



North Tyneside Council

Housing Sub-Committee

15 March 2019

Monday 25 March 2019 Room 0.01, Ground Floor, Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside **commencing at 6.00 pm**

Agenda Item	Page
1. Apologies for Absence	
To receive any apologies for absence from the meeting.	
2. Appointment of Substitute Members	
To be notified of the appointment of any Substitute Members.	
3. To receive any Declarations of Interest and Notification of any Dispensations Granted	
You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.	
You are also invited to disclose any dispensation in relation to any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.'	
Please complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.	

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Agenda Item	Page
4. Minutes To agree the minutes of the meetings held on 28 January 2019 and 11 February 2019	3 - 9
5. Community Safety Update To receive a report and presentation on the priorities contained within the Community Safety Strategy	10 - 20
6. Housing Services Domestic Abuse Policy To receive a report and presentation which consults the sub-committee on the proposed Housing Services Domestic Abuse Policy	21

Members of the Housing Sub-Committee:-

Councillor K Bolger	Councillor A Percy
Councillor L Darke	Councillor S Phillips
Councillor John Hunter	Councillor M Reynolds (Deputy Chair)
Councillor J Kirwin	Councillor M Thirlaway
Councillor A Newman (Chair)	Councillor P Mason
Councillor P Oliver	Councillor J Walker

Housing Sub-Committee

28 January 2019

Present: Councillor A Newman (Chair)
Councillors K Bolger, L Darke, John Hunter, J
Kirwin, P Mason, P Oliver, A Percy, S Phillips,
M Thirlaway and J Walker

Also in attendance Councillor S Cox, Cabinet Member for Housing

HO19/01/19 Apologies

Apologies for absence were received from Councillor M Reynolds.

HO20/01/19 Substitute Members

There were no substitute Members reported.

HO21/01/19 Declarations of Interest

There were no declarations of interest reported.

HO22/01/19 Minutes

It was **agreed** that the minutes of the meeting on 26 November 2018 be confirmed and signed by the Chair.

HO23/01/19 Lettings Policy

Officers were in attendance to deliver a presentation setting out the proposed changes to the Lettings Policy. This item had been considered by the sub-committee at its previous meeting and due to concerns held by Members it was requested that the item be given further consideration at a future meeting. The presentation detailed some changes made to proposals since the previous meeting and further explanation and background as to why the proposals were being made.

The sub-committee was reminded of the reasons why the Lettings Policy was being reviewed. These included the need to best use existing stock, ensuring that people were living in accommodation most suitable for their needs and to let homes effectively and efficiently. Pressure had been placed on the budget from the requirement to reduce rents by 1% for 4 years and rental income had become a challenge to collect following the roll out of Universal Credit.

The proposed changes to the Lettings Policy fell under the following areas: Choice of Offer; Responsible Tenants; Homelessness; Financial Resources; Transfers; Restricting Transfers; Accepting Offers; Restrictions on bidding and non-bidders. Since the previous meeting in November 2018 where the proposed changes were presented, further work had been undertaken in relation to choice of offer and responsible tenants and it had been decided not to pursue any changes in these areas.

In relation to Homelessness, the current policy allowed an applicant 4 weeks to bid where the Authority had a duty to rehouse. The proposed change was to remove a homeless applicant's choice to bid and make one reasonable offer of suitable accommodation. It was

28 January 2019

explained that the Authority had 25 units of temporary accommodation with 100% occupation. The duties under the Homeless Reduction Act had meant an increase in the use of temporary accommodation. There had been 65 households placed in temporary accommodation and 45 households placed in B&Bs between April 2018 and January 2019; with an average stay of 99 days. It was noted that 50% of those in temporary accommodation did not bid for homes until the 4th week. This meant that if they were successful in the 4th week, it could take at least another 8 weeks before moving in. Allowing applicants time to bid was creating a backlog in temporary accommodation.

Determining whether accommodation was suitable for each household included an assessment of the size and type of home, social considerations including the risk of violence or harassment, medical and/or physical needs and family support requirements where there was a high need. It was highlighted that applicants had the right to appeal against the suitability of an offer, which would be assessed by an independent person. A member of the sub-committee asked whether oversight was given to the location of the properties that were let as a direct offer to make sure that they were not concentrated in the same localities within the borough. It was explained that the authority would try to place the applicant where they wanted to live but that in some instances that would not be possible. In 2017/18 44 direct offers were made and no issues had been reported as a result.

The sub-committee had previously raised concerns that one direct offer took away the element of choice from applicants and these concerns remained. It was also felt that the direct offer would only reduce the time spent in temporary accommodation by around 3 weeks, as there would still be the time for a tenant to serve notice on a property and to go through the empty homes process before the property would be ready. Concerns were raised that to cut down this time direct offers would only be made on vacant properties that were hard to let. Officers assured that the team had the customers' best interests at heart when considering a reasonable direct offer and that there was no suggestion that these would only be in a particular area. The move to one reasonable direct offer would be in line with the practice of many other organisations.

In relation to financial resources, the Lettings Policy stated that where a housing application was received from an applicant who owned their own home, the applicant would be considered to have the financial resources to meet their own housing need and therefore may not be accepted on to the housing register. There were exceptions to this and exceptional circumstances would be considered. At the previous meeting it had been proposed that owner occupiers over the age of 60 would be allowed on the register if they had equity of £140,000 or less. This proposal had been changed, following further assessment of the value of properties on the market, to lower the threshold level to £110,000.

It was proposed to include within the Lettings Policy a financial assessment level (excluding offers for older persons accommodation) of: £50,000 annual household income or above or £100,000 or over in savings. Any applicant that met either of these thresholds would be restricted from joining the register as they could afford to privately rent or purchase their own home. Setting a figure was transparent and allowed staff to make a clear decision when completing a financial assessment. It was explained that the means test would require wage slips over a certain period of time and that whilst this was an increase in workload, properties needed to be prioritised for those most in need.

In relation to restricting transfers, the current policy treated North Tyneside Council tenants as a housing register applicant. The proposal was that tenants with no housing need would not be eligible for the housing register until they had lived in their tenancy for 5 years or more. This had been proposed as once an applicant was rehoused by the Authority it was seen as their housing needs having been met. Transferring tenants had a financial impact.

Exceptions to the restrictions of transfers included those who were under occupying their homes and tenants fleeing domestic violence. Members of the sub-committee expressed concerns over this proposal, feeling that it stigmatised those in social housing and reduced social aspirations. Whilst it was appreciated that there was a financial aspect to transfers, it was felt that tenants were customers and it was unfair to say they could not transfer properties as this impacted on other aspects of life, i.e. where they could send their children to school. It was suggested that the proposed requirement to have held a tenancy for 5 years was too long and that 12 months would be more reasonable. Officers explained that social mobility had been considered but that some tenants were transferring with no need and this had a significant resource implication. It was noted that tenants would still be able to pursue a mutual exchange and that this would be promoted to allow social mobility.

Within the current Lettings Policy, where an offer was made, the applicant would be given 48 hours to accept. The proposal was to reduce the time an applicant has to make a decision after viewing a property to 24 hours. The policy would also be changed to clarify wording to prevent ambiguity as to when the 24 hours would begin. The basis for the proposal was that the applicant had made an informed choice to bid for the home and that applicants had a considerable amount of time (up to 8 weeks) before the viewing to consider the area. Reducing the timeframe would allow homes to be let quicker, especially where homes were refused a number of times.

