

Housing Services Domestic Violence & Abuse Policy

Approved by: RHP Board

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1. INTRODUCTION

- 1.2 This policy sets out RHP's approach to supporting customers, any members of their household and our employees who are threatened with or suffering from domestic abuse. Our aim is to provide victims and survivors of domestic abuse with reassurance, support and clear guidance on what to expect from us whilst providing a service where victims and survivors feel safe and believed when disclosing their experiences. We'll empower victims and survivors through our service and partnership working with multi-agencies and support our customers to make choices. RHP takes the prevention and reporting of domestic abuse very seriously and we have a zero-tolerance approach to mistreatment, abuse and violation of victims and survivors. The safety of our customers, their households and our employees is a priority.

2. RHP'S APPROACH

- 2.1 The policy details our approach to perpetrator management, including the action we'll consider taking against perpetrators of domestic abuse and where appropriate, the assistance we'll provide for perpetrators wishing to positively change their behaviour, through helping them access support and assistance.
- 2.2 The policy supports our strategic objectives to meet our legal and regulatory requirements and our commitment to meet DAHA accreditation standards.
- 2.3 The policy aims to provide customers and employees with clear guidance on the different types of abuse and our approach to supporting victims and survivors of domestic abuse. The policy should be read in conjunction with our customer procedure for managing domestic abuse.
- 2.4 We are committed to providing a service where we:
- ▶ Support victims/survivors to identify the signs of domestic abuse;
 - ▶ Provide a route for victims/survivors to disclose abuse where they feel believed and valued;
 - ▶ Deliver a consistent approach and level of service supporting domestic abuse victims/survivors;
 - ▶ Take appropriate action to reduce the risk of abuse through effective risk assessments and referrals;
 - ▶ Support victims/survivors affected by domestic abuse to live in safety by working proactively with them and supporting agencies;
 - ▶ Support victims/survivors fleeing domestic abuse to have access to appropriate advice relating
 - ▶ to their housing options and provide them with advice and support to identify the option that best meets their individual needs;
 - ▶ Consider any impact of domestic abuse on children and young adults and ensure that they also have access to services where needed;
 - ▶ Ensure victim/survivor confidentiality is maintained and information sharing is applied where relevant through information sharing agreements with multi-agencies;
 - ▶ Ensure employees are aware of what behaviour constitutes domestic abuse;
 - ▶ Liaise with lead agencies and supporting third parties to reduce risk;
 - ▶ Support our partnering local authorities with preventing homelessness as a result of domestic abuse;
 - ▶ Support lead parties, such as the Police, in taking action against perpetrators of domestic abuse by taking tenancy enforcement action where it's appropriate to do so;
 - ▶ Learn from victim/survivor feedback and supporting agencies to improve our response

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- to domestic abuse;
 - ▶ Signpost perpetrators of domestic abuse to agencies who can offer support and intervention to try to prevent a reoccurrence;
 - ▶ Provide an accessible service irrespective of disability, race, age, sexuality, gender, culture or religion.
- 2.5 Domestic abuse continues to have a significant impact on UK residents. Each year, nearly 2 million people in the UK suffer from domestic abuse, with around 1.3 million female victims and 600,000 male victims. 1 in 4 women and 1 in 6 men will suffer domestic abuse at some point in their lives; the abuse suffered by female victims is more physically severe and is more likely to continue for longer, resulting in injuries or hospitalisation.
- 2.6 Under 25s are most likely to experience domestic abuse and both male and female victims are more likely to be from black or ethnic minority groups, disabled or from low-income groups.
- 2.7 1 in 5 children have been exposed to domestic abuse; 62% of children living with domestic abuse are directly harmed by the perpetrator of the abuse, in addition to the harm caused by witnessing the abuse of others. Research indicates that 85% of victims seek help an average of five times before they receive effective help to stop the abuse.
- 2.8 For the purpose of this policy and setting out our approach to supporting victims/survivors affected by domestic abuse, RHP has adopted the Domestic Abuse Act's definition of domestic abuse. The Domestic Abuse Act 2021 received royal assent in April 2021, and the Act defines domestic abuse as:

