who is vulnerable).

- 1.6.2 There is no local connection requirement for survivors of domestic abuse. In practice, this means survivors can apply and be successfully rehoused in a housing authority of their choosing.
- 1.6.3 Accommodation is provided on a temporary basis whilst the housing authority makes enquiries about the authority's duty to the household. Temporary accommodation can include bed and breakfast accommodation (but not for women with children except in an emergency and even then, for a maximum of six weeks) and hostel and refuge accommodation. In the longer term, the authority may place a tenant into private rented accommodation or offer them social housing.

1.7 Regional political context

- 1.7.1 The Mayor of London's approach to tackling domestic abuse and violence against women and girls is highlighted in "The Way Forward" strategy (published in March 2010 and refreshed in 2013). The objectives of this strategy are:
- a) For London to take a global lead to prevent and eliminate violence against women and girls
 - b) To improve access to support for survivors of domestic abuse
 - c) To address health, social and economic consequences of violence
 - d) To protect women and girls at risk
 - e) To get tougher with perpetrators.
- 1.7.2 The 2013 VAWG Strategy notes that there is a significant gap in terms of provision for young women and girls fleeing violence and abuse, and the Strategy outlines that the Mayor's Office will work with housing authorities to explore new housing and financial solutions for these survivors. It also commits to exploring new support models and referral pathways for 16 and 17 year olds fleeing violence and abuse, and makes reference to the importance of awareness of violence and abuse amongst housing staff.
- 1.7.3 The Mayor's Office Police and Crime Plan (MOPAC) (2013-16) lists tackling of violence against women and girls as a priority, and highlights the need to increase rates of reporting of such crimes. The MOPAC also calls for a joined-up approach to tackling domestic abuse with an outcome-focussed approach to performance monitoring.

1.8 Harrow context

- 1.8.1 In Harrow, the VAWG Strategy Group is responsible for developing an overall strategy and an action plan covering domestic violence and other forms of violence against women and girls under four broad headings of: Prevention, Provision, Partnership and Perpetrators.
- 1.8.2 Harrow's VAWG Strategic Framework and Action Plan has been developed under the overall Safer Harrow Strategy and links directly to the current Government's VAWG Strategic Narrative and Action Plan produced in 2010/11 and adopts the core vision of "a society in which no woman should live in fear of violence, no man should think it

acceptable to perpetrate violence against women and no child/ren should grow up in a home where violence is an everyday occurrence” (HM Government, 2010).

- 1.8.3 Harrow's Community Safety Plan (September 2013) sets a target to make Harrow the safest borough in London by 2017, requiring a reduction of almost 2,500 crimes a year. As domestic abuse continues to be a higher proportion of crime in Harrow than in any other London borough, this necessitates a concerted effort to reduce domestic abuse incidence in the borough.

Section 2: Policy statement

2.1 Policy scope

- 2.1.1 This policy statement outlines the service that Harrow's Housing Services' department can offer to domestic abuse survivors. Harrow's Violence against Women and Girls (VAWG) Strategy group is responsible for the overall strategic direction of the Council in relation to domestic abuse, and the actions that relate to this. This policy is written to complement the VAWG's strategic approach and will be specific to the Housing Service.
- 2.1.2 Housing Services can offer assistance to domestic abuse survivors in various ways, including by providing:
- general advice about housing options as well as agencies who can offer support and counselling
 - emergency rehousing
 - longer term housing
 - help to resolve tenancy or leasehold issues.
- 2.1.3 In this document, references to "the Service" or "Harrow's service" should be interpreted to mean that of Harrow Council's Housing Services department, unless otherwise stated.
- 2.1.4 For the purposes of this document, "survivors" of domestic abuse should be interpreted to mean those experiencing, or who have experienced, domestic abuse.

2.2 Policy objectives

- 2.2.1 The objectives of this policy are to prevent domestic abuse wherever possible, and to support and protect those individuals affected by domestic abuse.
- 2.2.2 The specific aims of the policy are to:
- Ensure that Harrow's service for those experiencing domestic abuse is accessible, supportive, effective and customer-focussed, providing housing solutions that are appropriate to the needs of the individual
 - Ensure that people experiencing domestic abuse and relationship breakdown are informed of the ways in which Harrow Housing Services' department can assist and support them
 - Work towards the prevention of domestic abuse in the medium to long-term;
 - Ensure that staff are clear and confident about Harrow's approach to domestic abuse, and receive the necessary training and support to deliver a consistent, sensitive and confidential service
 - Promote awareness amongst other agencies of the role that the Housing Services department can play in raising awareness of domestic abuse and assisting individuals experiencing abuse
 - Send a clear message to perpetrators that Harrow condemns any form of domestic abuse and where possible and appropriate will take action against perpetrators of domestic abuse
 - Ensure that Harrow's service for those experiencing domestic abuse is robustly monitored in order to identify and exploit opportunities for improvement.

2.3 Policy commitments

- 2.3.1 This section outlines the approach that Harrow Council will take to assist those experiencing domestic abuse. Further detail on how the Policy objectives will be achieved can be found in the remainder of this Section and in Sections 3 to 7, which constitute the Procedure Statement for this document.
- 2.3.2 The Service will treat all incidents of domestic abuse seriously, and will provide a supportive and enabling environment to encourage people to report domestic abuse.
- 2.3.3 The Service will empower survivors by making available to all residents clear information on its approach to dealing with domestic abuse, relationship breakdown and joint tenancies.
- 2.3.4 Harrow's service will respond sympathetically to reports of domestic abuse, will treat the individual with respect and dignity and will adopt a non-judgemental and survivor-centred approach to dealing with cases of domestic abuse. It will work co-operatively to enable households experiencing domestic abuse to access a range of housing and support options.
- 2.3.5 The Service will offer its tenants advice and guidance on rent arrears, rechargeable repairs, letting issues and tenancy issues in a domestic abuse or relationship breakdown.
- 2.3.6 The Service will be sensitive to the diverse needs of survivors and their children, considering their age, disability, gender, race or ethnicity, religion or belief, sexual orientation, transgender status and socio-economic situation.
- 2.3.7 The Service will take into account published best practice guidance when dealing with domestic abuse.
- 2.3.8 Harrow will aim to ensure that housing staff are trained and supported appropriately and adhere to procedures when working with those experiencing or affected by domestic abuse.
- 2.3.9 The Service will respect confidentiality. It will signpost or refer to appropriate agencies with the agreement of the survivor.
- 2.3.10 The Service will ensure that staff are aware of the referral care pathways for those affected by domestic abuse. It will ensure that, where there are child protection concerns or where the individual meets the definition of an adult at risk, referrals are made to Harrow Council's Safeguarding Children or Safeguarding Adults department, as appropriate.
- 2.3.11 The Service will refer any identified high risk survivors to the Multi Agency Risk Assessment Conference (MARAC) for safety planning.
- 2.3.12 The Service will share relevant information on tenants that are experiencing domestic abuse under Section 115 Crime and Disorder Act.

- 2.3.13 The Service will provide suitable accommodation where the Council accepts that it is unreasonable for survivors to return to their homes and it has a duty to rehouse, in line with the requirements of the Housing Act 1996 (as amended by the Homelessness Act 2002). Each case will be assessed on its own merits and will be viewed against statutory legislation.
- 2.3.14 The Service will apply the reciprocal arrangements with West London partners for those affected by domestic abuse to provide appropriate accommodation as appropriate. Where a Council tenant is experiencing domestic abuse, the Service will consider their eligibility for a management transfer to remove the applicant from a situation of immediate risk.
- 2.3.15 Where appropriate, the Service will take a multi-agency approach in holding perpetrators accountable for their actions to ensure that the full range of civil and criminal remedies can be explored. It will provide advice to Council tenants affected by domestic abuse so that they can utilise legal remedies where they wish to do so, including non-molestation orders and occupation orders, in conjunction with other agencies as appropriate. The leasehold covenants state that where appropriate the housing department could take steps to forfeit the lease if a leaseholder is deemed to be causing a nuisance. The Service will pursue these in its efforts to take preventative measures against domestic abuse incidents.
- 2.3.16 The Council will provide support and information in the workplace for employees experiencing or affected by domestic abuse.
- 2.3.17 The Service will collect specific data on domestic abuse and will periodically review the data, this Policy and accompanying Procedural Statement in order to identify improvements.
- 2.3.18 The Service will work in partnership to meet the aims and objectives set out in this document, in Harrow's VAWG Strategy and Community Safety Plan, as well as the Mayor of London's VAWG Strategy and MOPAC.

2.4 Responsibilities

- 2.4.1 The strategic oversight of the Service's approach to domestic abuse will be jointly shared between the Senior Professional for Housing Management and the Housing Provision Manager, in collaboration with the VAWG Strategy Group.
- 2.4.2 Housing Advisors and Housing Assessment Officers will respond to individuals reporting domestic abuse as appropriate and in line with the requirements of the Housing Act 1996 (as amended by the Homelessness Act 2002). Housing Advisors will assist the survivor to find alternative accommodation where appropriate. Accommodation will be provided by the Housing Provisions Team or Allocations Team where the survivor is eligible.
- 2.4.3 Housing Officers are responsible for assisting Council tenants reporting experiencing domestic abuse. Domestic abuse is recognised as a serious category of anti-social

behaviour (ASB) in the Service's ASB policy, and, as outlined in this policy, all incidents should be reported to the Service's Anti-Social Behaviour Officer.

- 2.4.4 Where domestic abuse is reported by a Council leaseholder, the Leasehold team is expected to work with the Housing Needs and Tenancy Management teams to identify a solution where possible.
- 2.4.5 All Service staff are required to take responsibility for reports of domestic abuse, making referrals to other teams as described in the Procedural Statement below.
- 2.4.6 Action taken to assist those experiencing domestic abuse will be led by the survivor, and they may refuse support. In most cases, staff should respect these wishes. However, the member of staff has a responsibility to report and act upon **all** cases of abuse, regardless of the survivor's wishes, where:
 - a) A person affected directly or indirectly by the abuse meets the definition of an adult at risk, a referral should be made to the Safeguarding Adults team (see the Procedural Statement) or
 - b) There are any concerns for the safety of a child, where a referral should be made to the Safeguarding Children team (see the Procedural Statement).

