CONTENTS

1 INTRODUCTION ................................................................................................................. 2
2 WORKING WITH ASB DATABASE .................................................................................. 2
3 BASIC PRINCIPLES ........................................................................................................ 2
4 KEEPING RESIDENTS INFORMED .................................................................................. 2
5 VICTIM SUPPORT / MULTI-AGENCY APPROACH ..................................................... 3
6 RECORDING AN INITIAL REPORT ............................................................................... 4
7 INITIAL ACTION ............................................................................................................ 5
8 INITIAL INTERVIEW / CREATING AN ACTION PLAN ............................................... 6
9 CASE REVIEW ............................................................................................................... 7
10 RESPONDING TO FALSE ALLEGATIONS OF VIOLENCE ........................................ 7
11 INVESTIGATION ............................................................................................................ 8
12 OPTIONS FOR ACTION .................................................................................................. 8
13 RESPONSIBILITY FOR RENT PAYMENT .................................................................... 13
14 CULTURAL SENSITIVITY .............................................................................................. 14
15 IMMIGRATION ISSUES ................................................................................................. 14
16 PETS .............................................................................................................................. 14
17 CLOSING A CASE .......................................................................................................... 14

APPENDIX 1: ADVICE AND SUPPORT ORGANISATIONS ............................................. 15
APPENDIX 2: OVERVIEW OF HOUSING AND WELFARE BENEFITS ............................ 19
APPENDIX 3: SANCTUARY SCHEME PROCESS MAP ....................................................... 15
1 INTRODUCTION
This procedure is practical guidance on the management of reports of domestic violence for One Housing Group staff and in particular the regional teams responsible for managing anti-social behaviour. Each regional team must ensure that this procedure is followed at all times, unless deviation is authorised by the Head of Regional Housing Operations. All instruction is to be considered in line with the OHG Domestic Violence Policy.

Due to the especially sensitive nature of domestic violence, it is necessary for OHG to have a separate domestic violence policy and procedure. However, internally they are closely linked with the OHG Anti-Social Behaviour Policy and Anti-Social Behaviour Procedure, therefore cross reference is essential.

2 WORKING WITH ASB DATABASE
Reports of domestic violence and all action taken during the investigation and management of a case must be recorded on the ASB Database located on the intranet (Hub). Detailed guidance on how to use the ASB Database to record and monitor cases is set out in the ASB Database Guide. The guide is located on the Hub under: Policies & Procedures / Housing / Tenancy Management. All OHG letters and forms noted in this procedure can be found in the Domestic Violence Toolkit.

3 BASIC PRINCIPLES
- to always be understanding and sympathetic towards victims reporting incidents of domestic violence and to never be judgmental
- to take every reported incident seriously and to record it on the ASB Database
- to take a victim centred approach to case management
- to always gain the consent of the victim before taking any action whatsoever, especially before corresponding with or taking action against any perpetrator
- to help victims access support and temporary accommodation where necessary
- to advise victims on the housing options available to them and any other legal remedies
- to take a multi-agency approach
- to immediately record every contact with a victim or perpetrator onto the ASB Database so that the current status of a situation is clear.

4 KEEPING RESIDENTS INFORMED
Making sure that residents know what is happening with regards to their case or query is the most important aspect of any procedure, regardless of the action being taking or the outcome of a case. OHG’s formal complaints show that residents understand human error and the limitations that staff have to manage; residents express deep dissatisfaction, however, when they have not been kept informed with regards to their situation.

Agreed Contact

Residents must be updated as regularly as is reasonably necessary and every time there is a significant change in their circumstances. As every case and resident is individual, it may
be appropriate to contact a particular resident more often than is noted in a procedure’s standard timetable. Staff must discuss contact arrangements with residents when opening a new case.

5 VICTIM SUPPORT / MULTI-AGENCY APPROACH
Housing Officers must use their expertise to help victims work through available housing options and any other potential remedies (see point 12), but as a social landlord, OHG is limited in the support that it can offer victims of domestic violence. Housing Officers are not trained to the level required to offer full support to victims experiencing domestic violence; however they must do all they can to help victims to access external specialist agencies.

Staff should ensure that referrals to external agencies are appropriate. They must aim to refer to an agency that can deal with all aspects of the situation, as well as one that the victim is able to easily access (e.g. consider transport costs, etc.). Housing Officers must ensure that the victim is kept informed throughout the referral process and that they have at least one emergency contact number of a relevant support/helpline, or the police Community Safety Unit/Domestic Violence Unit or equivalent (see Appendix 1).