3. Section 1: Definition of 'domestic abuse'

- 3.1 This section defines domestic abuse for the purposes of this Act.
- 3.2 Behaviour of a person ("A") towards another person ("B") is "domestic abuse" if –
- a. A and B are each aged 16 or over and are personally connected to each other, and
 - b. the behaviour is abusive.
- 3.3 Behaviour is "abusive" if it consists of any of the following –
- a. physical or sexual abuse;
 - b. violent or threatening behaviour;
 - c. controlling or coercive behaviour;
 - d. economic abuse (see subsection (4));
 - e. psychological, emotional or other abuse;
 - f. and it does not matter whether the behaviour consists of a single incident or a course of conduct.
- 3.4 "Economic abuse" means any behaviour that has a substantial adverse effect on B's ability to –
- a. acquire, use or maintain money or other property, or
 - b. obtain goods or services.
- 3.5 For the purposes of this Act A's behaviour may be behaviour "towards" B despite the fact that it consists of conduct directed at another person (for example, B's child).
- 3.6 References in this Act to being abusive towards another person are to be read in accordance with this section.

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3.7 For the meaning of “personally connected”, see section 2.

4. Section 2- Definition of ‘personally connected’

4.1 For the purposes of this Act, two people are “personally connected” to each other if any of the following applies –

- a. they are, or have been, married to each other;
- b. they are, or have been, civil partners of each other;
- c. they have agreed to marry one another (whether or not the agreement has been terminated);
- d. they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- e. they are, or have been, in an intimate personal relationship with each other;
- f. they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2));
- g. they are relatives.

4.2 For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if –

- a. the person is a parent of the child, or
- b. the person has parental responsibility for the child.

4.3 In this section –

- ▶ “Child” means a person under the age of 18 years;
- ▶ “Civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004;
- ▶ “Parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act);
- ▶ “Relative” has the meaning given by section 63(1) of the Family Law Act 1996.

4.4 Anyone can be a victim of domestic abuse regardless of sex or gender identity, cultural heritage or ethnicity, sexual orientation, religion or belief, or disability. There are different kinds of abuse that can happen in different contexts. The most widespread type of domestic abuse occurs in relationships, but the definition of domestic abuse also covers abuse between family members, such as adolescent or adult child to parent violence and abuse, and abuse between siblings.

4.5 People with disabilities are more vulnerable to domestic abuse for longer periods of time, and experience more severe and frequent abuse than non-disabled people.

4.6 Perpetrators are not all the same and the factors that lead them to using violence and aggression in their intimate relationships can be as individual as the people themselves.

4.7 There is an increasing understanding that domestic abuse is a child safeguarding issue, and the damaging effects that either witnessing or experiencing it can have on children are well documented.

4.8 Typically, domestic abuse escalates over a period of time and victims and survivors of abuse may experience several different types of abuse from the same perpetrator.

4.9 Domestic abuse can take many forms, some of which are set out as examples below.

Emotional and Psychological Abuse – this involves causing fear by intimidation with attempts to frighten, control and isolate an individual – examples include not being allowed out on your own, not being allowed to wear what you want and being told you’re worthless and that no one else will love you.

This type of abuse doesn’t include physical violence, although it may involve threats of physical harm towards you, your family or the threat of destruction of pets and property. It can also

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include threats of self-harm. It's characterized by a person's words, actions and the consistency of their behaviour.

Psychological abuse is often more subtle than other types of abuse – it can be unseen and even the victim/survivor does not recognise they're being abused. It can have a profound impact on victims and leave them with little confidence that they can do anything to change their situation or improve their lives. Psychological abuse can include being made to believe you're not capable, being accused of lying or the perpetrator threatening they'll kill themselves, you or your family if you leave.

Threats and Intimidation – threatening and intimidating behaviour can include threats to kill and hurt an individual, destroying their belongings, over-bearing behaviour and invading personal space including reading e-mails, texts or letters. It can include harassing and following the victim and using physical strength or size to intimidate, pressuring the victim into doing something that makes them uncomfortable, being overly possessive with accusatory behaviour and denying the victim the right to make decisions.