Members were concerned that the reduction in time would not allow applicants to properly consider the property and that people would feel pressured into accepting. Issues were also raised in relation to repairs and examples of where tenants have viewed homes and work has been incomplete. It was noted that if an applicant had concerns about any repairs in a property during the viewing, a works order would be put through to get the work complete. It was also noted that property state was not one of the top 3 reasons given for refusing a home. Within the last year there had been 1,985 refusals and by giving 48 hours to decide, there was an extra day's rent loss from all of those refusals. It was suggested by members that a reduced timeframe might increase the number of refusals as people would feel rushed into making a decision.

In relation to restrictions on bidding, the current policy stated that if an applicant refused 3 reasonable offers of suitable accommodation, they would be prevented from bidding for a period of 3 months. The proposal was to lengthen the time of this suspension to 6 months. The proposal had been made due to the administrative costs (amounting to an annual cost of £67,184) associated with applicants refusing a property they had bid on. Over a 6 month period 20 applicants had been prevented from bidding after refusing 3 reasonable offers. Of these 20, 16 reapplied after the 3 month ban. It was felt by officers that the 3 months was not proving much of a deterrent.

A member of the sub-committee asked how many of those that had been suspended carried on to reject reasonable offers once they had reapplied for the register. This data was not available and therefore it was questioned whether there was any evidence that the 3 month suspension was acting as a deterrent. Members also thought that the number of people suspended for rejecting properties was not high enough to justify extending the suspension period.

The final proposal presented to the sub-committee was that housing register applicants would have their application closed if they had not made a bid in a 12 month period. There were currently 3,868 applicants on the North Tyneside Councils housing register. In the past 12 months 30% (1,133) of applicants had not bid on any homes available and had never bid since being registered. The figures questioned whether those applicants were in housing need. The sub-committee highlighted that there needed to be assurances that

applicants could be re-registered quickly if their circumstances changed and they needed to apply for housing.

Officers explained the next steps in the review of and approval of the proposed changes to the Lettings Policy. It was noted that consultation was on going with Members, staff, external stakeholders, service development groups, tenants and applicants. All consultation feedback was due by March 2019. Final proposals would then be taken to Cabinet for consideration and any necessary changes to ICT would need to be made before the revised policy could be implemented. Members sought assurance that the views put forward by the sub-committee would be taken into account when agreeing the final proposals. The sub-committee was reminded that the role of scrutiny was to influence decision makers in the shaping of policy and that the comments made would be fed into that process. The Cabinet Member for Housing had been in attendance to hear this discussion and this would be followed up with a written summary of the sub-committees views on the proposed changes, requesting that consideration be given to concerns and that elements of the proposals be looked at again.

Members asked if it would be possible for the final proposed changes, following the consultation from all groups, to be brought back to the sub-committee. It was explained that the next step in the process would be for the proposed policy changes to go through the Cabinet process. There was a tight timescale for this and as the sub-committee had already considered the proposals twice, it would not be normal practice to bring the item back. Members felt that it was an important issue that should be subject to extensive scrutiny and that, if possible, the final proposed changes should be brought to the first meeting of the new municipal year.

The Chair moved, and it was seconded, that the sub-committee have a vote on each proposed change in order to demonstrate the overall position of the sub-committee. In relation to the change on homelessness, the majority of the Members present were against the introduction of one direct reasonable offer. In relation to financial resources, the majority of members present were in favour of the suggested equity level and introduction of financial assessments. In relation to restricting transfers, the majority of Members present were against the proposal. In relation to accepting offers, the majority of Members present were against the proposed reduced timeframe for accepting an offer. In relation to restricting bidding, the majority of members were against the proposed increase in suspension time.

It was **agreed** to note the contents of the presentation and for the sub-committees response to the proposals to be sent to the Cabinet Member.

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Signed by Chair of Housing Sub-committee

Housing Sub-Committee

11 February 2019

Present: Councillor A Newman (Chair)
Councillors K Bolger, L Darke, John Hunter, P
Mason, P Oliver, A Percy, S Phillips, M
Thirlaway and J Walker

HO24/02/19 Apologies

Apologies for absence were received from Councillors J Kirwin and M Reynolds.

HO25/02/19 Substitute Members

There were no substitute Members reported.

HO26/02/19 Declarations of Interest

There were no declarations of interest reported.

HO27/02/19 Homelessness Strategy 2018-2021

The sub-committee received a report which provided details of the proposed content of the North Tyneside Homelessness Prevention Strategy 2018-2021. The Homelessness Act 2002 placed a statutory duty on all local housing authorities to carry out a homelessness review for their area and, in consultation with local partners and stakeholders, formulate and publish a homelessness strategy based on the results of that review, at least every 5 years. The strategy had to be monitored by a partnership, with clear links into the authority's corporate framework. The legislation stated that the purpose of the strategic approach was to prevent homelessness in the district of the authority; secure accommodation for local people who were and who may become homeless; and provide support for people in the district who were or may become homeless.

In addition to being a statutory requirement, a homelessness strategy was required to combat the detrimental effects homelessness could have on households and communities and the problems homelessness could lead to. With the introduction of the Homelessness Reduction Act 2017, there had been a greater focus on preventing homelessness rather than waiting for someone to become homeless before taking any action. The last Homelessness Strategy had been published in 2013. Development of the 2018-2021 homelessness strategy had been during a time of competing priorities, reduced funding and increased housing and support need from some of the authority's most vulnerable residents. As part of the process for refreshing the strategy, consultation was undertaken with a wide range of groups in order to identify any specific areas that needed to be addressed.

One area highlighted by the consultation was that people did not know where to go for advice or where to access services. In order to address this, an additional page had been created on the authority's website which was easy to access and contained lots of relevant information. The consultation had also highlighted a lack of available one bedroom properties. Providers had previously been encouraged to supply two bed properties as they had been in high demand. However, changes to legislation and the introduction of 'bedroom tax' and benefit caps had made these unaffordable, especially for single people.

11 February 2019

Members asked if people at risk of homelessness had access to mental health and drug and alcohol support services. It was noted that alcohol and drugs did contribute to homelessness and that the North Tyneside Recovery Partnership provided support. Waiting times for mental health services were long which was difficult in trying to prevent homelessness. Officers undertook to provide some information on the current waiting lists for accessing drug and alcohol support services.

The consultation also highlighted a number of aspirations for people facing the possibility of homelessness. This included good mental health, having positive family and friends networks, more appropriate and affordable homes, improved support services and a sense of belonging, by people having their own home and feeling part of a community. Officers highlighted that the strategic priorities for the authority in relation to homelessness were the successful implementation and delivery of the Homelessness Reduction Act 2017, meeting local housing need, supporting households to secure and sustain an affordable home and effective communication and robust partnership working.

These priorities had been identified following engagement and consultation with a wide range of stakeholders, council officers, registered housing providers and third sector organisations that support people in a housing crisis. People who had experienced or been effected by homelessness had also been consulted. In relation to priority one, successful implementation and delivery of the Homelessness Reduction Act 2017, key tasks in meeting this were to review and explore options to increase prevention and intervention tools, review and monitor personal housing plans and regular engagement and information sharing with statutory and voluntary organisations to keep them up to date on the Act.

In relation to priority two, meeting local housing need, continuous engagement was taking place with registered providers and private developers to increase the supply of affordable homes. Engagement with the private rented sector to improve the housing offer was on-going and there was a review of the use of temporary accommodation, with a view to identifying alternative provision to meet need.