2.5 Partnership working

- 2.5.1 The Service will engage with agencies at a strategic level through Harrow's VAWG Strategy Group. This Group includes representation from key partners including Police, Probation, Safeguarding Children, Health, Harrow Council, substance misuse services, survivor services and the voluntary sector.
- 2.5.2 In addition, the Service will be represented on the Domestic and Sexual Violence Forum. This is a multi-agency group of professionals and volunteers in Harrow who meet quarterly to discuss and share practice around services and strategy to prevent abuse from occurring in the first instance, intervening early when it does occur, dealing effectively with perpetrators and helping survivors and their children to re-build their lives. The Forum reports to the VAWG Strategy Group, which is responsible for the overall Strategy.
- 2.5.3 The Service will also be represented on and work with the Local Safeguarding Adults Board and Local Children's Safeguarding Board Joint sub-group in order to make strategic decisions.
- 2.5.4 At an operation level, the Service will work in partnership with other social landlords as well as statutory and voluntary organisations to identify and improve customer service. All staff will promote a partnership approach to domestic violence issues and will refer or signpost to agencies and other Council departments to ensure that those experiencing domestic abuse are dealt with appropriately. This may include help with housing benefit claims, contacting support or specialist advice and counselling services (e.g. Hestia, Women's Aid, Harrow Victim Support, Relate or Rape Crisis).
- 2.5.5 The Service will be a signatory to the Harrow Multi-Agency Risk Assessment Conference (MARAC) and will work with other statutory agencies such as the Police in order to ensure the safety and well-being of those at high-risk of domestic abuse.

- 2.5.6 Harrow will work with other West London partners both at an operational level and through a variety of forums, including the West London Homelessness Forum.
- 2.5.7 The Service will work with West London boroughs and Registered Social Landlords (RSLs) to rehouse survivors of domestic abuse under a reciprocal housing protocol, where the survivor has presented as homeless at or requires accommodation in a different borough to that in which they currently reside.
- 2.5.8 The Service's response to domestic abuse, as outlined in this document, will be promoted by the Service as good practice, and the council will use the document as a platform for engaging partner agencies in discussions.

2.6 Confidentiality

- 2.6.1 Staff should comply with the Data Protection Act 1998 in dealing with incidents of domestic abuse. The Service is committed to maintaining the highest standards of confidentiality in order to ensure the safety and wellbeing of both survivors and staff. Any information disclosed should be treated in the strictest confidence.
- 2.6.2 Where there is risk of harm due to domestic abuse, sharing information in this situation is made possible under the Crime and Disorder Act 1998 (Section 115), the Data Protection Act 1998 and Human Rights Act (Articles 2 and 3). Further information on sharing information is presented in Section 3.5.
- 2.6.3 Case notes should be clearly marked as confidential and stored in a secure area where necessary.

2.7 Staffing and training

- 2.7.1 Cases involving domestic abuse require a complex set of skills for a member of staff to identify and effectively deal with a customer. All staff in the Service, including those contracted by the Service to deliver services in council tenants' homes, should receive basic training to increase the likelihood of them identifying domestic abuse and to assist them with responding to this.
- 2.7.2 In addition, relevant officers in the Housing Needs and Resident Services teams will be provided with a minimum package of training, which should cover:
 - a) Relevant legislation, including the duty to rehouse survivors
 - b) Council policy / procedure
 - c) Keeping relevant and accurate case notes
 - d) Customer care and interviewing skills
 - e) Preventative measures and early intervention methods
 - f) Referral routes to other agencies, including MARAC and Harrow's Safeguarding Adults and Safeguarding Children teams, and signposting to support and advice provided by other partners

This training is detailed further in the briefing note presented in Appendix 9.

- 2.7.3 New officers should receive training as soon as is practicable, and within 6 months of their appointment. They should be closely supervised by their manager until they have completed this training. Refresher training should be arranged for all Service staff periodically, and this should take place at least every 2 years.
- 2.7.4 Harrow recognises that its own staff will require support, advice and guidance in order to deal with cases of domestic abuse. All staff will be supported by their managers to deliver the aims and objectives of this policy and procedure, and senior officers should work to improve the skills of staff to deal with domestic abuse more effectively. Staff should be directed to support and counselling services as appropriate, as detailed in the Council's Stress and Wellbeing Policy.
- 2.7.5 When dealing with domestic abuse cases or incidents, staff should ensure that they assess any risk to themselves and follow the Council's Health and Safety Policy and the Lone Working Code of Practice.

2.8 Staff as survivors of domestic abuse

- 2.8.1 The Council recognises that staff members delivering this service may themselves be survivors of domestic abuse. This may have an influence on their work, particularly where the officer is dealing directly with cases of domestic abuse.
- 2.8.2 The Council's Domestic Violence Policy for Staff (see Appendix 6) outlines the advice and support available to employees who are survivors of abuse.

2.9 Publicity

- 2.9.1 The Service will work with the VAWG Strategy Group and the Domestic and Sexual Violence Forum to publicise the service available to survivors of domestic abuse and agencies that may be working with these survivors. Within the Service, this policy will be promoted by staff, on the website and through articles in the tenant and leaseholder newsletter, "Homing In". Briefings will also be provided as appropriate to tenant and resident associations and the Leasehold Support Group.
- 2.9.2 Internally, the Housing's domestic abuse service will be promoted through staff newsletters and through training sessions, as outlined above. The Service will appoint one or more Domestic Abuse Champions, who will have specialist knowledge in this area, who staff can approach for guidance and who will disseminate knowledge as appropriate.
- 2.9.3 Harrow Council's VAWG Coordinator will organise the production of appropriate literature to raise awareness of domestic abuse to residents in the borough, and how they can obtain advice and support.

2.10 Equal opportunities and diversity

- 2.10.1 Harrow's Housing Service recognises that it operates in a socially diverse community. It will seek to eliminate discrimination and promote and advance equality for all

protected characteristics, as defined in the Equality Act (2010). These protected groups relate to age, disability, gender and gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation. The Service also recognises the impact of its policy and procedures on those of different socio-economic groups.

2.10.2 The Council recognises that domestic abuse affects different groups in different ways and may affect some protected groups disproportionately. This policy has been developed alongside recognition of potential impacts on the nine protected groups, and how these can be minimised. The impacts on these groups will be monitored alongside the commitments made in this document, as per the monitoring arrangements set out below.

2.11 Monitoring and review

2.11.1 A number of performance indicators will be collated quarterly by the Resident Services and Housing Needs teams, specifically:

- a) Approaches for housing advice as a result of domestic abuse as a percentage of total approaches for advice
- b) Percentage of domestic abuse approaches made by Harrow residents (as opposed to non-Harrow residents)
- c) Percentage of homelessness acceptances where domestic abuse is the reason for homelessness
- d) Outcome of domestic abuse approaches, by category as a percentage of all outcomes (advice provision / rehoused / referred to Sanctuary scheme)
- e) Domestic abuse anti-social behaviour complaints as a percentage of all complaints
- f) Average time until case closure for domestic abuse ASB complaints
- g) Outcome of domestic abuse ASB complaints, by category as a percentage of all outcomes (advice provision / rehoused / referred to Sanctuary scheme; other outcome).

2.11.2 Data collection will be overseen by the Senior Professional for Housing Management and the Housing Provision Manager. Performance data will be submitted to Harrow's VAWG for consideration by the VAWG Strategy Group.

2.11.3 Representatives from the Resident Services and Housing Needs teams will meet at least six-monthly (with other partners as appropriate) to monitor the Service's approach to domestic abuse and implement amendments or improvements to this policy as appropriate. During these meetings, the performance information outlined above will be considered alongside any comments, compliments or complaints received about the domestic abuse service, lessons learnt reports or any other relevant performance data. These meetings should include representation from the Leasehold Team, where appropriate.

2.11.4 The Service will routinely consider other methods for appraisal of the domestic abuse policy and procedure, such as mystery shopping exercises, as well as recommendations arising from best practice.

2.11.5 A desktop review of this policy will be completed within 12 months of its implementation, and the accompanying procedure will be updated at least annually, to

ensure that the documents are robust and comply with legislation and best practice. A full review of the policy and procedure will be completed 3 years after implementation. Reviews will involve partners as appropriate.

2.12 Complaints

- 2.12.1 If an individual is concerned that an officer has not dealt with a domestic abuse case properly or appropriately, or in accordance with this Policy and Procedure, they may issue a complaint under Harrow Council's Complaints Policy. The complaint will then be dealt with according to that Policy.

Section 3: Receiving and dealing with reports of domestic abuse

3.1 Harrow's Domestic and Sexual Violence Guidelines for professionals working in Harrow

- 3.1.1 Harrow Council's Domestic and Sexual Violence (DSV) Guidelines offer assistance for staff working with survivors of domestic abuse. The guidelines are located in Appendix 3. The guidelines are extensive and include such topics as:
- Recognising the signs of domestic abuse
 - Talking to and/or interviewing survivors about abuse
 - Action- and safety-planning with survivors
 - Referrals and signposting for support and advice
 - Safeguarding children and adults.

Officers should use the contact list presented in Appendix 1 to signpost survivors of domestic abuse to appropriate support agencies.

- 3.1.2 Officers should refer to the DSV Guidelines when working with survivors, or possible survivors, of domestic abuse. The purpose of this policy and procedure is to extend the assistance offered by the DSV Guidelines to scenarios specific to the Service, rather than to supersede the guidance.