Verbal Abuse – This abuse commonly includes abusive behaviour such as name calling, belittling and discounting feelings, shouting and making accusations and threatening language. In addition to words, verbal abuse can also include using silence to exert control. Verbal abusers are unlikely to apologise for their behaviour as it's their aim to be hurtful.

Physical Abuse – This is the most visible form of domestic abuse, typically involving violent behaviour such as slapping, burning, beating, kicking, biting, stabbing and can lead to permanent injuries and sometimes death. The perpetrator's aim is to intimidate and cause fear. Assaults can often start small and over time can become more frequent and more severe. Abuse can include use of weapons and even abusive behaviour such as depriving the victim/survivor of sleep, force feeding and starving of food. This type of abuse may be preceded by other abusive behaviour such as verbal or emotional abuse.

Sexual Abuse – Sexual abuse or sexual violence describes any act of a sexual nature a person is forced to do that upsets them, they not comfortable with or that physically hurts them. It can be physical, psychological, verbal or online. Any behaviour of a sexual nature that causes a person distress or takes place without consent is considered sexual violence or abuse. Examples include rape within a marriage or relationship, being touched against a person's will in an inappropriate sexual way, being called derogatory or sexually explicit names or being forced to engage in sexual activity against will.

Economic Abuse – this involves behaviour that interferes with a person's ability to use their own money, controlling what they buy, controlling when and where they can or cannot work or restricting access to benefits. It's likely to be part of other controlling behaviour that's used to restrict someone's independence. Depending on the type of economic abuse, it may even make accessing housing or credit difficult after a relationship ends.

Examples of economic abuse include:

- ▶ Controlling money and bank accounts
- ▶ Running up debt in a victim's name.
- ▶ Refusing to allow a victim to work.

Controlling or Coercive Behaviour – Coercive control is a pattern of repeated or continuous behaviour that's used to harm, punish or frighten a person, which causes you serious alarm or distress and which has a substantial adverse effect on a person's daily life.

This type of behaviour will vary and can include a combination of different types of domestic abuse such as:

- ▶ Limiting access to and isolating a person from their family and friends
- ▶ Taking control over where a person can go or what you can wear
- ▶ Taking wages, benefits or allowances
- ▶ Threatening to harm or kill children or pets
- ▶ Controlling access to medical treatment, transport, education or employment
- ▶ Monitoring online activity or how a person spends their time
- ▶ Forcing a person to engage in criminal activity

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- ▶ Repeatedly putting a person down, degrading them or making you them feel worthless

When considering coercive control, all behaviours being experienced will be taken into account and not looked at in isolation to ensure the full impact on an individual can be understood. The offence of coercive control can be used in respect of intimate or familial relationships.

The term 'gaslighting' is often used to refer to the way an individual can manipulate or control someone psychologically into doubting their own sanity.

So-called honour based violence and abuse – So-called honour based abuse includes offences which may have been committed to protect the perceived honour of a family or a community and can incorporate many of the types of abuse detailed above. It is often carried out by family members, but victims can also come under pressure from the wider community who will seek to support the family in their actions. Examples of so-called honour based violence and abuse include:

- ▶ Forced marriage
- ▶ Female genital mutilation

Speaking out against so-called honour based violence is extremely difficult as the perpetrators are more often than not the victim's extended family and loved ones.

Stalking and Harassment – this is one of the most common forms of domestic abuse and includes obsessive and repetitive behaviour that causes distress for the victim/survivor. It may include:

- ▶ Frequently calling at or driving past a person's home or workplace.
- ▶ Following a person.
- ▶ Frequently making contact such as sending letters, text messages, emails or through social media sites like Facebook and Twitter.
- ▶ Sending unwanted gifts.
- ▶ Sending malicious 'gifts', such as funeral wreathes or to mark a distressing event, such as sending you flowers on the anniversary of an assault.
- ▶ Harming a pet.
- ▶ Gathering information on a person by contacting people they know you or by using public records.

Stalking behaviour can have a devastating impact on the victim/survivor. Abusers may well be able to access technology and use it to continue their abuse, control or to track the victim/survivor's movements.