Housing Officers must ask the victim to sign the consent section of the Domestic Violence Initial Interview form if it is the first interview and the Action Plan (see point 6) before contacting any other agency on their behalf, unless OHG has a professional duty to do so (e.g. knowledge of child abuse, police enquiries into criminal activities).

Housing Officers may also need to complete a Multi Agency Risk Assessment Conference (MARAC) referral form if the domestic violence is deemed to be of the highest risk. MARAC is a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs) and other specialists from the statutory and voluntary sectors. A MARAC referral form can be downloaded from the relevant Local Authority website or via the following link www.caada.org.uk/marac/findamarac.

Where there are child protection concerns, then a full referral must be made to the local Social Services office, and this does not require the consent of the person reporting violence. If OHG has no duty to contact other agencies, there should be no insistence on involving any.

5.1 Key support agencies to be considered
- Refuge
- Women’s Aid
- Free National Domestic Violence helpline
- Local Authority Homeless Persons Unit
- Metropolitan Police Community Safety Unit/Domestic Violence Unit
- Social Services
Please refer to Appendix 1 attached for contact details of the service providers above and the details of other national, regional, sexuality specific and gender specific advice and support agencies available.

6 RECORDING AN INITIAL REPORT
All reports of domestic violence must be treated as severe, and the first priority for staff is to ensure the safety and wellbeing of the victim and their children. If any member of staff takes a telephone call from a victim that says they are in present danger, they must ask the victim if they require immediate police assistance. If the victim agrees the staff member must contact the police immediately themselves before notifying the Head of Regional Housing Operations. Under all other circumstances, reports of domestic violence must immediately be passed to the Housing Officer responsible for the property in which the victim resides. If the Housing Officer is not available (e.g. out of the office), the report must be passed to the Duty Housing Officer, the ASB Coordinator or Team Leader. A victim should never be told to call back later if they are reporting domestic violence.

If the person reporting the domestic violence is not the victim, staff must ask them to encourage the victim to contact their Housing Officer in person. They should be advised that their Housing Officer will help them to access support and will be understanding and non-judgemental and will take no action without their consent. The staff member must also give the person the name and direct contact number of the victim’s Housing Officer.

The Housing Officer logging the report must open the ASB database and follow the ASB Database Guide. Both the database and the guide are accessible via the Hub.

The Housing Officer logging the report must:

- complete the Domestic Violence Initial Interview form if it is the victim’s first report of domestic violence or it is their first report against a particular perpetrator. A Risk Assessment needs to be completed alongside this. Additional information can be recorded on the Contact Sheet
- complete the Action Plan form if the victim has made a previous report of domestic violence
- enter all fields on the ASB Database
- if they are not the victim’s Housing Officer they must forward the case on to the relevant officer’s work tray or in their absence to the ASB Coordinator or Future contact

6.1 Future contact
Staff must be extremely sensitive as to how and when the person who has reported domestic violence wants OHG to contact them, or whether they do at all. If it is agreed that the victim can be contact by telephone, the Housing Officer must agree a time to call and then be certain that they are speaking to the person in question, and check that it is a good time for them to talk. OHG will also make clear to the victim that we will never attempt to make contact with the abuser to verify their story.
6.2 Creating a case file
The officer must create a paper case file for all new cases. The number of the case file must be the ASB case reference created by the ASB Database at the time of recording the incident. Copies of all correspondence between all involved parties must be kept inside the file in chronological order. Emails and notes on telephone conversations must also be filed. This file will be used as evidence if the case should go to court. Correspondence that can be saved on the ASB Database does not need to go into the paper case file but the file must contain a note advising what documents can be found on the system in case of audit.

7 Initial Action
No action may be taken without the consent of the victim. Even telephoning a victim at a time that has not been previously agreed can put them at risk of further abuse. Action can only be taken without consent in cases where other residents are in danger or for the protection of the vulnerable, or the law would demand action of a particular type.

Housing Officers must be aware of the complex nature of domestic violence and the courage that it takes for a victim to report it. It is rare for victims to report the first incident of domestic violence, so staff must also be aware that there is likely to be a history of abuse. Housing Officers must listen to the victim without passing judgement and must be empathetic and understanding at all times. The Housing Officer must also be clear about OHG’s limitations as a landlord, and outline how they can assist them in accessing specialist support and assisting them with the housing options available to them (see point 5 & 12). The Housing Officer must then write out an action plan that is agreed with the victim (see point 8.2). The Housing Officer must always:

- Advise the victim of their full name and direct contact number and the name and number of their Regional Housing Team Leader
- Arrange a suitable appointment date/time with the victim to conduct an interview at one of the designated interview rooms at their local OHG office.