In relation to priority three, supporting households to secure and sustain an affordable home, a review had taken place of the outreach support work offer. Schemes would be introduced that would support both landlords and tenants in the private rented sector. Rough sleeping activity would be monitored to determine whether a specialist outreach service was needed. A member of the sub-committee asked whether rough sleeping occurred in North Tyneside. Officers stated that during the last annual survey of rough sleepers submitted to government, which is based on a snapshot taken on one particular evening, there were three rough sleepers identified. There were no known hotspots in North Tyneside and any notifications of rough sleepers received demonstrated that they were dispersed across the borough.

Members also asked whether there were any problems in North Tyneside with aggressive begging. It was noted that it did occur and that it was dealt with via the anti-social behaviour team. Members were also informed that between the 1st November and 31st March a severe weather protocol was in place where people would be placed in accommodation for the night if they did not have anywhere to sleep. So far 32 placements had been made, in B&B's and churches (13 people more than once). The authority was proactive in securing funding to support street pastors in their outreach work. It was queried whether the authority did any survey work in order to identify the number of sofa surfers there were in the borough. It was noted that hidden homelessness did exist but that it was difficult to get a definitive number of people who were sofa surfing.

In relation to priority four, effective communication and robust partnership working, it was noted that promotion of services and sign posting was key. There was continuous

engagement with partners to strengthen relationships and tackle homelessness and on-going prevention work was taking place in primary and secondary schools. A member of the sub-committee suggested that if a pack of materials was prepared for secondary schools, most would be likely to deliver this in school as part of citizenship type lessons. This would save some resources for the local authority once a pack had been devised by not having to go into schools to deliver the resource.

The Chair thanked the officers for their presentation and for the good work that was being undertaken in relation to homelessness.

It was **agreed** to note the presentation.

Meeting: Housing Sub Committee

Date: 25th March 2019

Title: Safer North Tyneside Strategy Update

Author: Lindsey Ojomo
Resilience, Security Services and
Community Safety Manager
Tel: 0191 643 2727

Service: Environment, Housing and
Leisure

Wards affected: All

1. Purpose of Report

The purpose of this report is to provide Members with an update on the work of the Safer North Tyneside Partnership in relation to its Safer North Tyneside Strategy. The report focuses on two key issues: an update on the current Strategy which expires on 31st March 2019 and; the new Strategy which begins on 1 April 2019.

2. Recommendations

Members are invited to:

- a) note the contents of the report; and
- b) agree to receive an annual report against the work plan

3. Details

The Crime and Disorder Act 1998, as amended by the Police Reform Act 2002, Police and Justice Act 2006, the Police and Crime Act 2009 and the Crime and Disorder Regulations 2011, places a duty on 'responsible authorities' to work together, with other agencies, to tackle crime, disorder, substance misuse and reoffending within the community. The responsible authorities in North Tyneside are North Tyneside Council, Northumbria Police, Tyne and Wear Fire and Rescue Authority, Northumbria Probation Trust and North Tyneside Clinical Commissioning Group.

It is a statutory requirement for Community Safety Partnerships (known in this Borough as Safer North Tyneside or SNT) to prepare an annual strategic assessment of crime and disorder activities and for this assessment to shape how the Partnership responds to emerging issues. This process informs the Community Safety Strategy.

Current Strategy 2014-2019

The current Community Safety Strategy covers the period April 2014 to 31 March 2019. The actions set out in the five year work plan were achieved with many of the items continually being delivered over the course of the five year strategy lifespan.

Successes for the work of the Partnership include:

- Supported the introduction of a new Victim Support Scheme by the PCC;
- Engaged in joint work with other local authority areas to establish Domestic Abuse health links;
- Helped to introduce North Tyneside Council's Domestic Abuse Champions Scheme;
- Overseen the purchase of some mobile CCTV cameras for deployment in line with local policing priorities;
- Provided governance for the recent CCTV procurement project which will see the renewal of all current public space CCTV;
- Liaised with colleagues in Environmental Health to implement the new Public Spaces Protection Orders;
- Set up a Hate Crime task and finish group;
- Provided funding for taxi marshals in Tynemouth as an interim measure while residents sought more permanent solutions to reports of anti social behaviour;
- Secured funding for VODA (Voluntary Organisations Development Agency) and a local charity called Walking With to further educational work under the Prevent Strategy;
- Coordinated and facilitated two Project Argus counter terrorism events for local businesses;
- Coordinated the introduction of a new multi agency Channel Panel process to tackle the early signs of radicalisation under the Prevent Scheme;
- Managed the production of a Coordination Plan for the multi agency response to a terrorist attack under the CONTEST legislation;
- Introduced the Volunteer Flood Warden Scheme;
- Supported the introduction of Response Pastors in the Borough to assist with the community response to an emergency; and
- Supported the Young Mayor who was successful in securing funding for the Anti-Bullying schools campaign.

Lessons Learned

Throughout the delivery of the 2014-2019 Strategy, there were some significant developments in the Community Safety landscape. One of the lessons the Partnership learned during the life of the strategy was that having a set five year work plan meant that it did not develop over time to reflect the full range of work that the Partnership actually undertook.

Some of these emerging themes were substantial cross cutting work areas, such as Child Sexual Exploitation, Modern Day Slavery and an increase in crime and disorder. The Safer North Tyneside Partnership Board (SNTPB) agreed that a more flexible approach was needed to encompass more of these emerging issues and to help the Partnership take a wider view of community safety issues.

There is also scope to communicate our successes in a more effective way. The Communications Teams from across the SNTPB will consider ways that the Partnership can use existing resources to achieve even better outcomes in this regard.

Developing the Community Safety Strategy 2019-2024

The Strategy, attached as Appendix 1 to this report, has been developed within the multi agency SNTBP. The membership currently includes the following organisations:

- North Tyneside Council
- Northumbria Police
- Fire and Rescue Service
- National Probation Service
- Community Rehabilitation Company
- NHS Clinical Commissioning Group
- Director of Public Health
- VODA

The SNTPB have considered the latest available strategic assessment as well as information and community intelligence shared within the Partnership at SNT Board meetings and the latest available Police crime data in determining the priorities set out within the new draft strategy.

The Strategy has links to the Police and Crime Plan, developed by the Northumbria Police and Crime Commissioner (the Chair of the SNT Board also attends the Police and Crime Panel at a strategic level).

The Strategy has also been written with the objectives set out in the Our North Tyneside Plan and supports the many strategic plans and projects that the Authority and its partners are delivering. This will include making links to the scoping work underway on the Drugs and Alcohol Strategy, which has a clear link to one of the key priorities in the Safer North Tyneside Strategy, as well as the implementation of the North Tyneside Transport Strategy, which has regard to creating safe and sustainable travel options in the Borough.

The Strategy is part of the Authority's budget and policy framework, but it is also a statutory requirement for the multi agency Partnership. Members of the Committee will remember that the organisations making up the Partnership attended and spoke at the meeting of Full Council on 17 January 2019 to demonstrate their support for the final version of the Strategy which was being considered for approval.

As part of the journey to Council, the Strategy was widely consulted upon. Partners and members of the public were invited to add their thoughts and views to the objectives of it so that the Partnership could be sure that it had fully captured issues relevant to the Borough.

Identifying Priorities

The Partnership has identified four key priorities: Safeguarding, Public Protection, Alcohol and Drugs and Crime and Disorder.

For each identified priority, the Partnership has considered what current service provision exists, what current data sets and intelligence may be available, what current resource levels are available and what current awareness/communication strategies exist.