Online and Digital Abuse – perpetrators can use technology or social media to control or coerce victims. This type of abuse may include:

- ▶ Using social media to harass a person
- ▶ Controlling a person's social media or email accounts
- ▶ Using spyware such as tracking apps and hidden cameras
- ▶ Monitoring a person's movements using home assistants such as Alexa.

Family and Intergenerational Abuse – family and intergenerational abuse can be different from partner violence. The perpetrator may be the victim's (adult) sibling, child or grandchild. Abuse of an adult or a child may also be used by the perpetrator to exercise control over their victim.

5. Supporting our customers & employees

- 5.1 We aim to provide victims and survivors of domestic abuse living in an RHP home with reassurance, support and clear guidance on what to expect from us whilst providing a service where victims and survivors feel safe and believed when disclosing their experiences.
- 5.2 RHP takes the prevention and reporting of domestic abuse very seriously – the safety of our customers and their households is a priority. We'll work with multi-agencies to support victims and survivors of domestic abuse and support customers to make choices to reduce the risks of

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abuse.

5.3 Where an employee is a victim of domestic abuse, we will offer appropriate support. This may include work adjustments, signposting to specialist services, support in contacting relevant agencies (where requested) and access to confidential advice and guidance. RHP Group is committed to providing a safe and supportive working environment where employees feel listened to and safe when seeking help.

5.4 We're committed to:

- ▶ Providing a flexible response to victims/survivors disclosing domestic abuse to us. Customers can disclose domestic abuse to RHP through any communication channel or through a third party and we'll sensitively take into account the needs of the customer when responding. We recognise every disclosure of domestic abuse is unique to the victim/survivor and a one size fits all approach is not appropriate;
- ▶ Agreeing a safe method of communication with victims/survivors.
- ▶ Listening to our customers. We understand that disclosing domestic abuse and asking for help can be extremely difficult. We recognise that proof from a victim/survivor of the abuse may not easily be available and will respect any decision to not accept support;
- ▶ Confidentiality for victims/survivors. We recognise the sensitivity of disclosing domestic abuse.
- ▶ All employees are responsible for providing a confidential service to victims/survivors disclosing domestic abuse.; Employees are provided with guidance on how to deal with a disclosure and ensure that all appropriate advice, support, and safeguarding is carried out.
- ▶ Providing support and advice for victims/ survivors disclosing domestic abuse. We'll work with statutory and voluntary organisations to support victims/survivors and their families and will signpost where needed. Whilst we're not trained domestic abuse specialists, we'll support with referring victims/survivors to the appropriate supporting agencies whilst remaining involved for as long as needed;
- ▶ Providing a named contact where possible. We want victims/survivors to feel safe when disclosing domestic abuse to us. We'll arrange for a named person to be the main contact for any disclosure, reducing the need for the victim/survivor to repeat their story to different employees and maintaining confidentiality;
- ▶ Providing a response that takes the needs of the victim/survivor into account with options ranging from offering access to translation services where required, the opportunity to liaise with an employee of a specific gender or where possible, an employee of the same ethnic origin and the offer of meeting an employee in confidence at our offices or at an agreed choice of safe venue.
- ▶ Carrying out effective risk assessments for victims/survivors. Our risk assessments use the Domestic Abuse, Stalking and Honour based risk identification checklist (DASH) and include safety planning and support for the victim/survivor, their household and any witnesses of domestic abuse;
- ▶ Creating an action plan with victims/survivors and working with them to review their needs within an agreed timescale that works for the victim/survivor;
- ▶ Respecting the victim/survivor's decisions. Victims and survivors of domestic abuse are not responsible for the abuse they've experienced and they will not be asked to take any action they feel will place them in greater danger.
- ▶ The decisions taken by a victim/survivor will be respected and will not affect the way RHP supports them. We also recognise that victims/ survivors may wish to remain in a relationship with an abuser. Reasons for this may include:
 - Fear of the abuser and/or what they might do.
 - Doubt about the impact of any action taken by other parties, including the Police or Courts.
 - Fear of not being believed.
 - Love, loyalty or attachment to their partner.
 - Feeling of shame or failure.