3.2 General principles for dealing with domestic abuse survivors

- 3.2.1 The Service may be a survivor's first and only contact regarding a domestic abuse issue. It is therefore essential that people who experience domestic abuse feel safe and supported in order that they can talk about their experiences. The initial response from a member of staff is particularly important and may determine how the survivor deals with the abuse in the future.
- 3.2.2 Officers should refer to the DSV Guidelines in Appendix 3 for detailed advice and good practice on how to work with survivors of domestic abuse. Fundamental to this are:
- Knowing the signs of domestic abuse**, and understanding how to use appropriate questions to find out more about the abuse and help the survivor recognise that the behaviour is unacceptable
 - Confidence** to raise the subject of domestic abuse where you believe this is taking place
 - Listening and being non-judgmental**
 - A survivor-focused approach** - the survivor is never to blame and actions must be in line with the survivor's wishes, as far as possible. The safety of the survivor and any children or vulnerable adult is paramount
 - Confidentiality**, unless there are specific concerns which mean this is not possible, as discussed in Section 3.5
 - An understanding of how the Service and its partners can help survivors**, so survivors are empowered to choose the best route, and honesty with the survivor about what is possible
 - Appreciation of the survivor's background and beliefs**, which may make it more difficult for them to speak about or end the abuse. For example, in some societies domestic abuse may not be considered serious and may not be publicly acknowledged

- h) **Record keeping** – record all interventions, referrals/signposting and information provided by the survivor, as this information may be needed to support action in the future
- i) **Taking responsibility** – all staff need to take responsibility for recognising and responding to domestic abuse
- j) **Treating reports seriously**, even if the survivor has reported the abuse numerous times in the past and has not previously agreed to any action to improve their situation
- k) **Asking for support** – if you are concerned about a case, you should ask for help from a senior officer.

3.2.3 Survivors may be concerned about losing their home, possessions, family support, friends, social networks and employment; as well as the upheaval of having to potentially move and change their children's schools. They may have also been financially dependent on the abuser and are worried about future income and resources. Being drug and alcohol dependent as a way of coping with the situation could also be a sign of abuse.

3.2.4 Survivors may also require information on the legal and housing options available to them and may find approaching statutory agencies difficult, especially if they have communication difficulties or their first language is not English. Their support needs may differ due to their age, disability, gender, race or ethnicity, religion or belief, sexual orientation or transgender. They may also fear reporting will bring unwanted attention to their personal circumstances (e.g. their sexual orientation).

3.3 Dealing with disclosures of abuse

3.3.1 Where an individual reports that they are the survivor of domestic abuse, or where an officer has concerns that abuse is taking place, the individual should be invited to discuss this in a safe, confidential and comfortable environment with officers who are able to offer practical advice.

3.3.2 Survivors of abuse should be offered the choice of discussing the issue with a man or a woman wherever possible.

3.3.3 Meetings with survivors of abuse should be held in a secure and neutral location (e.g. Harrow's Civic Centre) and in a private room, wherever possible.

Responsibilities:

3.3.4 Where the survivor is a Council tenant, or is the survivor of abuse perpetrated by a tenant, the tenant's Housing Officer in the Tenancy Management team should offer guidance as outlined in Section 6. Where the tenant wishes to find alternative accommodation, the Housing Officer should organise a joint meeting to discuss these issues with the survivor and a Housing Advisor to offer advice and support.

3.3.5 Where the survivor is a Council leaseholder, or is the survivor of abuse perpetrated by a leaseholder, the Property Officer should offer guidance as outlined in Section 6 and in partnership Housing Needs Team and Tenancy Management Team. Where the tenant wishes to find alternative accommodation, the Officer should organise a joint

meeting to discuss these issues with the survivor and a Housing Advisor to offer advice and support.

- 3.3.6 Where the survivor is a non-Council tenant or leaseholder, and the abuse is not perpetrated by a Council tenant or leaseholder, a member of the Housing Advice team should offer advice and assistance in the first instance.
- 3.3.7 Housing Advisors should check the tenure of the survivor at the start of an interview. Where the Advisor is approached by a Council tenant or leaseholder, they should provide advice and assistance in the first instance and make contact with the relevant Housing Officer or Property Officer to inform them of the report. The Housing Officer / Property Officer will then be responsible for arranging a joint interview with the tenant and a Housing Needs representative as appropriate and where necessary.
- 3.3.8 Where a survivor approaches the Service to discuss domestic abuse, an interview should be held with them as soon as is possible. This should be within 3 working days, and should be on the same day as the approach if the case is considered an emergency.
- 3.3.9 Domestic abuse perpetrated by or inflicted upon a Council tenant is classed as serious anti-social behaviour under the Council's Anti-Social Behaviour policy. All domestic abuse cases that affect a Council tenancy should be reported to and monitored by the Anti-Social Behaviour Officer, as per the Anti-Social Behaviour policy.
- 3.3.10 Where a joint interview takes place with a domestic abuse survivor, the officers involved should hold a debrief session within 1 working day of the interview to agree actions required, who will be responsible for these, the timescales for these actions and who will take overall responsibility for coordinating the Service's response to the case. This will generally be decided by the sort of actions that arise from the interview.
- 3.3.11 All Service staff are required to take responsibility for reports of domestic abuse. This includes contractors carrying out work in tenant's homes. Where a survivor reports or self-discloses domestic abuse directly to a member of staff, other than to those teams otherwise described in this Section, the staff member should ask the survivor's permission to refer the case to or at least consult with the relevant team for specialist support or advice, as outlined above (except in those situations outlined below). If the survivor will not agree to this, the staff member should still consult with the relevant team for advice and support in dealing with the survivor, but the survivor's identity should not be shared.
- 3.3.12 Officers have a responsibility to report and act upon **all** cases of abuse, regardless of the survivor's wishes, where:
- a) A person affected directly or indirectly by the abuse meets the definition of an adult at risk, a referral should be made to the Safeguarding Adults team (see Sections 4.1 and 4.2) or
 - b) There are any concerns for the safety of a child. In such cases a referral should be made to the Safeguarding Children team (see Sections 4.1 and 4.2).
- 3.3.13 Where an officer makes a referral to Safeguarding Adults of Safeguarding Children, they should report this to their manager. This report may be made after the referral

and therefore should not delay the referral. Managers should monitor referrals and instigate training where referrals are made inappropriately or incorrectly.

Content:

- 3.3.14 The interview should be as informal as possible to encourage the survivor to be honest about the abuse and identify an appropriate way forward. During the interview, officers should:
- a) Establish whether the survivor is eligible for support from the Council. If they are not, support available to them may be limited as they may not have recourse to public funds (see Section 4.6 for more information on support options for those with no recourse to public funds). For this reason, the survivor's residence status should be established at the very start of the interview
 - b) Sensitively gather as much information about the abuse as is possible
 - c) Evaluate the risk posed to the survivor and/or others affected by the abuse (see Section 4.1 for more information)
 - d) Identify where further evidence may be gathered about the abuse
 - e) Work with the survivor to identify their wants and needs, and better understand how their beliefs may influence their attitude to domestic abuse
 - f) Establish whether there are any children or adult safeguarding issues. These should be referred to the relevant agency with as described in Section 4.2
 - g) Encourage the customer to report the matter to the Police. This should never be a pre-condition for further action being taken
 - h) Establish whether there is an injunction against the perpetrator in force and, if so, encourage the customer to contact the Police to advise that it has been broken
 - i) Issue the survivor with contact details for support agencies, such as those listed in Appendix 1. Signpost to and encourage the survivor to work with these support agencies for guidance and advice, and to increase their awareness, knowledge, self-esteem and confidence
 - j) Consider appropriate actions with the survivor, considering the options outlined in Section 4
 - k) Offer continued support and contact with the survivor
 - l) Check where further information should be sent and what contact numbers are safe to use.
- 3.3.15 Where the issue is too complex to be fully explored during one interview, the investigating officer should arrange another interview to continue the discussion.

Outcome of interview:

- 3.3.16 Detailed notes should be taken by the officers during the interview and should be stored on Civica following the interview. The note should include details of the abuse, as described by the survivor, and agreed actions. Additional follow-up case notes of progress against these actions are also required. Notes should be clearly marked as confidential and stored in a secure area where appropriate.
- 3.3.17 An assessment of the risk posed to the survivor and/or others affected by the abuse should be completed during the meeting. This is described further in Section 4.1. This risk assessment, along with discussion with the survivor about their needs and wants, should direct the discussion with survivors about their options. Options and possible actions are listed in Section 4.

- 3.3.18 In many cases, the survivor may not be prepared to take any action in response to the abuse. In these cases, officers should provide the survivor with appropriate advice and contact details for support agencies.
- 3.3.19 The survivor may approach the Service to discuss the abuse on more than one occasion. Staff should use these interviews to reconsider the survivor's options and their previous actions and encourage the survivor to take appropriate steps to address the abuse.

3.4 Communication and special requests

- 3.4.1 People with disabilities can face barriers in getting help to deal with domestic violence, particularly if they have communication, mobility or learning disabilities or if they rely on their abuser for care. Officers should make arrangements to ensure that the Service is accessible to all who need it and to ensure that appropriate advice and support is provided.
- 3.4.2 Where the survivor has difficulty conversing in English, officers should offer the individual an interpreter. The Service has a budget for translation and interpretation. Where possible, other officers in the Council should be used to assist in the translation, where they are fluent in that language. Where this is not possible, The Big Word should be used for translation.
- 3.4.3 Officers should avoid using family members or friends of the survivor to assist with translation due to the risk of mistranslation or their involvement in the abuse.