7.1 Timescale for action
All reports of domestic violence must be taken seriously and considered urgent: priority 1 ASB. Initial action can be arranging an interview with the victim or referring them to a support agency. The timescales for commencement of action is as follows:

- Violence or threat of violence = Immediately action (Severe ASB)
- Non violent harassment = Within 24 hours (Urgent ASB)

An interview with a same sex member of staff must be offered wherever possible.

7.2 Emergency situations
If a resident is facing a serious threat of violence and or being fearful of returning home, the Housing Officer must always:

- Refer the resident to their local authority’s Homeless Persons Unit to arrange for emergency temporary accommodation (the borough in which they reside).
- arrange transport to the Homeless Persons Unit where necessary
- refer the resident to any relevant support agencies (see point 5)
- consider whether an immediate injunction application would be beneficial (see point 12.2)
- determine whether there is a duty to notify any support agencies for the protection of the vulnerable

8 INITIAL INTERVIEW / CREATING AN ACTION PLAN
The purpose of interviewing the victim is to establish the history of the violence, the victim’s housing and other support needs, and the course of action the victim wishes to take to ensure their safety. The victim must first be advised that information given in confidence will not be divulged, with the exception of a case where other residents are affected, protection of the vulnerable, or the law would demand information to be shared.

The officer must record any additional details not previously noted on the Domestic Violence Initial Interview and Risk Assessment forms (see point 6). Where questions are not applicable, this should be indicated, to ensure that it is clear that questions have not been missed in error.

The Housing Officer’s approach must be sympathetic and the victim should be made to feel that they are believed. In some instances more than one interview may be necessary, particularly if the victim is in a distressed state and unable to absorb information particularly well.

8.1 Key points to be considered when conducting the interview
- Believing the victim is important - officers should start from a position of belief, rather than trying to “break down” their story. Staff should be sensitive to how difficult it is for many people to report domestic violence.
- Interviews must always be conducted in private but the victim should be given the option of having someone present who supports them.
- If an interpreter is being used, officers must ensure that it is a professional, trained interpreter, to whom the victim has no objections. This is important as the interpreter may know the victim’s spouse, partner or family.
- Children who accompany victims should be welcomed and not ignored. However interviews should not be conducted with children present as it could force them to relive a traumatic event. They may also be victims or witnesses in their own right and the interview could taint their version of events.
- The victim’s safety should be paramount; they must be informed of the relevant agencies to approach and the Housing Officer must make referrals as appropriate (see point 5).

- Officers must never collude with the perpetrator by asking what the victim did to provoke them or by telling them that they don’t want to know what goes on between them and the perpetrator.
• Officers must not be directive; they must never tell the victim what they think they should do, even if asked. Officers must instead use their expertise to help the victim work through available housing options and any other potential remedies (see point 12).

• Officers must ask victims for their signed consent to contact external agencies to provide or request information (end of both the Domestic Violence Initial Interview and Risk Assessment forms).

The Housing Officer must be clear that they may need to contact other staff both within and outside of OHG (e.g. Doctor, Health Visitors, Police, etc) to pursue a particular course of action.

8.2 The Action Plan
Having established the details of the case, the officer must now agree the best course of action with the victim. The officer must advise the victim regarding all available and suitable methods of gathering evidence and all relevant routes to resolution. The views and opinions of the victim must be respected. The officer must write up the agreed plan of action using the ASB Action Plan. The content of action plans will depend on the circumstances of the case, but should consider the following:

- the outcome desired by the victim and what is achievable
- what support is required
- what risks are involved and how they will be managed.

The Housing Officer must pass the action plan to their team’s ASB Coordinator for approval, or in their absence the Regional Housing Team Leader; the Coordinator must respond to the officer within 1 working day. The victim must be given a copy of the agreed action plan and the original must be filed in their ASB case file.

9 CASE REVIEW
The Housing Officer must always enter updates onto the ASB Database. Information of any changes to contact details, on-going actions taken, any further incidents and any changes to the action plan should all be entered onto the ASB Database and noted in the paper case file. The ASB Coordinator must monitor their team members’ cases monthly or more frequently in cases involving violence or the possible threats of violence.