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- Potential impact on children.
 - Drug and/or alcohol addiction.;
- ▶ Offering extra security to victims/survivors and to their homes, where appropriate. We'll often work in partnership with the Police to ensure safety measures are put in place and use the 'Safety First' referral scheme. The 'Safety First' referral scheme is also available to our shared owners and homeowners;
 - ▶ Working with our partnering councils to provide temporary housing options. If it's unsafe for a victim/survivor to remain living in their home, our partnering councils will support with sourcing and providing temporary housing in a safer location.
 - ▶ If a permanent move is required, we'll work with victims/survivors to identify what information is needed to support any request. Our Allocations Policy sets out our approach for agreeing a permanent move due to domestic abuse;
 - ▶ Supporting victims/survivors to rebuild their lives by working with them and other support agencies. Where children and young people are affected by domestic abuse, we'll support with making sure they have access to services as early as possible and will involve our partnering council's Social Services where appropriate.
- 5.5 We recognise that there may be other barriers and challenges to ending abusive relationships. People from a black and minority ethnic (BME) community may have barriers including language barriers, family honour or shame, fear of rejection by their community or racism. In addition, we recognise that people with disabilities are more likely to experience domestic abuse and more likely to be at high risk of serious harm. Barriers faced by disabled people accessing services can include, but are not limited to, lack of accessible information about abuse and support services available and reliance on the abuser for care and support.

6. Tools and Powers

- 6.1 We will make use of appropriate tools and powers to support those who are victims of domestic abuse, including injunction applications, serving Notice of Seeking Possession and possession proceedings where appropriate.
- 6.2 In addition to the tools and powers available to us as a landlord, we will work closely with partners to ensure a holistic approach to tackling domestic abuse and that the tools and powers available to these partners are fully considered. Set out below are a number of options available to other agencies. Where appropriate, we can assist these agencies to tackle domestic abuse.
1. Domestic Violence Protection Notices and Orders – Where the Police have a reasonable belief that domestic abuse has occurred, they can serve the perpetrator with a Domestic Violence Protection Notice which is the first step to obtaining a Domestic Violence Protection Order. Such Order can prevent a perpetrator from returning to a residence, or from having contact with a victim, for up to 28 days.
 2. Domestic Abuse Protection Notices and Orders – These were introduced by the Domestic Abuse Act 2021 and aim to provide flexible, longer-term protection for victims. They are being piloted in a small area across the UK. Until they are fully rolled out, the existing DVPN/O regime will apply.
 3. Restraining Orders – These can be made by a court in relation to a criminal case alleging domestic abuse and are made when there is a need for the order to protect someone from harassment or conduct that would put them in fear of violence. Such an order may impose prohibitions and may cover a range of behaviour, to include excluding someone from an area or contacting specific people.
 4. Civil Law – A person at risk of domestic abuse can make an application for a civil injunction. There are two types of injunction available, an occupation order and a non-molestation order. A non-molestation order can protect a person and child from violence or harassment. An occupation order can establish who has a right to remain in a home and can order an abuser to move out of their home.
 5. Stalking Protection Orders – These are issued under the Stalking Protection Act 2019.

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Police may consider such an order where it appears that a person has engaged in stalking behaviour and poses a risk which it is reasonable to mitigate by an order being granted.

6. Forced Marriage Protection Orders (FMPOs) and FGM Protection Orders – An FMPO can be applied for where there is a risk that a person is going to be forced into a marriage against their will, to prevent the marriage going ahead and/or to prevent that person being taken out of the County. They can be applied for by the person themselves, a Local Authority, Police or any other person with permission from the Court.