3.5 Maintaining confidentiality and the sharing of information

- 3.5.1 Confidentiality is crucial to the development of an effective dialogue with the survivor. Survivors should be assured that any information provided will remain confidential and will only be given to other agencies if their consent is given, or in extremely serious cases where it is deemed necessary to do so without their consent (as outlined in this Section).
- 3.5.2 Officers should only make contact with the survivor using contact details and specific instructions (e.g. suitable times to call) that have been provided by the survivor. It may not be appropriate to contact the survivor at their home, or on their mobile.
- 3.5.3 Staff must not pass on or share information, including tenancy related matters with any third parties, irrespective of their stated relationship with the survivor, except in circumstances where the survivor has given written consent. Survivors must place a written record of any requests for information about the survivor on their file. Case notes should be clearly marked as confidential and stored in a secure area where necessary. Staff must tell the survivor about any requests for information they may receive about their situation from members of the public at the earliest opportunity.
- 3.5.4 Where a survivor has left their home as a result of domestic abuse, staff should never give out the address of their new residence unless this is agreed with the survivor.

- 3.5.5 Staff will not contact the person responsible for the abuse unless requested to do so by the person experiencing domestic abuse. The sole exception is where there is a clear reason to believe that there is an attempt to defraud the Council. A decision to contact the person responsible will be approved by a senior officer. In circumstances where there are tenancy matters to resolve, staff should only contact the tenant after any safety issues for the person fleeing domestic violence have been resolved.
- 3.5.6 In exceptional circumstances where the health and safety of an individual or other individuals is at risk, in particular children, and it is not feasible to obtain the domestic abuse survivor's consent, then information that would normally be considered confidential may be passed on to appropriate agencies. This is made possible under the Crime and Disorder Act 1998 (Section 115), the Data Protection Act 1998 and Human Rights Act (Articles 2 and 3). The Service is a signatory to MARAC and Multi Agency Safeguarding Hub (MASH) information sharing protocols. In cases of domestic abuse it would be reasonable to disclose information if:
- a) The survivor is considered at serious risk of harm
 - b) A vulnerable adult, or a person meeting the definition of an adult at risk (as defined in Section 4.2) is considered at serious risk of harm
 - c) A child is considered at serious risk of harm
 - d) A member of staff is at serious risk of harm
 - e) Information about the perpetrator could reduce risk in a serious case.

The completion of the CAADA-DASH or Barnado's risk assessment tools should be used to assist in determining the severity of the risk posed by the perpetrator. These are described further in Section 4.1. Staff should obtain advice from a senior officer if they are concerned about the risk posed by a perpetrator of domestic abuse.

- 3.5.7 The Senior Professional for Housing Management or the Housing Provisions Manager, or any other senior manager, should approve the transfer of any information to another agency where the consent of the survivor has not been obtained. This should not delay the transfer of the information where the investigating officer considers a life is at risk because of the abuse.
- 3.5.8 It can add to a survivor's distress if they have to keep repeating the detail of their experience of domestic abuse in order to access services. When survivors have given written consent, information can be shared with other agencies on the person's behalf to ease access to services.
- 3.5.9 Further details about referring abuse cases to Safeguarding Adults and Safeguarding Children can be found in Section 4.2.
- 3.5.10 Members of the public may make enquiries to the Police about an individual who they are in a relationship with or who is in a relationship with someone they know, where there is a concern that the individual may have a history of perpetrating abuse. If Police checks show that the individual had a record of abusive offences, or there is other information to indicate the person is at risk, the Police will consider sharing this information with the person(s) best placed to protect the potential victim. Enquiries should be directed to the Police.

Section 4: action planning

- 4.0.1 This Section is to assist staff in determining the appropriate response to domestic abuse cases, following on from the disclosure of the abuse, as described in Section 3. Specific procedures for dealing with residents presenting as homeless as a result of domestic abuse and for Council tenants are presented in Sections 5 and 6, respectively.
- 4.0.2 Officers should seek guidance from a senior officer and/or the Service's Domestic Abuse Champion where necessary when considering the options outlined in this section. The courses of action listed in the Section are not exhaustive, and officers should work closely with partners (e.g. at the Multi-Agency Risk Assessment Conference or in the Safeguarding Adults or Safeguarding Children teams, where appropriate) to determine the most appropriate pathway for domestic abuse survivors.
- 4.0.3 This Section should be read in conjunction with Harrow Council's Domestic and Sexual Violence (DSV) Guidelines (see Appendix 3), which offer assistance for staff working with survivors of domestic abuse. Officers should use the contact list presented in Appendix 1 to signpost survivors of domestic abuse to appropriate support agencies.
- 4.0.4 Where the agreed course of action requires the further input from a Harrow Council officer, this should be agreed with the relevant officer and documented on an action plan. Such actions may include referrals or tenancy management. The action plan should include timescales for each action, and progress should be monitored by the investigating officer. The survivor should be kept up-to-date with the progress of these actions.
- 4.0.5 The course of action chosen by the survivor should be recorded by the investigating officer. This should be reviewed if the survivor subsequently approaches the Council for advice.

4.1 Risk assessment

- 4.1.1 The discussion with the survivor about their course of action should be influenced by the investigating officer's assessment of the risk posed by the perpetrator of abuse to the survivor or anyone else. The officer should reassess the risk posed to the survivor following every disclosure of further abuse by the survivor.
- 4.1.2 Where the officer has received appropriate training, a CAADA-DASH risk assessment may be completed for adults. Where children are part of the family, or there are concerns of child abuse, the Barnado's risk assessment matrix may also be completed. Further details of how to use these tools are found in Appendix 8.
- 4.1.3 Where the investigating officer has not received the appropriate training to complete a CAADA-DASH or Barnado's risk assessment, they should:
- Evaluate the risk based on their professional experience and judgement, and record this as part of the case notes following the interview
 - Contact the Safeguarding lead in their team for guidance, who should complete the risk assessment(s) on their behalf, or, if this is not possible, refer the survivor to an

Independent Domestic Violence Advocate (IDVA). Concerns about children should always be directed to the Safeguarding Children team where the completion of a Barnado's risk assessment is not possible.

4.2 Referring the survivor to other agencies for protection, advice and support

- 4.2.1 Survivors may be referred to other agencies to obtain specialist advice or support, or where there are serious concerns about safety. Referrals should generally be agreed with the survivor, unless there is sufficient concern to make a referral without consent, as indicated by a risk assessment and as outlined in Section 3.5.
- 4.2.2 Officers should refer to the risk and referral pathway flowchart, located as an Appendix in the DSV Guidelines, which outlines agencies that may be able to assist the survivor depending on the type of abuse being experienced.
- 4.2.3 In cases where the survivor is working with a partner agency (e.g. the Police, or a support provider), and where an individual affected directly or indirectly by the abuse is eligible for a Safeguarding or MARAC referral (as outlined in Section 4.2), officers should not assume that referrals have been made by that partner. Where there is sufficient concern, a separate referral should always be made by the Council.

Emergency referrals:

- 4.2.4 Where the survivor is in immediate danger, officers should contact 999. It may also be necessary to refer the survivor to the 24 hour Domestic Violence helpline, an IDVA, Havens (for rape or sexual assault) or the Forced Marriage Unit. Further contact details for these agencies can be found in Appendix 1.

Referrals to MARAC:

- 4.2.5 MARAC is a multi-agency risk assessment conference in which information is shared between professionals about the highest-risk domestic abuse cases in the borough. After sharing information about risk, a coordinated action plan, with a lead agency identified, is put in place to increase the safety of the survivor and any other individuals involved in the abuse. MARAC meets monthly in Harrow.
- 4.2.6 The DSV Guidelines (see Appendix 3) provides detail on how to refer a high-risk case to MARAC. A referral should be made if:
 - a) The CAADA-DASH risk assessment is completed and there are more than 14 "yes" ticks
 - b) The Barnado's risk assessment matrix is completed and the case is a scale 3 or 4
 - c) The officer's professional judgment is that the survivor or someone else is at high risk from the perpetrator, even if the survivor cannot or will not directly disclose this
 - d) The domestic abuse is escalating and a more effective response may be possible through sharing of information with other professionals.
- 4.2.7 Where it is decided that a referral to MARAC is necessary, this referral should be made within 1 working day.
- 4.2.8 The MARAC coordinator will refer survivors to the IDVA service for further support. As MARAC only meets monthly, it will often be necessary for the IDVA to work in

partnership with the Council to carry out additional action planning to help protect the survivor before the meeting takes place.

Referrals to Safeguarding Children:

- 4.2.9 Children are very vulnerable where they live in an environment where there is domestic abuse. Research estimates that child abuse exists in 30-66 per cent of cases where there is domestic abuse. Further details on child abuse, and how to identify it, can be found in the DSV Guidelines (see Appendix 3).
- 4.2.10 In this context, a child is anyone under the age of 18. As described in Section 1.2. this policy defines domestic abuse as affecting anyone over the age of 16, therefore domestic abuse may constitute child abuse for survivors aged 16 or 17.
- 4.2.11 A referral to Safeguarding Children should be made if:
- a) There is concern for a child aged under 12 months (including pre-natal)
 - b) The Barnado's risk assessment matrix is completed and the case is a scale 3 or 4
 - c) The officer's professional judgment is that the a child is at high risk from the perpetrator, even if the survivor cannot or will not directly disclose this.
- 4.2.12 Cases should be referred to Safeguarding Children by contacting the team directly (see contact details in Appendix 1). Further information is available on the [Safeguarding Children website](#).
- 4.2.13 The investigating officer still maintains a responsibility over the safety of children, even after a referral to Safeguarding Children has been made. If concerns are ongoing, the officer should make another referral to the Safeguarding Children team.