This will help to shape the annual work plan and identify what actions need to be taken to support the delivery of the Strategy. By developing the work plan on an annual basis, the

SNTPB will be able to refresh information about emerging themes and trends to ensure that all the good work of the Partnership is captured. The SNTPB has also pledged to keep the annual work plan as a 'living' document so that reactive opportunities are never missed. This is often important for responding to funding opportunities and cross CSP working.

Managing Performance

Performance will be reported quarterly to the NTSPB. An annual report on progress against the work plan is to be presented to Cabinet.

A new way to present performance information against the Strategy and work plan is also being developed by the Council's Policy Performance and Research Team.

4. Background Information

The following documents have been used in the compilation of this report and may be inspected at the offices of the author.

- (1) [Safer North Tyneside Community Safety Strategy 2014-2019](#)
- (2) [Northumbria Police and Crime Plan 2017-2021](#)
- (3) [Our North Tyneside Plan 2016-2019](#)
- (4) [The Crime and Disorder Act 1998](#)
- (5) [The Crime and Disorder \(Formulation and Implementation of Strategy\) Regulations 2007](#)
- (6) [Crime and Disorder Regulations 2011](#)

5. Appendices

Appendix 1: Safer North Tyneside Community Safety Strategy 2019-2024



SAFER NORTH TYNESIDE PARTNERSHIP BOARD

Safer North Tyneside Strategy 2019 – 2024

Contents

Foreword.....	3
Introduction.....	4
Our Priorities for 2019-2024	6
Safeguarding.....	6
Public Protection.....	6
Alcohol and Drugs.....	7
Crime and Disorder	7
Links to other strategies	7



Foreword

As Chair of the Safer North Tyneside Partnership Board I am pleased to introduce North Tyneside's Community Safety Strategy 2019-2024. Reducing crime and disorder and protecting vulnerable people are extremely important factors in improving the lives of people in North Tyneside. The Safer North Tyneside Partnership brings together all partners with responsibilities for keeping people safe. Everyone plays their part.

We enjoy living in one of the safest metropolitan boroughs in the UK. We are proud of all we have achieved but we know that more needs to be done.

We, as individuals, can do more too. There is a lot of crime prevention advice available to our residents and businesses to reduce the opportunities for criminals. We should look after the places that we live in, work in and visit, report crimes and anti social behaviour and take responsibility for our own actions in our neighbourhoods.

Welfare reforms, reductions in public resources and change in Police recording practices have all produced challenges for our Partnerships. However, the Safer North Tyneside Partnership remains committed to finding new ways of working together for the greater good.

Councillor Carole Burdis

Chair of the Safer North Tyneside Board

Introduction

Background

The Crime and Disorder Act 1998 placed a duty on local authorities and the police to work together with key partners and organisations to develop and implement local crime reduction strategies as a community safety partnership. Before developing such strategies, they must identify key local crime-and-disorder priorities through consultation, and by analysing crime-and-disorder levels and patterns in the area.

Our established Community Safety Partnership, Safer North Tyneside (SNT) oversees this statutory responsibility.

Our Local Priorities

Following her re-election in 2016, the Police and Crime Commissioner Dame Vera Baird QC published the Northumbria Police and Crime Plan 2017 – 2021 setting out her priorities with the theme of Building Safer Communities and Effective Justice.

The Elected Mayor of North Tyneside, Norma Redfearn CBE has published the Our North Tyneside Plan which sets out the ambition to make North Tyneside an even greater place to live, work and visit. Included within that are the priorities to ensure that:

- **Our people** will be cared for, protected and supported
- **Our places** will provide a clean, green, healthy, attractive, safe and sustainable environment.

In order to meet these local priorities, we must work in partnership to create and maintain safe and resilient communities. The SNT Partnership is committed to work together with local partners to ensure that the most vulnerable people in our communities are protected and supported while improving community life overall for our residents, businesses and visitors.

Developing a Strategy

A key requirement of the Partnership is the production of a Community Safety Strategy (the Strategy). Since the last Strategy was approved in 2014, there have been some significant changes in the community safety landscape where issues

such as child sexual exploitation, modern day slavery, delivery of the Government's CONTEST agenda and dealing with cyber crime demand attention. These issues provide new challenges for the Northumbria Police, the Council and its partners.

This new Strategy will cover the five year period from 1 April 2019 to 31 March 2024.

It was developed following a public consultation exercise which received positive feedback. At the beginning of its development the priorities were shaped by discussions that took place at the State of the Area event which was lead by our young people.

Governance and Reporting

Performance will be reported to the Safer North Tyneside Partnership Board who has primary accountability for delivery of the Strategy. The Board then reports to the North Tyneside Strategic Partnership on a quarterly basis.

An annual report will be presented to Cabinet which will provide an update on progress made against the Strategy work plan. An annual report will also be provided to the Housing Sub Committee who maintain a scrutiny role on community safety matters.

Our Priorities for 2019-2024

The Strategy covers the period from 1 April 2019 to 31st March 2024 and identifies four key multi agency priorities.

The priorities set out here aim to build on some of the successes of the Safer North Tyneside Partnership (SNT Partnership) and the work of all its members. In setting the new priorities, the Board reflected on the previous Strategy and also considered new emerging crime patterns and trends.

In order to keep an eye on emerging issues, the Board will agree an annual work plan with activities designed to support the delivery of the Strategy priorities. We will conduct a Strategic Needs Assessment every year to help us identify specific areas for focus in line with the priorities set out which were strongly supported by a public consultation exercise undertaken during 2018.

Safeguarding

The SNT Partnership will coordinate and support work to safeguard people in our communities. This includes:

- domestic abuse and sexual violence
- child sexual exploitation
- modern day slavery
- hate crime
- cyber crimes (including online bullying and stalking)

We will maintain links with the North Tyneside Safeguarding Adults Board and the North Tyneside Local Safeguarding Children's Board in order to coordinate progress on these cross cutting issues.

Public Protection

The SNT Partnership will coordinate and support work to ensure that our communities are as safe as possible. This includes:

- community resilience before, during and after emergencies
- Overseeing the production of emergency plans and response arrangements
- Delivery of the government's 'CONTEST' Strategy.

We will support a multi agency approach to tackling environmental issues such as dog fouling and fly tipping.

Alcohol and Drugs

The SNT Partnership will explore the relationship between the misuse of alcohol and drugs in relation to certain types of crime and disorder. This includes:

- domestic violence
- domestic homicide
- crimes which cause harm and distress to our communities

We will maintain links with the North Tyneside Health and Wellbeing Board in order to develop work which will support the Alcohol and Drugs Strategy.

Crime and Disorder

The SNT Partnership will support partners to reduce crime and disorder in the borough. This includes:

- acquisitive crime
- crime and disorder associated with the night time economy
- crimes against persons which cause harm, especially anti social behaviour.

We will also engage partners and support campaigns and activities to promote feelings of safety amongst our communities.

Links to other strategies

This Community Safety Strategy 2019 – 2024 links and complements the following strategies and plans:

[Northumbria Police and Crime Plan 2017-2021](#)

[Our North Tyneside Plan 2016-2019](#)

[Domestic Abuse Partnership](#)

[CONTEST Strategy](#)

[Safeguarding Adults Board Annual Plan 2018-19](#)

[Local Safeguarding Children Board Annual Plan](#)

Meeting: Housing Sub-Committee

Date: 25 March 2019

Title: Housing Services Domestic Abuse Policy

Author: Dawn Statham

Tel: 0191 643 7915

Service: Housing

Wards affected: All

1. Purpose of Report

The purpose of the report is to consult on the proposed Housing Services Domestic Abuse Policy and provide the rationale for its implementation.