10 RESPONDING TO FALSE ALLEGATIONS OF VIOLENCE
OHG’s approach is to be victim centred. When a report of domestic violence is made, staff must be sympathetic, understanding and believing. However, if growing evidence suggests that the victim is not telling the truth this cannot be ignored. Where the Housing Officer has good reason to believe that the victim has falsely alleged domestic violence as a means to obtain alternative housing more quickly, they must explain to the victim why their allegations have not been accepted and give them an opportunity to give additional information to support the claim. Where the Housing Officer still has good reason to believe the claim is fraudulent, then the decision must be put in writing and the victim advised that
they can ask for a review of the case. This will be undertaken by the Head of Regional Housing Operations. If the victim is dissatisfied with the outcome of the review, they can appeal using the Designated Person or the Housing Ombudsman stage of OHG’s Complaints Procedure.

11 INVESTIGATION
To determine the ways in which OHG can assist the victim with regards to housing, the Housing Officer must make some enquiries to ascertain the level of risk the victim faces. Housing Officers must keep in mind that the purpose of the enquiry is to get information with which to assist the victim, not to corroborate or disprove of their claim. The Housing Officer can make enquiries by asking:

- who the victim has approached to ask for assistance
- whether the police are aware of the situation
- whether the victim has sought or obtained an Injunction Order
- has the victim and/or their children been seen with injuries or bruising in the past
- have there been any reports or complaints of noise or violence by neighbours
- has there been any repairs or damage reported that may indicate violence
- is there a problem with arrears or debt?

The victim’s specific consent must be obtained before any enquiries are made (see point 5). If obtained, Housing Officers can speak to neighbours, friends and relatives, doctors, social services, children’s schools, the police or any other agency to assist with information.

If no supporting information is available, this does not mean that domestic violence has not occurred. Ultimately it is for the Housing Officer to make a judgment, as to whether there is reasonable probability that domestic violence has or will occur, based on all the information available.

12 OPTIONS FOR ACTION
Once the nature and frequency of violence has been determined, the Housing Officer needs to find out what the victim’s requirements are and to fully discuss their housing options. It is important to allow the victim time to decide what to do. At no stage should the victim feel pressured into making a decision. Where appropriate, the victim should be advised to seek legal advice from a relevant support agency or a solicitor, and contact details should be available (see point 5). It is important that the victim feels that they will be supported regardless of their decision.

The policy guide is that OHG will not make 2 tenancies out of 1. In broad terms, the options that can be considered fall into three categories:

- excluding the perpetrator from the home
- termination by tenant unless OHG obtains an outright possession order. Possibility of re-granting the tenancy depending on the status of the tenancy.
remaining in the home.

Options for action will be affected by the type of tenancy agreement held by the victim or perpetrator and their status with regards to the tenancy, i.e. whether they are a sole, joint or non-tenant.

12.1 Temporary accommodation during proceedings
The victim may need emergency re-housing while awaiting civil action to exclude the perpetrator from the home, or while waiting for alternative permanent accommodation to be arranged in cases where a victim is eligible for a management transfer. Please note that Island region residents are not eligible for management transfers (see point 12.3, Management Transfers). OHG does not provide emergency temporary accommodation, so if this has been agreed as a solution the Housing Officer must support the victim by referring them to the local authority Homeless Persons Unit or to a refuge service (see Appendix 1).

12.2 Excluding the perpetrator
Housing Officers should be sensitive to the fact that many victims are reluctant to take any type of action against their perpetrator through fear of provoking further violence. If the victim would like assistance in excluding the perpetrator from the home, the Housing Officer must encourage and help them to seek advice from a legal professional or a specialist support agency throughout the process.

Occupation Order
Where the abusive partner is the sole or joint tenant, a court order preventing them from accessing the home such as an Occupation Order will be needed before the abusive partner can be excluded. The victim can apply under family or civil law to obtain an Occupation Order under the Family Law Act 1996 along with a Non-molestation Order. The victim does not have to be the tenant or joint tenant to apply, but they should have been residing in the home. The court can also make orders relating to the on-going payment of rent.

Injunction Order
An Injunction Order against the perpetrator is a possible option; however Injunction Orders do not guarantee protection as they are often breached by the perpetrator. Please refer to OHG’s Anti-Social Behaviour Procedure for further information on Injunction Orders.

12.3 Termination and possible re-granting of tenancy to the victim
It may be necessary in cases of domestic violence to assist the victim in finding temporary or permanent accommodation and then to take action to regain possession of the joint home.

OHG will not be able to re-house Island region residents due to the nomination agreement held with the London Borough of Tower Hamlets (see the OHG Allocations Procedure). Island region tenants may, however, be granted a sole tenancy from a joint tenancy under the conditions set out in the points below.
Cases must be thoroughly investigated and sufficient evidence must be gathered before taking possession action against a tenant perpetrator as they could defend the action under article 8 of the European Convention on Human Rights, the right to respect for private and family life, home and correspondence.