Referrals to Safeguarding Adults:

- 4.2.14 Harrow Council and its partners condemn any form of abuse of vulnerable adults. Harrow's Local Safeguarding Adults Board (LSAB) works to co-ordinate multi-agency responses to adult at risk, and has an agreed vision that Harrow be a place "where adults at risk from harm are safe and empowered to make their own decisions and where safeguarding is everyone's business".
- 4.2.15 The Harrow LSAB partners will safeguard the welfare of adults at risk by working together to ensure that wherever possible, abuse can be prevented in the first instance but where abuse is alleged, that robust responses are in place to support those most at risk in our community. The partners will work together in six key areas to deliver this: empowerment; protection; prevention; proportionality; partnership and accountability.
- 4.2.16 The LSAB recognises the key role that other main-stream agencies perform as part of its wider prevention approach. For example, there are joint projects with Housing Services in relation vulnerable people and fire safety, with Community Safety in relation to anti-social behaviour and hate crime, Trading Standards for distraction burglary, the Police in working with Banks to prevent financial abuse and Domestic Violence organisations where the victims are older people, have a learning or physical disability or a mental health problem. The LSAB also recognises that effective communication with partners and the wider community is key to the delivery of its vision.

- 4.2.17 Safeguarding Adults Services will support Housing Services, and other multi-agency partners, where the alleged survivor of abuse (or someone else in the family, relationship or environment) is considered an “adult at risk”.
- 4.2.18 An “adult at risk” is defined as an adult aged 18 years or over “who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation” (Department of Health, 2000). An adult at risk may therefore be a person who:
- a) Is elderly and frail due to ill health, physical disability or cognitive impairment
 - b) Has a learning disability
 - c) Has a physical disability and/or a sensory impairment
 - d) Has mental health needs including dementia or a personality disorder
 - e) Has a long-term illness/condition
 - f) Misuses substances or alcohol
 - g) Is a carer, such as a family member or friend who provides personal assistance and care to adults and is subject to abuse
 - h) is unable to demonstrate the capacity to make a decision and is in need of care and support.

This list is not exhaustive, and individuals affected directly or indirectly by the abuse may be eligible for a Community Care Assessment because of some other vulnerability.

- 4.2.19 Whilst it is recognised that the vast majority of carers (paid or unpaid) provide excellent care to those they look after, it must also be acknowledged that abuse can be perpetrated by anyone. This can include paid workers or professionals, those in a position of trust, partners, family carers, relatives, friends or strangers.
- 4.2.20 Officers should refer the suspected abuse of vulnerable adults directly to the Safeguarding Adults team by contacting the team directly (see contact details in Appendix 1). Further information is available on the [Safeguarding Adults website](#).

Referrals to IDVA:

- 4.2.21 IDVA (Independent Domestic Violence Advocates) support survivors of domestic abuse who are at the highest risk of serious injury or homicide. IDVA can:
- a) Create safety plans and undertake risk assessments with the survivor
 - b) Accompany clients to court or arranging pre-trial visits
 - c) Support clients to give evidence and write survivor impact statements
 - d) Help clients to access refuge accommodation
 - e) Help clients to increase security in their property so that they can continue to live safely at home
 - f) Provide emotional support and refer survivors to counselling or mental health services
 - g) Liaise with social workers on child protection issues
- 4.2.22 IDVAs are independent from the Police or Safeguarding Children and their service is free and confidential.
- 4.2.23 Officers should refer survivors of domestic abuse to IDVA, using the contact details in Appendix 1, where there is serious or ongoing domestic abuse, and where this is in

accordance with the survivor's wishes. Officers may contact IDVAs directly to discuss case referrals.

4.3 Signposting to other agencies for advice and safety planning

- 4.3.1 A number of survivors approaching the Service will have no immediate need or wish for rehousing, but will need advice on their options to deal with domestic abuse. All survivors should be offered clear advice and assistance on the full range of housing options open to them, as outlined in this section, Sections 5 and 6 and detailed in the DSV Guidelines (see Appendix 3).
- 4.3.2 A large number of support services are available to assist domestic abuse survivors, including floating support (e.g. provided by Hestia). A survivor's specific circumstances may mean that signposting to a particular agency is most appropriate. Details of these agencies can be found in the DSV Guidelines or in Appendix 3.
- 4.3.3 **All survivors should be made aware of support agencies that may be able to help them at every interview and be provided details of these agencies.** This includes the phone numbers for the National Domestic Violence Helpline and Police Community Safety Unit, along with any other relevant agencies, as outlined in Appendix 1.
- 4.3.4 Survivors should be encouraged to work with support providers to develop a safety plan to help protect them and any other vulnerable persons from harm and further violence. A safety plan should improve a survivor's situation but cannot stop the abuse and does not guarantee safety. Further information on safety plans can be found in the DSV Guidelines (see Appendix 3).

4.4 Arranging security and repairs

- 4.4.1 It may be necessary to assist survivors to secure their property to reduce the likelihood of crime or further abuse. This may include changing or adding locks, offering window and door alarms, personal alarms, improving fencing, adding security lights, or securing the property whilst the survivor is away from the property.

Council tenants:

- 4.4.2 Security work or repairs will be provided in a tenant's property where a Police crime reference number can be provided. In cases where the investigating officer is satisfied that domestic abuse has occurred, repairs can be carried out without a crime reference number at the discretion of the Housing Operations team.
- 4.4.3 In certain cases of domestic abuse where the survivor wishes to remain in the property, security measures such as fitting a fire proof letterbox may be carried out by the Service. In all such cases advice from the Police will be sought on the appropriateness of the measures taken, and the work will be at the discretion of the Housing Operations Manager and the Asset Management team.

All residents:

- 4.4.4 Sanctuary schemes exist to help survivors of domestic abuse to feel safe and secure when they choose to remain in their own homes by improving the security with professionally installed security measures. This might include, but is not limited to, door chains, viewers, window locks and personal safety alarms.
- 4.4.5 The Sanctuary Scheme is available to all eligible residents of the borough and is a free service. The scheme is not an immediate response to the problem, but it is a long-term solution to prevent homelessness and improve a survivor's quality of life.
- 4.4.6 Referrals to the Sanctuary Scheme should be made by the Assistant Housing Assessment Manager. In all such cases, advice from the Police will be sought on the appropriateness of the measures taken. Officers should be aware that access to the scheme may be limited by funding available.

4.5 Moving home to escape the violence

- 4.5.1 Where a survivor needs to move in order to escape the abuse, they may be considered homeless under the Housing Act 1996 (as amended by the Homelessness Act 2002). These cases are considered in Section 5.
- 4.5.2 Where the Housing Assessment (Part VII) team have concluded that the survivor is not homeless, or where the survivor is seeking advice about other housing options, appropriate advice should be provided. Options may include:
- Staying with family or friends.** If the survivor has family or friends that they can stay with, this may be an option, although they are likely to be easily found by the perpetrator
 - Refuges.** These are temporary safe houses where women and children can stay (although some refuges do not allow entry to males over the age of 12). The addresses of refuges are confidential and no men are allowed in the building, and survivors are able to stay in a refuge outside of their local area if they chose to do so. The refuge offers survivors emotional and practical support from experienced staff. Survivors can stay in a refuge for as long as they need to (whether it be a few days or a few months), but will need to pay rent for the duration of this stay. Survivors may be referred to refuges via the Police, Social Services or may contact the National Domestic Violence Freephone Helpline directly to organise this. Spaces at refuges may be limited
 - Other emergency accommodation may be provided by the Police, Social Services or Safeguarding Children (if the survivor has children)
 - (If the survivor is a social housing tenant), a transfer, mutual exchange, or move via the Homefinder UK or the West London Domestic Violence reciprocal scheme (see Section 5.5) may be an option.
- 4.5.3 Survivors may be able to claim housing benefit to help them cover the cost of the stay. Survivors in receipt of housing benefit on the home they had to leave may be able to get housing benefit for two homes for up to 52 weeks if they intend to return to their property (see Appendix 4).
- 4.5.4 Harrow residents who need to flee their home as a result of domestic abuse may be able to make a claim for assistance to Harrow Council's Emergency Relief Scheme.

This may include emergency provisions such as furniture, clothing or food. If the survivor claims housing benefit (including local housing allowance), they may also be entitled to support from Harrow's Discretionary Housing Payment scheme. Contact should be made with the Emergency and Hardship Relief Team for more information.

- 4.5.5 Where a Harrow Council tenant leaves their tenancy to escape domestic abuse, they may be eligible for financial assistance to help them secure a new home. Further information is available from the Grants to Move team.

4.6 Survivors with no recourse to public funds

- 4.6.1 Customers with no recourse to public funds are those who, due to their immigration status, are allowed entry to the UK but are not eligible for many of the public funds that other UK residents can claim, such as benefits and council housing. Upon entry to the UK as a partner or a spouse of a British national, for example, there is often a condition attached to entry prohibiting recourse to public funds.
- 4.6.2 The Council understands that this creates a difficult situation for survivors of domestic abuse who have no recourse to public funds, and may have the undesired effect of trapping them with an abusive or dangerous partner. Although the Council cannot provide accommodation for these customers, except in specific cases as described below, it will work with each survivor on a case by case basis to provide appropriate support and advice.
- 4.6.3 Where people are deemed to have no recourse to public funds under the Immigration and Asylum Act 1999 (IAA) and find themselves to be destitute, then they may turn to the local authority under the following Acts:
- a) Section 21 National Assistance Act 1948 – gives local authorities a duty to accommodate adults who are unwell (who have a 'need for care and attention not otherwise available').
 - b) Section 17 Children Act 1989 – requires local authorities to identify and meet the needs of children in need in their local area. A destitute child will be in need and the local authority can be required to provide accommodation and subsistence to the child and their parents under this section.
 - c) Under the leaving care provisions of the Children Act 1989. Such cases should be referred on to Safeguarding Children.
- 4.6.4 Officers assisting customers with no recourse to public funds should establish whether they are eligible under the Destitution Domestic Violence Concession, as described below. If they do not qualify, officers should gather appropriate information about the survivor and the abuse to establish what other support may be appropriate.
- 4.6.5 Specific agencies providing support to survivors with no recourse to public funds included Solace and Hestia, who will provide refuge accommodation and support.
- 4.6.6 Recourse to public funds is a complex and dynamic area of law, and officers should seek legal advice on a case-by-case basis as necessary.