2. Recommendations

The Sub-Committee is recommended to support the implementation of a 'stand alone' Housing Services Domestic Abuse Policy.

3. Details

Housing Services current Domestic Abuse Policy is part of the Anti-Social Behaviour Policy. We are aiming to achieve accreditation from the Domestic Abuse Housing Alliance (DAHA) in the autumn. One of the DAHA's national service standards relates to policies and procedures and requires housing organisations to create a 'stand alone' Domestic Abuse Policy.

Domestic Abuse Housing Alliance (DAHA)

This is a partnership between three agencies;

- Standing Together (Standing Together Against Domestic Violence)
- Peabody
- Gentoo

Standing Together (STADV) was founded in 1998 on the premise that no single agency acting alone can deal with a crime as prevalent, complex and damaging as domestic abuse. It is a non profit making agency and promotes a multi-agency community response to domestic abuse on a local level, nationally and internationally.

Peabody is one of the UK's oldest and largest housing associations. It was founded in 1862 to tackle poverty in London. It invests heavily in its resident's health, well being and financial stability. Its work around domestic abuse is seen as best practice in the sector and its expertise is in high demand from housing providers.

Gentoo Group is a social business in the Sunderland area. Its ambition is to improve the lives of people, communities and the environment. It is committed to tackling domestic abuse and its Community Safety Teams provide specialist support to victims.

These three agencies have a longstanding commitment to tackling domestic abuse and promoting best practice. The DAHA's mission is to improve the housing sector's approach to domestic abuse through an established set of eight national domestic abuse service standards. These service standards bring together best practice in responding to domestic abuse in the housing sector. The DAHA is recognised by the Home Office for its work at a national level.

Make a Stand – The Pledge

Housing Services has also signed the **Make a Stand** pledge. The Make a Stand pledge has been developed by the Chartered Institute of Housing in partnership with Women's Aid and the Domestic Abuse Housing Alliance. It was created to encourage housing organisations to make a commitment to support people experiencing domestic abuse. Number one, out of the four commitments under the pledge, is to put in place and embed a policy to support residents who are affected by domestic abuse.

Definition of Domestic Abuse

Domestic abuse is defined by the Home Office as:

'Any incident or pattern of incidents of controlling, coercive or 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 National Policy Context

In March 2016 the Government published the new 'Ending Violence against Women and Girls Strategy'. The strategy committed to ongoing reductions in the prevalence of domestic abuse by:

- Breaking the intergenerational cycle of abuse
- Giving greater attention to the risk of becoming a perpetrator
- Challenging attitudes and beliefs about abuse
- Improving awareness among children and young people about healthy relationships

On a Regional Level

Three Domestic and Sexual Violence Champions Networks operate in Newcastle, North Tyneside and Northumberland. They are supported by a steering group comprised of the Domestic and Sexual Violence leads in each of the areas, and other relevant partners from both the statutory and voluntary sector.

The aim of the Champions network is to improve community and organisations response to domestic and sexual violence. Nominated staff within organisations are trained and supported to become Champions to be the link between their organisation/agency and the network. They also act as a conduit for information sharing and to assist their organisation/agency to enhance their response to individuals affected by domestic and sexual abuse/violence in Northumbria.

The Local Policy Context – North Tyneside Domestic Abuse Partnership

The partnership co-ordinates strategy and resources to afford protection, provision and prevention to people exposed to domestic abuse in North Tyneside. There is an action plan that sets out agreed priorities for the coming year. The action plan has four priorities:

- Prevention
- Provision
- Partnership working; and
- Justice outcomes and risk reduction

Housing Services Domestic Abuse Policy

Housing Services Domestic Abuse Policy sets out how North Tyneside Council's housing service will assist and support any person experiencing or threatened with domestic abuse. The policy aims to ensure that our customers should not live in fear of violence, abuse or harassment from a partner, former partner, or any member of their family.

Domestic abuse is still a largely hidden crime and happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership, pregnancy or maternity.

As a housing provider we are well placed to recognise the signs of domestic abuse. We take all reports of domestic abuse seriously and work positively and proactively with the victim to offer support. We will take action against perpetrators of domestic abuse and, in addition, we will assist perpetrators who wish to positively change their behaviour by helping them access support and assistance.

Aims of the Domestic Abuse Policy

North Tyneside Council's customers should not live in fear of violence, abuse or harassment from a partner, former partner, or any member of their family.

Anyone reporting domestic abuse to the council will be treated in a sympathetic, supportive, non-judgmental way. Any disclosure of abuse will be taken seriously and advice and assistance given as a priority. We will work with statutory and voluntary organisations to support victims, and we take action against perpetrators where it is safe and appropriate to do so. We aim to:

- Raise awareness of domestic abuse;
- Ensure that employees of North Tyneside Council understand the role they can play in tackling domestic abuse and to develop a consistent approach across the borough;
- Create a safe environment where victims of domestic abuse feel they can approach us, are encouraged to talk and are listened to, thus enabling them to make informed decisions about their lives;
- Ensure employees are trained to deal with disclosures of domestic abuse effectively;
- Support people who are experiencing domestic abuse, or have experienced abuse by working in partnership with them and other support agencies;
- Support victims to take appropriate legal measures to protect themselves and their families;
- Make appropriate safeguarding referrals if we believe that a child, or a vulnerable adult, is at risk due to an abusive relationship;

- Support victims to make decisions around their housing needs, whether they wish to remain in their home or move to a new home; and
- Signpost perpetrators of domestic abuse who recognise and seek to change their behaviour, to agencies including a Multi Agency Task and Co-ordination (MATAC) referral, who can offer them support in order to prevent the abuse occurring.

Disclosure of Domestic Abuse

North Tyneside Council recognises that victims will often find it extremely difficult to make a disclosure and ask for help. It is vitally important therefore that if a disclosure is made it is dealt with in a sensitive and supportive manner.

Confidentiality

Any disclosure of domestic abuse will be treated in the strictest confidence however, under the General Data Protection Regulations; we have a duty to disclose information in order to:

- Protect the victim
- Prevent harm to someone else
- Prevent or detect a crime

The Domestic Violence Disclosure Scheme (DVDS), also known as Claire's Law, allows Police to disclose to individuals the details of their partner's abusive past in order that they can make an informed decision about their situation.

Safeguarding

When dealing with domestic abuse full consideration will be given to our safeguarding responsibilities. A significant number of adults who need safeguarding are often experiencing domestic abuse in some form.

Wellbeing

The Care Act 2014 specifies that freedom from abuse and neglect is a key to a person's well being. The guidance outlines that abuse takes many forms and practitioners should not be constrained in their view of what constitutes abuse or neglect. It describes numerous types of abuse including:

- Domestic abuse
- Psychological abuse
- Financial and material abuse
- Sexual abuse; and
- Physical abuse

The Care Act guidance specifies aims to stop abuse and neglect, prevent harm, and address what has caused the abuse.

Use of tools and powers

Every case of domestic abuse will be assessed on its own circumstances, taking into account the wishes and needs of the victim, the severity of the abuse and any additional criminality.

We will make use of the appropriate tools and powers to sanction and support victims of domestic abuse including injunctions, Notice of Seeking Possession and possession proceedings.