Fixed Term Tenancies
Please note that during the fixed term of a fixed term tenancy, the procedure for the termination and possible re-granting of a tenancy to the victim is exactly the same as it is for all tenancies issued by OHG as set out in the points below.

However, if a fixed term tenancy is coming to its natural end after 2 or 5 years, OHG is under no legal obligation to renew the tenancy. In this case a new tenancy may be granted to the victim at the end of the fixed term tenancy without taking action against the perpetrator. The tenancy must be ended in the standard way as set out in the Fixed Term Tenancy Procedure.

Where a new tenancy agreement is granted to the victim, it must have the same level of security as the tenancy they previously held. If they did not hold a tenancy, they must be given a Starter tenancy.

Joint tenancy – departing tenant
Any joint tenant can terminate the tenancy by giving notice. It is essential that OHG does not in any way encourage this as the court could construe it as depriving the other tenant of their tenancy. The tenant wishing to give notice must take independent legal advice. For the notice to be effective, one tenant must give 4 complete weeks’ notice ending on a Sunday or a Monday (or the first or last day of a month for a monthly tenancy). It is not enough to hand in the keys.

The options are then, at the discretion of the Head of Regional Housing Operations:
- to treat the remaining partner as an unauthorised occupier and commence proceedings to regain possession of the property
- to grant a new sole tenancy to the remaining partner

In the case of joint tenancies, the perpetrator may have the right to access the contents of the tenancy file under a subject access request. Staff must ensure that it is not possible for confidential information from the victim to be seen by the perpetrator (see the OHG Tenancy Management Procedure.)

Sole tenancy - departing tenant
If a sole tenant leaves a joint home, they can terminate the tenancy by giving notice. For this to be effective, they must give 4 complete weeks’ notice ending on a Sunday or a Monday (or the first or last day of a month for a monthly tenancy). It is not enough to hand in the keys. The options are then, at the discretion of the Head of Regional Housing Operations:
- to treat the remaining partner as an unauthorised occupier and commence proceedings to regain possession of the property
- to grant a new sole tenancy to the remaining partner

Sole tenancy – departing non-tenant
Applies only in cases of violence between married couples and partners living as husband and wife:

If the partner leaving is not a tenant of the joint home, they cannot terminate the tenancy. If the partner has left because of actual or threatened violence by their spouse/partner, OHG could serve a Notice of Seeking Possession (NOSP) to regain possession of the joint home and either:
- give the tenancy to the partner suffering the violence or
- allocate a different property to the partner suffering the violence

The decision on the course of action is at the discretion of the Head of Regional Housing Operations.

The NOSP served must use ground 14A (assured tenancy) or ground 2A (secure tenancy). These grounds only apply for married couples or a couple living together as husband and wife (i.e. not same sex couples). It is necessary to prove that:

- the partner leaving left because of violence or threats of violence towards them or a member of their family. The threats were occurring immediately before the partner left
- the partner leaving is unlikely to return

OHG will need the co-operation of the partner who has left in order to give evidence against the violent partner.

Joint tenant or non-tenant / Victim: Not leaving the property
If the person suffering violence is not the tenant and has not left the property, or if they are a joint tenant and unwilling to terminate the tenancy, OHG may be able to take possession action against the perpetrator for breach of the tenancy agreement.

What is possible depends on the terms of the particular tenancy agreement in the case. Some tenancy agreements contain a clause expressly prohibiting violence against other members of the tenant’s household. To act on a breach of this clause, it is merely necessary to prove that the violence has occurred. The NOSP must quote ground 12 (assured tenancy) or ground 1 (secure tenancy). These grounds refer to a breach of the tenancy agreement other than non-payment of rent.

If the action for possession is successful, the person suffering violence may, at the discretion of the Head of Regional Housing Operations, be granted a new sole tenancy of the same or another property.
Management Transfer
Residents of Island region will not be eligible for a management transfer due to the nomination agreement in place with the London Borough of Tower Hamlets. The Housing Officer may wish to make a case to the Housing Management Panel of the local authority to award priority to the victim but a direct offer of housing will not be made by Tower Hamlets. Applicants will have to bid in competition with others (see the OHG Allocations Procedure).

If the victim is a tenant and is not an Island region resident, they may request an urgent transfer because of domestic violence; however, management transfers are not a quick solution due to OHG’s allocations agreements with local authorities. We will give high priority where there is reasonable belief that physical or sexual violence, or a risk of physical or sexual violence, will be suffered otherwise but this does not guarantee an immediate transfer as there may not be a property available.