Destitution Domestic Violence (DDV) concession:

- 4.6.7 Immigration rules in the UK allow for some survivors on spousal or partner visas to apply for indefinite leave to remain if they meet specific conditions. This is called the Destitution Domestic Violence (DDV) concession.
- 4.6.8 Survivors should always be signposted to a support agency or should take legal advice before attempting to claim this concession, as a successful application for the DDV concession would change the survivor's immigration status. The Council is not in a position to provide support to residents with no recourse to public funds, and this section is for information only in order to assist with the signposting of survivors.
- 4.6.9 Applications for the DDV concession can be made directly to the UK Border Agency. To be eligible for the DDV concession, the survivor must:
- a) Have entered the UK or have been given leave to remain in the UK as a spouse, civil partner, unmarried or same sex partner of a British Citizen or someone who is present and settled in the UK
 - b) Have had the relationship break down because of domestic abuse
 - c) Have no means of financial support and be facing destitution.

The survivor will need to provide evidence that the Home Office considers to be sufficient to prove domestic abuse, such as police and medical reports.

- 4.6.10 If a survivor meets all three criteria for the DDV concession, they will be sent a notification letter, granting them 'leave outside the rules (DDV)', where they will have limited leave to remain in the UK for 3 months. This means they will no longer be on a spousal visa. It will take up to five working days for the notification letter from UKBA to be received. Once the notification of access to public funds letter is received, survivors can go to their local Job Centre to claim benefits. The benefits that survivors under the DDV Concession may be eligible to claim include (but are not limited to): Housing Benefit, Council Tax Benefit, Job Seeker's Allowance and Pension Credits.
- 4.6.11 During the 3 months limited leave to remain period, the claimant must complete and submit an application for Indefinite Leave to Remain (ILR). Once submitted, the claimant's application will follow the normal ILR (DV Rule) procedure. If an application is not submitted after 3 months, the claimant will be classed as an over-stayer and will no longer have access to benefits, and may be subject to removal proceedings.

4.7 Dealing with perpetrators of domestic abuse

- 4.7.1 Officers should provide appropriate advice to assist survivors of domestic abuse to take action against the perpetrator of that abuse where they wish to do so. This involves the survivor working with the Police to address the abuse. Whilst this form of action should be considered very carefully because of the potential repercussions for survivors, in some cases this approach may be a way of addressing or eliminating the abuse.
- 4.7.2 Harrow Council's Domestic and Sexual Violence (DSV) Guidelines provides a list of legal options available to domestic abuse survivors. This includes:
- a) Non-molestation Orders to prevent the perpetrator making direct or indirect contact with the survivor and can prevent the perpetrator from living in or attending the

property and/or children's school(s). Such orders can be obtained even if both parties live in the same property

- b) Residence Orders to determine with whom children should live
- c) Prohibited Steps Orders to stop the perpetrator collecting children from school or taking children abroad without consent
- d) Injunctions against the perpetrator to keep them from the survivor's home
Injunctions are temporary measures, which can allow time for both parties to make more permanent arrangements. An injunction can be obtained even if it orders perpetrators to stay away from their own home. Not all injunctions carry the power of arrest.

4.7.3 Where appropriate, officers should encourage survivors to seek independent legal advice on addressing perpetrators' behaviour. The Harrow Law Centre may provide free legal advice to survivors of domestic abuse on their options. Survivors should also be advised of the role of the Harrow Police Community Safety Unit, who deal with domestic abuse and hate crime in the borough.

4.7.4 Where the perpetrator or survivor of the abuse is a tenant or leaseholder of Harrow Council, action may be taken by the Council in line with the conditions of the tenancy or lease. Further information is presented in Section 6.4.

4.7.5 Where appropriate and possible, the perpetrator should be advised that the consequences of their actions may mean that they are not eligible for social housing under the Locata scheme due to unacceptable behaviour.

4.7.6 Harrow recognises that some perpetrators of domestic abuse may want to change their behaviour. Officers should provide information to survivors about partners and agencies that may be of assistance where this is in accordance with the survivor's wishes. This will be in addition to, and will not be a substitute for, any other actions agreed with the survivor to reduce the risk of harm. Support may include:

- a) Sign-posting to support agencies or medical treatment to assist the perpetrator to address drug or substance misuse programmes, or advise on mental health issues. Such support will not be targeted at ending the cycle of abuse, but these issues may have a role in exacerbating the abuse
- b) Sign-posting to perpetrator programmes to help the perpetrator to change their behaviour. Respect – the national association for domestic abuse perpetrator programmes and associated support services – can provide assistance in finding a programme.

4.7.7 The Service may also consider referring domestic abuse perpetrators to the Integrated Offender Management (IOM) Scheme where they are eligible, which is an overarching framework that allows local authorities and partner agencies to work together to manage offenders in a coordinated way. Further advice on the IOM scheme can be obtained from Harrow's Anti-Social Behaviour Team.

4.8 Meeting a survivor's individual needs

4.8.1 Studies demonstrate that certain groups of people are more likely to experience specific types of domestic abuse than other groups. Honour-based crime and forced marriages, for example, are more likely to affect young Asian girls, and some boys,

than other groups. However, the Council recognises that domestic abuse does not discriminate and may affect anyone, regardless of their circumstances. For example, although abuse is most commonly inflicted by men against women, abuse within same-sex relationships and abuse against men are growing issues. The 2010 British Crime Survey indicates that men were victims of just over a quarter of incidents of domestic abuse in 2010.

- 4.8.2 The Council also recognises that some survivors of domestic abuse may not recognise that they are survivors of abuse, or may not seek advice and support, because of their culture or religious beliefs. The Council also recognises that some people, for example male survivors, may be embarrassed to admit that they are experiencing abuse.
- 4.8.3 The nature and effect of domestic abuse is individual; a survivor's circumstances (e.g. their age, whether they have children or even pets, their financial position and whether they are vulnerable in some way) may affect whether the survivor asks for support, and the type of support they want.
- 4.8.4 Harrow's domestic abuse policy and procedure covers all survivors of domestic abuse. However, officers should recognise that different survivors may have specific circumstances or needs. This may mean that signposting to a particular agency is most appropriate. Details of these agencies can be found in the DSV Guidelines or in Appendix 3.
- 4.8.5 The Men's Advice Line provides confidential and free help and advice specifically for male survivors of domestic abuse. They can be contacted on 0808 801 0327 (Monday-Friday, 9pm-5pm) or at info@mensadvice.org.uk.

4.9 Survivors with pets

- 4.9.1 Cases of domestic abuse can be frequently accompanied by cruelty towards animals. The reverse can often be the case; cruelty towards animals may be an indication that domestic abuse is taking place in a household.
- 4.9.2 Officers who are concerned about the welfare of an animal should report this to the RSPCA's Cruelty Line on 0300 1234 9999.
- 4.9.3 Some survivors of domestic abuse may be reluctant to leave their property if it would involve leaving a family pet. Some perpetrators may also use a pet to manipulate the survivor, and may threaten to harm the animal if the survivor leaves.
- 4.9.4 The RSPA offers a free Pet Retreat service that provides temporary accommodation for pets belonging to families fleeing domestic abuse. The animal can remain in this temporary accommodation until the survivor is settled and able to rehouse their pet. More information about the service is available in Appendix 7.

Section 5: Dealing with homelessness presentations due to domestic abuse

- 5.0.1 This Section provides guidance for staff dealing with homeless presentations by survivors of domestic abuse. It has been developed to assist staff following the disclosure of abuse (as described in Section 3) and should be applied **in conjunction with** the referrals, signposting and the provision of generic advice and support as described in Section 4.
- 5.0.2 Officers should seek guidance from a senior officer and/or the Service's Domestic Abuse Champion where necessary when considering the information outlined in this section. Officers should work closely with partners to determine the most appropriate pathway for domestic abuse survivors.
- 5.0.3 This Section should be read in conjunction with the Domestic Abuse Advice Process flowchart presented in Appendix 2. Officers should use the contact list presented in Appendix 1 to signpost survivors of domestic abuse to appropriate support agencies.

5.1 Homelessness and priority need

- 5.1.1 The basis for this Section is the legislative framework described by the Housing Act 1996 (as amended by the Homelessness Act 2002) and the Code of Guidance accompanying the Homelessness Act 2002, which outlines how housing authorities have a duty to provide temporary accommodation to households who they believe to be eligible, homeless or at risk of homelessness and in priority need. There is no local connection requirement for survivors of domestic abuse. Reference should be given to this legislation when making decisions about homelessness presentations.
- 5.1.2 According to the legislative framework, applicants will be determined as in priority need for accommodation if they (or someone in their application) is: pregnant; responsible for dependent children; made homeless by fire, flood or other disaster; a care-leaver; or if they are particularly vulnerable. Certain groups aged 16 and 17 would also be considered in priority need for accommodation.
- 5.1.3 Whilst the most common reason for priority need is having dependent children, Harrow recognises that a domestic abuse survivor may be in priority need for accommodation because of a particular vulnerability. This may be because of the abuse itself. The Housing Needs team will investigate each case on its merit and will apply the full test for vulnerability for this group, making referrals as necessary, and as outlined in Section 4.2.
- 5.1.4 Single applicants who are not assessed as having a priority need could nevertheless be given priority under the Council's single homeless scheme for any available accommodation.