Equality and diversity

North Tyneside Council is committed to the principles of equality and diversity. Our Domestic Abuse Policy aims to:

- Meet the needs and choices of people from all backgrounds and takes into consideration gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy and maternity;
- Ensure our service is responsive and meets the needs of our existing and prospective customers; and
- Understand the cultural implications and barriers to reporting domestic abuse
- Ensure that all sections of the community in which we work have access to our services.

Review

North Tyneside Council Housing Services Domestic Abuse Policy will be reviewed as a result of changes in legislation and in line with best practice.

4. Appendices

Appendix 1 – Draft Housing Services Domestic Abuse Policy

North Tyneside Council Housing Services Domestic Abuse Policy

Date: November 2018 **Version:** One **Author:** Dawn Statham



Contents

- 1. Introduction**
- 2. Aims of the policy**
- 3. Definition of domestic abuse**
- 4. Legislation**
- 5. Disclosure**
- 6. Confidentiality**
- 7. Safeguarding**
- 8. Wellbeing**
- 9. Use of tools and powers**
- 10. Domestic violence protection notices and orders**
- 11. Security measures**
- 12. Equality and diversity**
- 13. Review**

1. Introduction

The Domestic Abuse Policy sets out how North Tyneside Council's Housing Service will assist and support any person experiencing or threatened with domestic abuse.

Domestic abuse is still a largely hidden crime and happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership, pregnancy or maternity.

As a housing provider we are well placed to recognise the signs of domestic abuse. We take all reports of domestic abuse seriously and work positively and proactively with the victim to offer support. We will take action against perpetrators of domestic abuse and, in addition, we will assist perpetrators who wish to positively change their behaviour by helping them access support and assistance.

We also recognise that our staff may be experiencing domestic abuse and are committed to supporting them in accordance with North Tyneside Council's Employee Domestic Abuse Policy.

2. Aims of Domestic Abuse Policy

North Tyneside Council's customers should not live in fear of violence, abuse or harassment from a partner, former partner, or any member of their family.

Anyone reporting domestic abuse to the council will be treated in a sympathetic, supportive, non-judgemental way. Any disclosure of abuse will be taken seriously, and advice and assistance given as a priority. We will work with statutory and voluntary organisations to support victims, and to take action against perpetrators, where it is safe and appropriate to do so. We aim to:

- Raise awareness of domestic abuse;
- Ensure that employees of North Tyneside Council understand the role they can play in tackling domestic abuse and to develop a consistent approach across the borough;
- Create a safe environment where victims of domestic abuse feel they can approach us, are encouraged to talk and are listened to, thus enabling them to make informed decisions about their lives;
- Ensure employees are trained to deal with disclosures of domestic abuse effectively;
- Support people who are experiencing domestic abuse, or have experienced abuse, by working in partnership with them and other support agencies;
- Support victims to take appropriate legal measures to protect themselves and their families;
- Make appropriate safeguarding referrals if we believe that a child, or a vulnerable adult, is at risk due to an abusive relationship;
- Support victims to make decisions around their housing needs, whether they wish to remain in their home or move to a new home; and
- Signpost perpetrators of domestic abuse, who recognise and seek to change their behaviour, to agencies, including a Multi Agency Task and Co-ordination (MATAC) referral who can offer them support in order to prevent the abuse reoccurring.

3. Definitions of Domestic Abuse

Domestic abuse is defined by the Home Office as:

‘Any incident or pattern of incidents of controlling, coercive or 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’.

Domestic abuse can encompass, but is not limited to, the following types of abuse:

- Psychological;
- Physical;
- Sexual;
- Financial;
- Emotional;
- Discriminatory;
- Controlling behaviour;
- Coercive behaviour;
- Honour based violence;
- Forced marriage;
- Female genital mutilation (FGM);
- Family and intergenerational abuse; and
- Elder abuse.

Physical abuse can include hitting, punching, kicking, slapping, hitting with objects, pulling hair, pushing, shoving, cutting or stabbing, restraining, strangulation, choking.

Sexual abuse can include rape and coerced sex, forcing a victim to take part in unwanted sexual acts, refusal to practice safe sex or use contraception, threatened or actual sexual abuse of children.

Financial abuse can include controlling money and bank accounts, making a victim account for all their expenditure, running up debts in a victim’s name, allowing no say on how monies are spent, and refusing to allow them to study or work.

Psychological and emotional abuse has a profound effect upon victims and their children. It can leave a victim with little confidence that they can do anything to change the situation. Examples include:

- Creating isolation e.g. not allowing them to see other people, preventing them from making their own friendships, not allowing them to go anywhere on their own, causing them to be depressed and then using this against them.
- Use of threats e.g. threats to kill their family, children, friends, pets, to throw them out and keep the children, to find them if they ever leave, to have them locked up, to tell everyone they are mad.
- Putting them down e.g. humiliating and undermining them in front of others or in front of their children, telling them they are stupid, hopeless, unlovable, that no-one would believe them, or that they are a bad parent.

Discriminatory abuse is motivated by an oppressive and discriminatory attitude towards a person’s:

- Disability;
- Physical appearance;
- Learning disability;
- Mental ill health;

- Sensory impairment;
- Race;
- Religion;
- Gender/gender identity;
- Age;
- Culture;
- Sexual orientation; and
- Appearance.

In 2014 the Government announced a new domestic abuse offence – controlling and coercive behaviour. The Serious Crime Act 2015 (the 2015 Act) received Royal Assent on 3 March 2015 and was enacted December 2015.

The Act introduces a new offence of controlling or coercive behaviour in intimate or familial relationships (section 76):

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependant 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.

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

Coercive and controlling behaviour underpins domestic abuse. This law helps to protect victims by outlawing sustained patterns of behaviour that stop short of serious physical violence, but amount to extreme psychological and emotional abuse. Victims of coercive behaviour can have every aspect of life controlled by their partner, often being subjected to daily intimidation and humiliation.

Honour based violence is defined by the Crown Prosecution Service and Association of Chief Police Officers as:

‘a crime or incident which has or may have been committed to protect or defend the honour of the family and/or community’.

Forced marriage is defined by the Crown Prosecution Service as:

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

Female genital mutilation (FGM) is defined by the Crown Prosecution Service as: ‘a collective term for a range of procedures which involve partial or total removal of the female genitalia for non medical reasons’.

Family and intergenerational abuse. Domestic abuse approaches historically have had an emphasis on partner abuse. More focus is now being given to family and intergenerational abuse, and the way in which it may be different to partner abuse, for example, if the perpetrator is the victim’s (adult) sibling, child or grandchild. Abuse of an adult or a child may also be used by a perpetrator to exercise control over their victim.

Elder abuse. Research has found that domestic abuse is experienced by both women and men regardless of age, disability, and ethnic background. Elder abuse can be even more detrimental to a victim’s wellbeing due to problems with mobility, mental health and social isolation.

Older people may have come to accept some aspect of domestic abuse as the ‘norm’ dependent upon their generation. For example, in the past the male of the

relationship was traditionally seen as the breadwinner and thus would have control over their finances, and limit their partner's access to money.