For details on management transfer priority refer to the management transfer process in the OHG Allocations Procedure. Housing Officers must ask the victim to give written consent for OHG to obtain relevant information from agencies giving support; this will assist in adjudicating their priority. The Housing Officer must complete a Transfer Application Form with the victim. If the victim is transferred, action must be taken to gain possession of the joint home.

Transfers will normally be offered on a like for like basis i.e. if a victim is living in a 2 bedroom / 3 person flat, s/he will be offered one of the same size and type. However, where the priority is to escape violence a smaller property may be offered but the priority awarded because of escaping violence will remain, so that the victim is not disadvantaged in the longer term. Transferring to a property which is larger or of a different type (e.g. from a flat to a house with a garden) may be possible at the discretion of the Group Allocations Manager or Head of Allocations, based on the circumstances of the particular situation. Current or former rent arrears will not usually be used as grounds for refusing a transfer where re-housing is required because of domestic violence.

Nomination by local authority
The Homelessness Act 2002 extended the definition of groups in priority need to include those fleeing violence. The local authority may agree to nominate the person to a specified OHG property on the understanding that another property will be offered to the Local Authority as a reciprocal. Such an arrangement is at the discretion of the Group Allocations Manager or Head of Allocations. If the person suffering violence is rehoused by OHG, action must be taken to regain possession of the joint property as set out in the point above.

If a person experiencing domestic violence wants to move to an area where there is family or community support, Housing Officers should advise and support them to find a property through the ‘HomeSwapper’ scheme.
12.4 Remaining in the home
Some victims, having sought advice, may decide to remain in the home with the abusive partner. In this case, Housing Officers should support and encourage the victim to contact a support agency (see point 5) who can assist them in having a safety plan of what to do if there are further threats or actual violence.

Abuser, as sole tenant, leaves
Some victims may decide to stay in the home because the abusive partner has already left, or they want the abuser to leave. Although the abusive partner may be the tenant, under the Family Law Act, they do not have to be physically present in the tenancy if they are married, or if the victim as a co-habitee has an occupation order. The victim’s continued occupation is deemed to be that of the tenant for the purposes of preserving security of tenure. However, the Housing Officer should seek to transfer the tenancy to the victim where it is clear they intend to remain in the property in the longer term. Changes to the tenure of the property are possible by obtaining the tenancy holder’s consent or a court order.

Abuser, as non-tenant, leaves
If the victim is the sole tenant and remains in the tenancy, and the abusive partner has left, the Housing Officer or ASB Coordinator can offer the victim the Sanctuary Scheme. The details of the Sanctuary Scheme include changing the door locks, window locks and providing a personal alarm to the tenant. The process for creating this particular job order is explained in Appendix 3. Once the job order is raised, work to install the Sanctuary Scheme should commence within 24 hours.

With the victim’s consent, the Housing Officer should check with the Police and other agencies (e.g. Women’s Aid or Refuge but also refer to Appendix 1) to see if they offer any additional security or support measures (e.g. alarms, direct lines to the police, 24 hour support lines etc).

If the victim remains in the property and repairs are needed as a result of property damage by an abusive partner who is no longer a resident, then the Housing Officer will need to refer to section 7.2 Domestic Violence in the Chargeable Repairs & Responsibilities Procedure.

13 RESPONSIBILITY FOR RENT PAYMENT
If, as a result of action taken, a tenancy is transferred to the victim who was formally a resident and the abusive partner is no longer a tenant, the victim will not be held responsible for any outstanding arrears accrued while the tenancy was in the name of the abusive partner. Where the former tenancy was a joint tenancy, any former tenant arrears will usually be the responsibility of both tenants, although the Customer Accounts Manager has the discretion to write off the arrears owed by the victim, especially where there has been a history of controlling behaviour and the victim has not had control of their own finances.
While the tenancy exists, the tenant is still responsible for paying the rent, even if not living at the property. If a sole or joint tenant has left the property and is responsible for payments for temporary accommodation, they must be advised to contact Housing Benefit to arrange for payment to cover both properties. Please see Appendix 2 attached for further details of the welfare benefits that could assist victims.

14 CULTURAL SENSITIVITY
For some victims cultural pressure may compound the difficulties of domestic violence (e.g. shame or fear of dishonouring the family name and of reprisal from others). Victims in these circumstances would have found it extremely difficult to seek advice or support and so Housing Officers must be very pro-active in arranging further assistance from specialist support agencies. Domestic violence must not be excused by housing staff as “cultural difference”.