5.2 Homelessness presentations due to domestic abuse

- 5.2.1 Many survivors of domestic abuse may not wish to be rehoused. They may instead seek advice and support from appropriate agencies to assist them with their situation. Officers should refer to Section 4.3 of this procedure for more information, and should ensure they establish at the outset of the conversation whether the individual has recourse to public funds, as this may affect the support available (see Section 4.6)
- 5.2.2 Where an individual makes a homelessness presentation due to domestic abuse, the Housing Advice team will need to consider the risk of violence or threats of violence from inside or outside the home in order to assess the needs of the applicant.
- 5.2.3 The Code of Guidance which accompanies the Homelessness Act 2002 advises that housing authorities need not obtain evidence of domestic abuse to provide support. However, Housing Advisors should still seek to collate as much information about the abuse as possible in order to best determine the applicant's needs and the most appropriate form of support. For example, professional agencies such as IDVAs, the survivor's doctor, social worker or the police may be able to provide collaborative statements that can be used to inform the applicant's homelessness assessment.
- 5.2.4 Third party evidence from family and friends should never be requested if it may put the applicant at further risk.
- 5.2.5 If a case officer suspects that an applicant may want to move for reasons other than domestic abuse, they should investigate these concerns, but the applicant's complaint must receive full and sensitive consideration until firm evidence is available to confirm that domestic abuse is not an issue. Such cases should be discussed with a senior manager before any investigation takes place. A written explanation of this decision should be recorded by the officer on the relevant system.

5.3 Decisions on a homeless applications due to domestic abuse

- 5.3.1 Where, after investigation, the Housing Advisor believes that the applicant is homeless, they should discuss this with the Housing Advice Manager and, where agreed, make an appointment between the survivor and a member of the Housing Assessment (Part VII) team. At this stage, the responsibility for the case should be handed over to the Housing Assessment team, and a full briefing should be provided, including details of the conversations with the survivor and investigations made by the Housing Advisor. The Housing Advisor should seek to attend the initial meeting between the survivor and the Part VII Assessment Officer to provide continuity for the survivor during the process.
- 5.3.2 The basic test to be applied when deciding whether to accept an applicant as homeless as a result of domestic abuse outlined by the Code of Guidance accompanying the Homelessness Act 2002:

“The authority will need to consider the seriousness of the violence, or threats of violence, the frequency of occurrence and the likelihood of recurrence”

Harrow interprets "violence" in this context to be the definition of domestic abuse outlined in Section 1.2 of this procedure, and is not purely physical.

- 5.3.3 The applicant's residency status should be checked at this stage (if this has not already been completed). Where applicants have fled their home in an emergency, they may not be able to provide personal documentation to confirm status or identity. In such circumstances status/identity should be checked with other professional agencies such as the Department of Social Security, Housing Benefit, or their GP. A standard applicant consent form for disclosure of information from such agencies should be used.
- 5.3.4 The investigating Part VII Assessment Officer should complete a full statement from the survivor, which the applicant should sign. This may require several interviews and the interview principles outlined in Section 3 should be applied. Information collected may include details of:
- a) outreach/refuge involvement
 - b) threats of or actual assault
 - c) property damage
 - d) police involvement
 - e) hospital or GP involvement
 - f) social worker or probation officer involvement
 - g) any history of previous incidents and requests for rehousing.
- 5.3.5 The investigating officer should contact all agencies listed by the applicant and investigate the case in order to make a decision on whether the survivor is homeless. The officer may investigate:
- a) the seriousness of the incident(s) (incidents can involve threats as well as abuse)
 - b) the risk posed to the applicant by the abuse. The CAADA-DASH risk assessment tool should be used to support an objective assessment of this risk, as described in Section 4.1
 - c) the frequency of incidents, regardless of assessed seriousness, and whether the abuse appears to be escalating
 - d) any information about the perpetrator provided by agencies involved with the applicant
 - e) whether the survivor or perpetrator has a history of being abused or abusing
 - f) how likely are these incidents to recur
 - g) whether any agency is recommending an immediate move and if so, for what reasons.
- 5.3.6 Where the investigations reveal that the survivor is homeless and in priority need, the Council will meet its statutory duty to provide accommodation. The priority need of the application will be decided according to the Council's Allocations Scheme, and consideration should be given to the appropriateness of rehousing the survivor within the borough. In many cases, it is expected that rehousing out-of-borough will be a safer option for the survivor.
- 5.3.7 If the decision is to find the survivor not homeless, they should be fully informed of their right to a statutory review of that decision. The Housing Advisor should consider other courses of action with the survivor, as outlined in Section 4.

5.4 Provision of temporary accommodation

- 5.4.1 The Housing Assessment Team will, if necessary, arrange for temporary accommodation to be provided pending further enquiries to any household that it believes may have a priority need.
- 5.4.2 Housing Benefit can be paid in certain circumstances, on both a tenancy and temporary accommodation, under regulation 5 of the Housing Benefit Regulations. This is detailed further in Appendix 4.
- 5.4.3 For the safety of a survivor who is resident in the borough, officers should seek to provide temporary accommodation outside of the borough wherever possible. Only in exceptional circumstances should emergency accommodation be provided within the borough, and this should be in discussion with the survivor and as agreed with a Senior Manager.

5.5 West London reciprocal scheme for boroughs and other social landlords

- 5.5.1 The West London reciprocal scheme outlines arrangements for West London boroughs and RSLs to rehouse domestic abuse survivors where that survivor needs or wants to present as homeless at a different borough to that in which they currently reside. Its purpose is to prevent homelessness and provide tenancy security for social housing tenants who need to move between boroughs as a result of domestic abuse. The agreement is made between 27 agencies.
- 5.5.2 The protocol places a responsibility on Harrow Council, where necessary, to procure emergency accommodation for those social housing tenants fleeing domestic abuse committed in another borough, and to assist in the provision of more permanent housing arrangements. This agreement is reciprocated by other West London partners. Referrals to boroughs will be determined from a rota to ensure that responsibility for providing accommodation is shared equally across the partners.
- 5.5.3 The reciprocal protocol and contact details for partner agencies, are presented in Appendix 5. It is distinct from this policy and will be monitored and reviewed as appropriate by the West London Homelessness Forum. Harrow will ensure that the Council is represented at this Forum.
- 5.5.4 It may take some time for a suitable reciprocal property to be identified for the survivor. The provision of temporary accommodation for the survivor should therefore be considered in the short-term.

5.6 Domestic abuse survivors aged under 18 years

- 5.6.1 As described in Section x, this policy defines domestic abuse as affecting anyone over the age of 16. Domestic abuse may therefore constitute child abuse for survivors aged 16 or 17.

- 5.6.2 Where a domestic abuse survivor presents as homeless and in need of accommodation, they should be referred to Harrow's Safeguarding Children team as described in Section 4.2. Housing Advisors making the referral should ensure any information provided by the survivor is passed to the Safeguarding Children team to assist with their assessment.

- 5.6.3 Where Harrow's Safeguarding Children team is unable to provide accommodation to a domestic abuse survivor aged 16 or 17 years, the case should be referred back to the Service for consideration. The Housing Needs team should then consider the survivor's need for support and accommodation using the guidance provided in this Section and make provisions where necessary.

Section 6: Domestic abuse cases involving Council tenants and leaseholders

- 6.0.1 This Section provides guidance for staff dealing with domestic abuse cases in which a Council tenant or leaseholder is the survivor or perpetrator of the abuse. This includes cases where the survivor is resident at the property but not a Council tenant. It has been developed to assist staff following the disclosure of abuse (as described in Section 3) and should be applied **in conjunction with** the referrals, signposting and the provision of generic advice and support as described in Section 4
- 6.0.2 Officers should seek guidance from a senior officer and/or the Service's Domestic Abuse Champion where necessary when considering the information outlined in this section. Officers should work closely with partners to determine the most appropriate pathway for domestic abuse survivors.
- 6.0.3 This Section should be read in conjunction with the Service's Anti-Social Behaviour Policy, the Allocations Scheme and tenancy conditions. Officers should use the contact list presented in Appendix 1 to signpost survivors of domestic abuse to appropriate support agencies.

6.1 Advice and action planning

- 6.1.1 Officers should refer to Sections 3 and 4 for guidance when dealing with domestic abuse cases involving tenants and leaseholders.
- 6.1.2 The Council recognises that ongoing action to address tenancy breaches (e.g. rent arrears or ASB) may place a strain on households and escalate domestic abuse. Officers will respond to domestic abuse concerns as part of their tenancy management work.
- 6.1.3 Officers should provide tenants with clear information about the impact of any action they wish to take on their tenancy security, and should be encouraged to obtain independent legal advice (e.g. from the Citizens Advice Bureau or the Harrow Law Centre). For example, if a tenant chooses to abandon their tenancy to escape the abuse, they may lose their security of tenure. In such cases, a management transfer (as outlined in Section 6.2) or a West London reciprocal move (as outlined in Section 5.5) may be a more appropriate option for the tenant.
- 6.1.4 Harrow will endeavour to ensure that tenants who are survivors of domestic abuse are supported to maintain their security of tenure, wherever possible.

6.2 Management transfers to alternative accommodation for tenants

- 6.2.1 Harrow may offer a tenant a management transfer to alternative accommodation in exceptional circumstances because of significant and insurmountable problems associated with the tenant's occupation of the home *and* imminent personal risk to the tenant or a member of their household if they remain there (e.g. because of harassment).

- 6.2.2 Harrow will consider the appropriateness of a management transfer in domestic abuse cases where the survivor cannot stay in their home. However, opportunities to pursue a management transfer may be extremely limited as transfers are generally only available within the borough; in almost all cases of domestic abuse it is anticipated that a within-borough move will not provide the long-term security for the survivor. Where a survivor needs move, an alternative to a management transfer is a reciprocal arrangement with another West London partner, as described in Section 5.5.
- 6.2.3 Where a Housing Officer considers a management transfer to be the most appropriate option for a tenant, they should discuss this with the Housing Operations Manager and, where agreed, write a report to the Senior Professional for Housing Management to request the transfer. The report should outline the abuse experienced by the tenant, explain why a management transfer may be an appropriate solution for the survivor and detail the type of property and an indication of the area to which the tenant should move. If this report is approved by the Senior Professional for Housing Management, it should be referred to the Housing Options Manager and Assistant Housing Assessment Manager for approval.
- 6.2.4 If a tenant is granted permission for a management transfer, they will be placed in an A* or A priority band on Locata and will be eligible to bid for properties on this basis for a time-limited period. These transfers will be to properties of the same size and type (i.e. same number of bedrooms and flat to flat or house to house). The permission to complete a management transfer and the timescales of this priority banding should be clearly outlined in writing to the tenant at the start of this time-limited period.
- 6.2.5 It may take several months for a suitable management transfer to be identified for a tenant. The provision of temporary accommodation for the tenant should therefore be considered in the short-term.
- 6.2.6 Officers should refer to Harrow's Allocation scheme for more detailed information on management transfers.