4. Legislation

The following legislation has been taken into account when developing our approach to supporting victims of domestic abuse:

- Housing Acts 1985, 1988 and 1996
- Family Law Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Domestic Violence, Crime and Victims Act 2004
- Police and Justice Act 2006
- Equality Act 2010
- Protection of Freedoms Act 2012
- Anti-social Crime and Policing Act 2014
- Care Act 2014
- Serious Crime Act 2015
- Claire's Law/Domestic Abuse Offender Disclosure Scheme
- General Data Protection Regulation 2018

4.1 The National Policy Context

In March 2016 the Government published the new 'Ending Violence against Women and Girls Strategy'. The strategy committed to on-going reductions in the prevalence of domestic abuse by:

- Breaking the intergenerational cycle of abuse
- Giving greater attention to the risk of becoming a perpetrator
- Challenging attitudes and beliefs about abuse
- Improving awareness among children and young people about healthy relationships

Relationship education is to be made compulsory in primary schools, and sex and relationship education will be compulsory in secondary schools in 2020.

4.2 Local Policy Context

4.2.1 North Tyneside Domestic Abuse Partnership

The partnership coordinates strategy and resources to afford protection, provision and prevention for people exposed to domestic abuse in North Tyneside. There is an action plan that sets out agreed priorities for the coming year. The action plan has four priorities:

- Prevention;
- Provision;
- Partnership working; and
- Justice outcomes and risk reduction.

4.2.2 'Our North Tyneside Council Plan' Priorities

Our Domestic Abuse Policy is underpinned by 'Our North Tyneside Council Plan 2016/19' priorities of:

- **Our People**
Will be listened to and involved by responsive, enabling services

- **Our Places**

Will be great places to live, and attract others to live and work here

4.2.3 Links to other North Tyneside Council policies:

- Anti-Social Behaviour Policy
- Allocations Policy
- Tenancy Agreement
- Safeguarding Adults and Children's Policies
- Employee Domestic Abuse Policy

5. Disclosure of domestic abuse

North Tyneside Council recognises that victims will often find it extremely difficult to make a disclosure and ask for help. It is vitally important therefore that if a disclosure is made, it is dealt with in a sensitive and supportive manner.

Reports of domestic abuse must be responded to within 24 hours.

At first contact, when interviewing either in person or over the telephone, the interviewing officer will:

- Offer same sex interviews and a translation service if necessary;
- Offer an interview either in a local office, the home or another venue that the victim is comfortable with;
- Believe the victim;
- Reassure the victim of confidentiality;
- Prioritise the safety of the victim and children;
- Handle all cases sensitively;
- Accept the information given by the victim as accurate;
- Discuss which agencies the victim is willing to share information with. The council has a duty to share information in relation to child protection issues;
- Complete the Risk Indicator Checklist (RIC) on all incidents reported to ascertain the victim's level of risk. We currently use SafeLives Domestic Abuse, Stalking and Honour Based Violence (DASH) checklist;
- Following completion of RIC, ensure appropriate referrals made to agencies;
- Discuss contact with the police and medical services;
- Discuss immediate housing options and tenancy rights;
- The interviewing officer may need to refer to specialist agencies. They may need to speak to a housing advice officer if temporary accommodation is required, and/or victim support agencies; and
- Ensure that those experiencing domestic abuse receive on-going support.

5.1 Advice should be offered to victims of domestic abuse regarding:

- How the council can help support the victim;
- Advice on remaining in the home (e.g. Sanctuary Scheme);
- Housing options if the victim cannot remain in the home;

- Temporary accommodation, where appropriate;
- Taking enforcement action against the perpetrator;
- Support services available; and
- Advice on claiming benefits.

5.2 Multi-agency risk assessment conference (MARAC)

A MARAC is a weekly local meeting to discuss how to help victims at high risk of murder or serious harm. The four aims of MARAC are:

- To safeguard victims of domestic abuse;
- Manage perpetrator behaviour;
- Safeguard professionals; and
- Make links with other safeguarding processes.

Information concerning the highest risk domestic abuse cases is shared between representatives of police, probation service, health services, child protection specialists, housing practitioners, independent domestic violence advisors (IDVAs) and other specialists from the statutory and voluntary sectors.

Representatives discuss options for increasing the safety of the victim and these are developed into a co-ordinated action plan. The MARAC also makes links with other bodies to safeguard children and manage the behaviour of the perpetrator. At the heart of the MARAC is the working assumption that no single agency can see the complete picture of the life of a victim, but all may have insights that are crucial to the safety of the victim. The meeting is confidential.

Any referrals to MARAC will be made after discussion with, and consent from, the victim. However, if consent is not granted, and there is an immediate or potential risk to the victim or the victim's family, a referral may be made without consent the consent of the victim. This is to protect the victim and their family from potentially serious harm.

5.3 Barriers to ending an abusive relationship

It is important to understand that victims may not seek, or respond to, offers of help, choosing to remain in the abusive relationship. Reasons for this may include:

- Fear of the abuser and/or what they will do;
- Lack of knowledge of other victims who have successfully left an abusive partner;
- Doubt about any action taken by the police or the courts, and fear of pressure to pursue a criminal case;
- Lack of knowledge or awareness on how to access support services;
- Lack of resources, financial or otherwise;
- Fear of not being believed;
- Love, loyalty, attachment to their partner and the hope that they will change;
- Feelings of shame or failure;
- Pressure from family, children or friends;
- Religious or cultural expectations;
- Long term effects of abuse e.g. self neglect, depression, low self esteem;

- Drug and/or alcohol addiction; and
- Anticipated impact on children, or fear of losing contact with children, other relatives and friends.

People from a black and minority ethnic (BAME) community may also have additional barriers including:

- Language barriers;
- Family honour, shame or stigma;
- Fear of rejection by their community;
- Immigration status/no recourse to public funds;
- Cultural or community expectations;
- Racism (perceived or actual);
- Fear of 'honour based violence'; and
- Lack of appropriate services.

Disabled people also have additional barriers to accessing services which can include:

- Lack of accessible information about abuse and legal rights;
- Lack of accessible domestic abuse services;
- Fear that interpreters (e.g. British Sign Language) may not keep confidentiality;
- Assumptions that physical and sensory impairments prevent people from making their own decisions;
- Being used to 'dependency' and lack of respect and dignity, leading to them assuming that abuse is normal and minimising its impact;
- Fear of having to live in a care home;
- Reliance on the abuser for care and support;
- The victim may be the carer of the abuser and feel an obligation to maintain the support and endure the abuse; and
- The abuser may be the only person with whom the victim has any contact.

6. Confidentiality

Any disclosure of domestic abuse will be treated in the strictest of confidence however, under the General Data Protection Regulation; we have a duty to disclose information in order to:

- Protect the victim;
- Prevent harm to someone else, or
- Prevent or detect a crime.

The Domestic Violence Disclosure Scheme (DVDS), also known as Claire's Law, allows the police to disclose to individuals the details of their partner's abusive past in order that they can make an informed decision about their situation.

7. Safeguarding

When dealing with domestic abuse full consideration will be given to our safeguarding responsibilities. A significant number of adults who need safeguarding are often experiencing domestic abuse in some form.

If domestic abuse is an isolated issue and there are no other safeguarding concerns then support can be sought via the MARAC (Multi Agency Risk Assessment Conference). If there is more than one safeguarding issue present, such as domestic abuse in addition to physical or mental health disabilities, then a referral should be made to Adult Social Care via the Multi-Agency Safeguarding Hub (MASH) to ensure that services can be co-ordinated to deal with the potentially complex issues.

Exposure to domestic abuse is always detrimental to children, although the impacts may vary. Children exposed to abuse at home may be affected by physical and/or emotional abuse, neglect and ongoing psychological damage. In domestic abuse cases where children are present a referral should be made to Children, Young People and Learning (via the MASH) to ensure that children are adequately safeguarded.