In some incidents women or girls are forced in to marriages. Forced marriage is recognised by the Crown Prosecution Service as domestic violence, where either party has not given consent or has in any way been put under pressure. Forced marriage must not be confused with arranged marriage which is based on compatibility and consent. If a victim is a woman due to be taken overseas, they must not be returned to the family home nor must the family be contacted. The woman must be referred to the local authority Forced Marriages Unit or Domestic Violence Unit as a matter of urgency.

15 IMMIGRATION ISSUES
Some victims are completely dependent on their partner or their family for a variety of reasons (e.g. no independent income, immigration status, or language). A number of victims have little or no English, and for the majority of victims who are subject to immigration controls, if they leave their partner they may not be entitled to any money or they may even be deported.

It is possible for a person to be given leave to remain in the UK if they are able to prove they have been a victim of domestic violence, but for that purpose they have to seek specialist legal advice. Immigration law is complex and housing officers should always advise the victim to contact specialist immigration or refugee advisory services, or get consent to contact these services on their behalf.

16 PETS
Some victims feel they cannot access temporary accommodation such as refuges, hostels or private rented accommodation because they are not allowed to keep pets. Housing Officers can refer any one who decides to leave their home who has a dog or cat to the Dogs Trust – Freedom Project (see Appendix 1).

17 CLOSING A CASE
Cases may only be closed with consent from the victim and only following a case review by the regional ASB Coordinator. The ASB Database will be updated to reflect all changes.
APPENDIX 1: ADVICE AND SUPPORT ORGANISATIONS

National Agencies

Emergency Help
Telephone 999 and ask for Police

National Domestic Violence Helpline
A 24 hour helpline run in partnership between Refuge and Women's Aid
Tel: 0808 2000 247

Refuge
Finds refuge space and/or offers advice and support. Includes refuges for Black and Asian women and women with learning disabilities.
www.refuge.org.uk

Women’s Aid
 Provides advice and support and finds refuge spaces across the UK, and a national 24 hour helpline.
www.womensaid.org.uk

Rape Crisis Line
Some boroughs have a Rape Crisis Line. Individual contact numbers can be found on the central website:
Tel: 0808 802 9999
www.rapecrisis.org.uk

Samaritans
Provides 24 hour confidential emotional support
Tel: 08457 90 90 90

Joint Council for the Welfare of Immigrants
Provides legal advice to women whose immigration status may be affected by a change in their marital status.
115 Old Street
London EC1V 9JR
Tel: 020 7251 8708
info@jcwi.org.uk
London Agencies

Domestic Violence Intervention Project (DVIP)
Provides services for men and women, supporting parents and for young people. Also DVIP’s Al-Aman project works with Arabic speaking communities in London:

Women's Support Services
Tel: 0207 928 4813
Al-Aman Women's Support Services
Tel: 0208 563 2250
All contacts available at www.dvip.org/contact

Deaf Asian Women’s Association
Support for Asian deaf women, providing British sign language interpreting, relay interpreting and sign supported English
Tel: 020 8221 0581 Voice/minicom
  020 8555 9680 minicom only
  020 8221 0582 fax

Beverley Lewis House
Provides safe temporary accommodation for women with learning disabilities without children.
PO Box 7312
London E15 4TS
Tel: 020 8522 0675

Community Safety Unit
Specialist police units offering support to anyone experiencing domestic violence.
Tel: 020 7275 5889 (Mon/Fri: 8:00am – 8:00pm; Sat & Sun: 8:00am – 4:00pm)
Tel: 020 8217 3865 (Bethnal Green)
  020 7275 4266 (Isle of Dogs)
  020 7275 4757 (Tower Hamlets)

Dogs Trust – Freedom Project
The Trust provides a free fostering service for dogs and cats of victims in the Greater London Area who are escaping domestic violence.
Tel: 0800 298 9199

East London Black Women Organisation (ELBWO)
Provides advice and support, and access to emergency and safe accommodation for women fleeing DV. Primarily for African Caribbean women but all ethnic backgrounds can be assisted.
Forest Gate
E7 OHD
Tel: 0208 534 7545 (Mon/Fri: 9:30am – 5:30pm)
Hopetown Lifehouse
60 Old Montague Street
E1 5NG
Tel: 0207 539 9240

London Victim Care Team
Tel: 0845 4503936 (Mon/Fri 8:00am – 8:00pm)