6.3 Rent arrears

- 6.3.1 Rent arrears accrued by a survivor of domestic abuse should be pursued in accordance with Harrow's Rent Arrears policy. As described in this policy, consideration should be given to the circumstances in which the arrears accrued, and it may be necessary to consider former arrears for write-off.
- 6.3.2 In some circumstances, Housing Benefit may be claimed on two addresses where the claimant has fled domestic abuse. Further information is presented in Appendix 4.
- 6.3.3 Harrow residents who need to flee their home as a result of domestic abuse may be able to make a claim for assistance to Harrow Council's Emergency Relief Scheme. This may include emergency provisions such as furniture, clothing or food. If the survivor claims housing benefit, they may also be entitled to support from Harrow's Discretionary Housing Payment scheme. Contact should be made with the Emergency and Hardship Relief Team for more information.

6.4 Taking action against perpetrators who are tenants or leaseholders

- 6.4.1 Where domestic abuse is taking place in a tenanted or leased home of Harrow Council, the Housing Officer or Property Officer will consider the appropriateness of taking action against the perpetrator of the abuse. Actions should be in agreement with the survivor and a senior officer; taking action against the perpetrator should be considered very carefully as it may lead to reprisals against the survivor.
- 6.4.2 Where the survivor and the perpetrator are joint tenants and hold a secure (lifetime) tenancy, the survivor can sign a Notice to Quit to end the tenancy (as per case law *McGrady v London Borough of Greenwich* 1982). This option should only be considered once the survivor has secured alternative accommodation.
- 6.4.3 A tenant holding a joint flexible tenancy cannot serve a Notice to Quit unilaterally. Domestic abuse during the term of the tenancy should be considered by officers when reviewing that tenancy for renewal, as outlined in Harrow's Tenancy Policy.
- 6.4.4 Where the perpetrator of the abuse is a Council tenant, the survivor may consider a number of legal options in addition to those outlined in Section 4.7. Officers should refer to Harrow Housing Service's Anti-Social Behaviour Policy for more information. Actions include:
- Supporting the police to take action as appropriate
 - Where the perpetrator is living with the survivor, Harrow may initiate possession proceedings (using Ground 2A, schedule 2, Housing Act 1985, as amended by Housing Act 1996) if the survivor co-operates and they, or other witnesses, provide evidence which will stand up in court
 - Where the perpetrator is not living with the survivor, Harrow may initiate possession proceedings against the perpetrator depending on the nature of the abuse. Action may be taken against the perpetrator for harassment, for example
 - Property Adjustment Orders - these can be obtained in divorce or separation proceedings under matrimonial law, or can be obtained directly from the courts. Property Adjustment Orders provide a long term measure as they direct who should be given the tenancy. They may be appropriate in instances where the survivor of domestic abuse has remained in the property and taken legal action to prevent the perpetrator from returning.
- 6.4.5 Where the survivor is a tenant and the perpetrator is non-tenant, the survivor may serve Notice to Quit to end the tenancy, once they have found alternative accommodation. In cases where the perpetrator refuses to leave the property at the expiry of the notice, Harrow may initiate possession proceedings against the perpetrator upon expiry of the Notice to Quit to evict them from the property as the unauthorised occupant. Officers should seek further guidance from the Housing Operations Manager before pursuing such an action.
- 6.4.6 Leaseholders have an obligation under the terms of their agreement with the Council to conduct their lease in a way that does not cause nuisance or annoyance to others, and is not in breach of the law. Where a leaseholder is the perpetrator of domestic abuse, the Leasehold team should consider the appropriateness of taking action against the Leaseholder for breaching the conditions of their lease.

- 6.4.7 Should a perpetrator make a counter claim of domestic abuse, this should be recorded and investigated. It is particularly important that links are made with partner agencies when investigating the case and that any decisions made are based on evidence available.

Section 7: Case management and prevention

7.1 Monitoring cases

- 7.1.1 The investigating officer in a domestic abuse case is expected to complete actions as agreed with the survivor, and these actions should be detailed in the action plan with appropriate timescales and responsibilities (see Section 4). The investigating officer should ensure action plans are kept up-to-date and should contact the survivor periodically to report on progress against these actions, as agreed during the development of the plan.
- 7.1.2 Officers should monitor the support needs and vulnerability of the survivor during the life-time of the case, assessing the risk after each disclosure of abuse and making necessary referrals, as outlined in Section 4.1.
- 7.1.3 The investigating officer should ensure that Civica and Northgate are kept up-to-date with any developments in an ongoing domestic abuse case, including contact or attempted contact with the parties involved. Provision of support, signposting to partner agencies and referrals should also be recorded.
- 7.1.4 All domestic abuse cases being dealt with by officers, and the workload associated with them, should be monitored by the Housing Operations Manager and Assistant Housing Assessment Managers and reviewed during one to ones, offering guidance and support as necessary.
- 7.1.5 Performance monitoring of domestic abuse cases should be completed as per Section 2.11 of this document.
- 7.1.6 Where a domestic abuse case becomes sufficiently complex as to require the prolonged involvement of the Housing Operations Manager or a Housing Needs Manager, a lessons-learnt report should be completed by the investigating officer(s) after the case has reached a conclusion. This should detail the nature of the case, the action taken by the Council and lessons learnt from the case. This should be shared with other members of the team to share knowledge and promote improvements in the service. Lessons-learnt reports will also be considered at quarterly domestic abuse meetings of the Resident Services and Housing Needs team, as described in Section 4.11.
- 7.1.7 Case notes should be clearly marked as confidential and stored in a secure area where necessary.

7.2 Repeat reports of domestic abuse and ongoing cases

- 7.2.1 A survivor may approach the Council multiple times to discuss ongoing domestic abuse. Where a survivor re-approaches the Council, officers should review previous details of the abuse to ease the process of disclosure for the survivor. Officers should review the survivor's previous course of action, and any action plan that is in place, to consider whether there are any additional actions that may end or further reduce the risk of abuse.

- 7.2.2 Where domestic abuse is ongoing, officers should be particularly vigilant of the nature and risk associated with the abuse. Changes in the abuse may warrant a very different course of action. Officers should always consider the safety of the survivor and any other persons that are survivors of the abuse, and make referrals as appropriate, and as outlined in Section 4.2.
- 7.2.3 Particular attention should be paid to abuse that appears to be escalating. This may be grounds for a referral to MARAC, as described in Section 4.2.
- 7.2.4 If a survivor of domestic abuse approaches the Council for assistance on three separate occasions, the Housing Operations Manager and Assistant Housing Assessment Managers (as appropriate) should review the details of the case to ensure all options have been given due consideration and establish what actions (including legal) may be appropriate. The case should then be reviewed by these senior officers at least once per month to ensure the case is being dealt with appropriately.

7.3 Preventing domestic abuse

- 7.3.1 Harrow Council will consider ways to minimise the prevalence of domestic abuse in the borough. This will be an important step to delivering Harrow's Community Safety Plan, which sets a target to make Harrow the safest borough in London by 2017.
- 7.3.2 The Service will work to prevent the incidence of domestic abuse in a number of ways, as outlined in this procedure and including:
- a. working with survivors take appropriate action at an early stage in the cycle of abuse to minimise the risk of its escalation
 - b. where Harrow has a duty to rehouse survivors of domestic abuse, providing accommodation at a distance from the perpetrator, and ideally outside the borough
 - c. ensuring survivors are signposted to appropriate support agencies to assist and guide them through the process of ending the abuse, and reduce the likelihood of them returning to the perpetrator of the violence
 - d. providing financial and employment advice to domestic abuse survivors to assist them to support themselves and maintain independence
 - e. referring to Sanctuary schemes as appropriate to improve the security of the survivor in their own home
 - f. working in partnership to take action against the perpetrator, where appropriate
 - g. making appropriate recommendations about domestic abuse perpetrators that are subject to multi-agency public protection arrangements (MAPPA) that minimises the risk to survivors of their abuse. This is likely to involve housing the perpetrator outside of the borough
 - h. providing advice and guidance to help perpetrators identify suitable support programmes that will help them control their behaviour.
- 7.3.3 Representatives from the Resident Services and Housing Needs teams will meet at least quarterly (with other partners as appropriate) to monitor the Service's approach to domestic abuse and implement amendments or improvements to this

policy as appropriate. This will assist with the prevention of domestic abuse across the borough.

- 7.3.4 Harrow will promote the service it can offer to domestic abuse survivors periodically in an effort to encourage disclosures of abuse and prevent the perpetration of abuse. This is described further in Section 3.4.

Appendices

Appendix 1: [Contact list - domestic abuse support agencies](#)

Appendix 2: [Housing Needs domestic abuse advice process flowchart](#)

Appendix 3: [Domestic and sexual violence guideline for professionals in Harrow](#)

Appendix 4: [Housing Benefit claims on two properties: guidance note](#)

Appendix 5a: [West London domestic violence reciprocal scheme framework](#)

Appendix 5b: [West London reciprocal scheme partner contact details](#)

Appendix 6: [Domestic violence policy for Harrow Council staff](#)

Appendix 7: [RSPCA's Pet Retreat scheme for pets belonging to survivors fleeing domestic abuse](#)

Appendix 8: [CAADA-DASH and Barnado's risk assessments – guidance and referrals](#)

Appendix 9: [Staff training briefing note](#)