7. MARAC (Multi Agency Risk Assessment Conference)

- 7.1 We work with supporting agencies to provide support to victims/survivors of domestic abuse and ensure our customers are safe. This includes organisations involved in MARAC across our partnering councils.
- 7.2 MARAC (Multi Agency Risk Assessment Conference) is a confidential and regular meeting that's held to discuss the most high-risk domestic abuse cases, to share information and to safely plan to safeguard a victim/survivor. Professionals attending may include the Police, Social Services and representatives from health, probation and housing services across a borough. An IDVA (Independent Domestic Violence Advisor) also attends on behalf of the victim/survivor – the victim/survivor does not attend in person.
- 7.3 The meeting will specifically address the safeguarding needs of the adult victim/survivor and will also take into consideration any children or unborn babies. In bringing together the agencies who may be working with an individual, the sharing of information will result in a more informed risk assessment and a safeguarding action plan can be put in place more effectively.
- 7.4 RHP will follow the recommendations and action plans of any MARAC where we own or manage homes and we'll assess the risk posed by perpetrators to ensure a proportionate and safe response.
- 7.5 If a disclosure of domestic abuse needs to be referred to MARAC, we'll discuss and obtain consent from the victim/survivor. If consent isn't provided, we'll only make a referral if there's an immediate risk or potential risk of serious harm to the victim/survivor and their family.
- 7.6 We'll refer victims/survivors with their consent and where appropriate to the relevant IDVA (Independent Domestic Abuse Advisor) for their area. An IDVA is a specialist professional who works with a victim or survivor of domestic abuse to develop a trusting relationship. In addition to providing representation at MARAC, an IDVA can help victims and survivors with everything they need to become safe and rebuild their life and help them to navigate the criminal justice process, working with different statutory agencies to provide wraparound support.

8. Confidentiality:

- 8.1 We're committed to providing confidentiality around disclosures of domestic abuse to protect the anonymity of victims, survivors and witnesses. There may be some exceptions where we have a duty to disclose information if we believe someone is at serious risk, we have concerns for the welfare of a child and to prevent or detect a crime.
 - ▶ If we have concerns for the welfare of a child, we have a legal duty to inform the local council's safeguarding contact. In an emergency situation, we'll contact the emergency services.
 - ▶ If we have safeguarding concerns for a vulnerable adult, we'll share any allegations or suspicions of abuse in line with our Safeguarding Policy and Procedure and contact the emergency services in an emergency. Victims and survivors of abuse have the right to be treated fairly in a way that respects their human rights, independence and choice and informed consent will always be sought unless there's evidence to suggest this will

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put the victim/survivor at further risk. This will be recorded on any safeguarding referral.

- ▶ For any information requests relating to joint tenancies where there's an active domestic abuse case, we'll ensure restrictions are in place to prevent perpetrators and their representatives accessing confidential information regarding the victim/survivor and where applicable, sensitive information relating to the victim/survivor's family.
- ▶ There may be times where we have to share relevant information with local agencies such as the Police to protect a victim/survivor or to prevent or detect a crime. This may include disclosures where extra evidence is needed to carry out enforcement measures against the perpetrator or where sharing information in the interests of the victim/survivor will lead to better or more effective support being provided.
- ▶ RHP has information sharing protocols with the London Boroughs of Richmond upon Thames, Hounslow and Hillingdon, the Royal Borough of Kingston upon Thames and the Metropolitan Police. These allow agencies to share information where it may prevent or reduce domestic abuse. Information shared remains confidential and is stored and used according to strict protocol. All RHP employees will comply with these protocols.
- ▶ Our employees receive Data Protection and GDPR training, ensuring we only share information appropriately when necessary.
- ▶ The Domestic Violence Disclosure Scheme (DVPS), also known as 'Clare's Law', allows Police to disclose to individuals the details of their partner's abusive past so they can make an informed decision about their situation. We'll support customers to use this scheme effectively.

9. Perpetrators

9.1 We have a zero-tolerance approach to mistreatment, abuse and violation of victims and survivors. The safety of our customers and their households is a priority.

- ▶ We'll take action against convicted perpetrators, in line with our tenancy agreements, where it's safe and appropriate to do so. This includes cases where the victim/survivor has moved out of their home and the perpetrator remains in our property.
- ▶ Whilst the responsibility of abuse lies with the perpetrator, we'll provide assistance for perpetrators wishing to positively change their behaviour, through helping them access support from external agencies.
- ▶ We may consider rehousing a perpetrator who engages with agencies and support organisations where we have a responsibility to do so. We'll take into account the needs of the victim/survivor when doing so.
- ▶ We'll share information where appropriate and work with other agencies including the Police and those involved with MARAC to find effective ways to work with perpetrators who can positively manage their behaviour. We know this form of engagement can be worrying for the victim/ survivor and we'll approach this with sensitivity and care towards the victim/survivor.