Newham Action Against Domestic Violence (NAADV)
Provides advice and support and help finding safe accommodation for anyone experiencing domestic violence.
Evening appointments can be made.
Languages: Bengali/Sylheti, Hindi, Punjabi, Urdu, Gujerati.
Tel: 020 7473 30 47 (Mon/Fri: 9:00am – 5:00pm)
Minicom: 0207 5111 949

Newham Homeless Persons Unit
112 – 118 The Grove
London, E15 1NS
Tel: 020 8430 2000 (Mon/Tue/Thu/Fri: 9:00am – 3:00pm, Wed 1:00pm – 3:30pm only)

Newham Women’s Refuge
Tel: 0845 6000830

Tower Hamlets Domestic Violence Team
Tel: 0800 279 5435
Email: domesticviolence@towerhamlets.gov.uk

Tower Hamlets Forced Marriage Unit
Tel: 02070080151

Tower Hamlets Asian Women’s Aid
Provides floating support services that provide medium to long term support to women who have been re-housed after escaping domestic violence.
Languages – Bengali / Sylheti & Somali speakers.
Tel: 02075171420/07904343125

Tower Hamlets 24 Hour Helpline
Tel: 0870 5995 443
Berkshire Agencies

Berkshire Women’s Aid
Work throughout Reading, Bracknell and Wokingham. They provide advice and support and help finding safe accommodation, and have a helpline:
Tel 0118 950 4003 (Mon/Fri: 10:00am – 5:00pm, with link to a worker for emergencies)
Email: bwa@ukonline.co.uk
Website: www.berkshirewomensaid.org.uk

East and South Bucks Women’s Aid
Tel: 0800 0852 654 (24 hours)
Website: www.ebwomensaid.org.uk

Bracknell Domestic Violence Unit (Police)
Tel: 01344 823 480
Email: dvubracknell@thamesvalley.pnn.police.uk

Agencies for men

Men’s Advice Line and Enquiries
Information, support and advice to men experiencing domestic violence.
Tel: 0208 644 9914 (Mon and Weds 9:00am – 10:00pm)

Victim Support Male Helpline
Tel: 0800 328 3623 (Mon/Fri: 12:00pm – 2:00pm)

Agencies for same sex couples

Broken Rainbow
Lesbian, Gay, Bisexual and Transgender Domestic Violence Service for the UK
Tel: 0300 999 5428
Mobile: 07729 253129
Email: help@brokenrainbow.org.uk

London Lesbian and Gay Switchboard
Tel: 0300 3300630 (Daily: 10:00am – 11:00pm)
APPENDIX 2: OVERVIEW OF HOUSING AND WELFARE BENEFITS

1. Housing Benefit
Officers need to ensure that the victim has informed the Housing Benefit Department or the local council of a change in their circumstances personally, as OHG are third parties in terms of the claim.

1.1 Receiving Housing Benefit while absent due to fear of violence
Normally a tenant has to be resident in the property to claim housing benefit. However, it is possible to claim housing benefit for up to 52 weeks if the tenant is absent from the home because of:
- fear of violence in that home
- fear of violence from a former family member.
They may also be able to claim housing benefit for the accommodation they are staying in while they are away from their usual home (see below).

1.2 Receiving benefit for two homes
A tenant may be able to claim housing benefit for temporary accommodation where they are staying and their usual home if:
- they left the former home and remain absent due to violence, or fear of violence occurring, and
- they intend to return to live in the home they have left temporarily
The entitlements to housing benefit for two homes are set out in the Housing Benefit Regulations 1987. Housing benefit will be paid on two homes for up to 52 weeks.

2. Welfare Benefits
Victims often stay with an abusive spouse or partner because they have no income of their own. Many victims may qualify for welfare benefits and should be supported by the Housing Officer in finding out their entitlements and making the applications, or if they prefer, they should be referred to a specialist agency.
- Jobs Seekers Allowance / Income Support: For people who are not working or are on a low income.
- Crisis Loan from the Social Fund: For people in crisis with no money at all. The loan must be repaid out of benefits receives at a later date.
- Community Care Grant: May be paid for removal costs and to buy items to set up a new home.
- Family Credit: For working people with children who are on a low income.

The victim should contact a Citizens’ Advice Office as soon as possible for help with an application. The Housing Officer should write a supporting letter to assist the application.

NB: Due to proposed amendments in regulations relating to the Welfare Reform Act 2012, this section of the procedure may need to be reassessed before the 2017 review date.
APPENDIX 3: SANCTUARY SCHEME PROCESS MAP

[Diagram showing the process map for Sanctuary Scheme Process]