The Multi-Agency Safeguarding Hub (MASH) was set up in October 2017 to co-ordinate support and protection services to children and vulnerable adults. It is led by North Tyneside Council in partnership with Northumbria Police. Health services, North Tyneside Harbour Domestic Abuse Support Service, Northumbria Police, and probation services are also involved. The hub model aims to improve information sharing between the partners so that safeguarding concerns can be identified earlier and managed more effectively.

8. Wellbeing

The Care Act 2014 specifies that freedom from abuse and neglect is a key to a person's wellbeing. The guidance outlines that abuse takes many forms and practitioners should not be constrained in their view of what constitutes abuse or neglect. It describes numerous types of abuse including:

- Domestic abuse;
- Psychological abuse;
- Financial and material abuse;
- Sexual abuse; and
- Physical abuse.

The Care Act guidance specifies aims to stop abuse and neglect, prevent harm, and address what has caused the abuse.

9. Use of tools and powers

Every case of domestic abuse will be assessed on its own circumstances, taking into account the wishes and needs of the victim, the severity of the abuse and any additional criminality.

We will make use of the appropriate tools and powers to sanction and support victims of domestic abuse including injunctions, Notice of Seeking Possession, and possession proceedings.

9.1 Housing Act 1985

The Housing Act 1985 specifies domestic abuse as an anti-social behaviour ground for possession where:

'The dwelling house is occupied (whether alone or with others) by a married couple or a couple, living together as husband and wife, and

- a) One of both of the partners is a tenant of the dwelling house
- b) One partner has left because of violence or threats of violence by the other towards that partner, or a member of the family of that partner who was residing with that partner immediately before the partner left, and
- c) The court is satisfied that the partner who has left is unlikely to return'.

Domestic abuse is a clear breach of the Tenancy Agreement which states:

Section 10.1 Anti-social and criminal behaviour

10.1.4 You must not harass, threaten to harass, use or threaten violence or discriminate against anyone because of their age, disability, gender reassignment, race, religion or belief, sexual orientation and you must not encourage or allow anyone to do so.

10.1.5 You must not use any words or take any other actions to humiliate, ridicule, embarrass, intimidate, frighten, distress or threaten anyone.

10.1.6 You must not carry out acts of domestic abuse against your partner or anyone else living in your home, visiting or working in the area. Your tenancy will be at risk if you threaten or carry out any acts of domestic abuse.

10.1.7 You must not allow your home to be used for any activity that is criminal, illegal, immoral, dangerous or offensive.

If a person reports that they have left a council tenancy because of domestic abuse the case should be discussed with the Community Protection and Public Spaces Team who will investigate and take the appropriate action.

As well as the tools available to us as a landlord, we will also work closely with partners to ensure a holistic approach to tackling domestic abuse and that the tools and powers available to these partner agencies are fully considered.

10. Domestic Violence Protection Notices and Orders

If the police have a reasonable belief that domestic abuse has occurred, they are able to serve the perpetrator with a Domestic Violence Protection Notice (DVPN) as the first step to acquiring a Domestic Violence Protection Order (DVPO).

A DVPO can prevent a perpetrator from returning to a residence, and from having contact with the victim, for up to 28 days. This allows the victim some time to consider their options and to engage with some support.

The law allows a magistrate to make a DVPO against the abuser even if the victim does not agree to it. In addition the magistrates will take into account the welfare of anyone under 18 who the police consider will be affected by the DVPO.

10.1 Restraining orders

These can be made in court in relation to a criminal case alleging domestic abuse, whether or not the case is upheld. A restraining order is made when there is a need

for the order to protect a named person or persons from harassment or conduct that will put them in fear of violence.

A restraining order imposes prohibitions and may cover a range of behaviour. It can, for example, exclude a person from a specific geographical area, from contacting specific people, or behaving in a particular way.

A restraining order lasts for one year from the date it is signed by the court, or until it is revoked. It can be renewed for one year at a time if the courts believe the victim is still in danger. It is a crime to breach a restraining order and a person doing so can be arrested and charged.

10.2 Civil law – Part one injunction

Civil injunctions to tackle anti-social behaviour were introduced by the Anti-Social Behaviour Crime and Policing Act 2014. They can be used in domestic abuse cases. The injunction can be used to exclude persons from the home in cases of violence or risk of harm, regardless of tenure. One of the conditions to be met in injunctions containing this power is that:

- The court considers that the anti-social behaviour includes the use or threatened use of violence against persons, or there is a significant risk of harm to other persons, from the perpetrator.

Positive requirements – the injunction can require the perpetrator to do anything described in the injunction i.e. be assessed for/attendance on a perpetrator programme to address their behaviour or to address their alcohol misuse.

Attaching a power of arrest to an injunction – a court granting an injunction can attach a power of arrest to it where it considers that:

1. The anti-social behaviour in which the perpetrator has engaged in, or threatens to engage, consists of or includes the use or threatened use of violence against another person.
2. There is significant risk of harm to other persons from the perpetrator.

The power of arrest can be attached to a positive requirement i.e. if the perpetrator failed to attend a perpetrator programme.

Breaching an injunction – may result in a mandatory ground for possession.

Mandatory ground 7A – if the circumstances are proven then the court **must** make an order for possession.

10.3 Non molestation orders

A non molestation order can protect a person and any relevant child from violence or harassment. A person can obtain a non molestation order against someone who has not been physically violent but has been harassing, intimidating or pestering her.

If an order is breached, a criminal offence will have been committed. With the victim's consent and support, and if appropriate, the council may be able to use this as evidence to take action for breach of tenancy. Non molestation orders can be for a fixed period or indefinitely.

10.4 Occupation orders

An occupation order can order the abuser to move out of the home, or to keep a certain distance from the home. It can order the abuser to stay in certain parts of the home at certain times or order them to continue to pay the rent or bills. It can order the abuser to let the victim back into the home if locked out.

An order can last for 12 months and can be renewed. A breach of an occupation order is not a criminal offence unless a power of arrest is attached. Breaching an occupation order with a power of arrest could result in a prison sentence of up to 2 years or a large fine.

11. Security measures

North Tyneside Council will support victims to remain in their homes should they choose to do so. To support the victim the council may carry out additional works and install security measures under the Sanctuary Scheme.

The **Sanctuary Scheme** is a multi-agency, victim centred initiative which aims to enable households at risk of violence remain in their own homes and reduce the risk of repeat victimisation through the provision of enhanced security measures and support. Examples of additional security measure and repairs could include:

- Locks to doors and windows;
- Door chain;
- Letter box jammer;
- Dusk till dawn lights (comes on at dusk and stays on until dawn);
- Window film (strengthens the windows);
- Door viewer; and
- Personal attack alarms.

The works are requested by the completion of a form which is sent to the Housing Advice Team. Sanctuary Scheme measures are not available to joint tenancies.

12. Equality and diversity

North Tyneside Council is committed to the principles of equality and diversity. Our Domestic Abuse Policy aims to:

- Meet the needs and choices of people from all backgrounds and takes into consideration gender, age, disability, gender reassignment, race, religion, or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity;
- Ensure our service is responsive and meets the needs of our existing and prospective customers; and
- Understand the cultural implications and barriers to reporting domestic abuse
- Ensure that all sections of the community in which we work have access to our services.

13. Review

This policy will be reviewed as a result of changes in legislation and in line with best practice.

DRAFT