

Strengthening practice in responding to domestic and family violence

A TOOLKIT FOR COMMUNITY HOUSING PROVIDERS



Homelessness NSW



nsw Federation of
Housing Associations inc



SHELTER
because housing matters



A TOOLKIT FOR COMMUNITY HOUSING PROVIDERS
Other sections available in this series

SECTION TWO Guidance tools and checklists

SECTION THREE Tenant and applicant resources

SECTION FOUR Case studies

SECTION FIVE A resource for employers

SECTION SIX Resource for Housing Professionals

Contents

Foreword	4
Introduction	5
How to use this Toolkit	6
Policy template	7
Procedure.....	8
Pathways procedures.....	11



Foreword

In Queensland, 40% of women receiving assistance through the Specialist Homelessness Service System, cited domestic and family violence as a reason for needing assistance.

By extension, many people housed by community housing providers are either experiencing or leaving domestic and family violence (DFV). As community housing providers, there is a special relationship with households in working to sustain a tenancy through supportive tenancy management and through seamless links with support providers.

Tenancy and property managers are in a unique position to help identify when DFV may be an issue and to offer timely interventions and linkages to help prevent violence and prevent the escalation of violence.

While these roles are not there to provide ongoing or intensive support, the core roles and responsibilities undertaken can mean that early evidence of violence comes to light more quickly. There may also be an opportunity to engage with victims in ways that forge critical and life-saving connections with emergency services and specialised support.

This kit aims to help tenancy and property managers play a timely role in preventing and reducing violence. This obviously contributes significantly to household wellbeing but can also make a critical difference to the overall sustainability of medium and higher density developments.

This kit was originally published by the New South Wales Federation of Housing Associations through a collaboration with Homelessness NSW and Domestic Violence NSW. The Federation willingly offered the toolkit to Q Shelter for adaptation to the Queensland context. This has helped to bring this toolkit forward quickly for use by Queensland based community housing providers.

The kit includes various tools and resources as well as an overview of critical information about legislation and policy.

It is an important starting point for organisations striving to improve practices, policies and procedures. It doesn't replace organisational systems, supervision or training but certainly creates a comprehensive tool that augments other organisation and practice level elements aimed at preventing and reducing violence. The kit highlights in various ways the critical role that collaboration plays in ensuring a comprehensive and effective approach to family safety.

On behalf of Q Shelter, we sincerely thank the New South Wales Federation of Housing Associations for their willingness to share their work for this purpose, enabling Q Shelter to quickly adapt a resource that is so relevant given the scale of the problem and the critical role that housing plays in the solution. Q Shelter also acknowledges the exemplary work of the consultants who compiled these resources: Sue Kripps and Zed Tintor.

Q Shelter's capacity to contribute information in this resource that is relevant to Queensland is supported through our funding from the Queensland Department of Housing and Public Works. We acknowledge our partnership with the Department and look forward to working with all housing services to strengthen their practices in response to DFV.

We appreciate any feedback or discussion about these resources and encourage people using the resource to tell us how it has helped and what else they might need to strengthen practice and systems aimed at ending and reducing violence. I look forward to hearing your ideas and how these tools have helped make a difference.

Leone Crayden

Executive Director
Q Shelter

Introduction

Community housing providers (CHPs) are committed to ensuring that they deliver an effective and sensitive response to any tenants and their dependents who experience domestic and family violence (DFV). The sector works collaboratively with other specialist services and government agencies to achieve the best outcomes for those affected.

As landlords in the social housing system, CHPs have responsibilities to support their tenants to sustain their tenancies and prevent homelessness. Tenants or household members that experience DFV have a right to expect that the sector will respond to help them.

CHPs have an opportunity to make a significant difference through the implementation of well-designed and evidenced DFV policies and procedures and by ensuring that approaches to identifying and responding to DFV assist victims to either remain safely in their own home or relocate to a safe environment. Critical to this is the need to ensure that the response is tailored to the individual or household.

The aim of the Strengthening Practice in Responding to Domestic and Family Violence within Community Housing Providers: A Toolkit is to build on the existing positive practice in both community housing and specialist homelessness services and complement, support and enhance current best practice approaches so they are adopted throughout the sector. The Toolkit includes a wide range of resources to assist providers to effectively identify and respond to DFV.

The Toolkit will increase CHP's understanding and capacity to respond effectively to applicants, tenants and household members who experience DFV.

This Toolkit is complementary to other action CHPs may take to ensure their response to DFV is effective. It does not replace the need for staff to participate in appropriate DFV training in order to use the Toolkit effectively and with confidence.

This Toolkit has been funded under the NSW Government's

Community Housing Industry Development Strategy 2013 – 2016 which is a partnership between the Federation and NSW Family and Community Services. The development of this Toolkit has been led by the Federation with the active participation of its members. The project has benefited from the expertise of our partners who joined the project reference group:

- » Domestic Violence NSW
- » Homelessness NSW and
- » NSW Family and Community Services

This version of the Toolkit has been further adapted by Q Shelter to reflect the resources, services, policies and legislation relevant to Queensland (QLD).

This Toolkit will support CHPs to strengthen and develop their practice as part of a coordinated multi-agency and integrated response to DFV. Its use will be reviewed and periodically updated by the Federation in liaison with our members and the partners in its development. The Toolkit will be reviewed once the Residential Tenancies Act amendments have been passed to ensure its currency.

Finally, I would like to acknowledge the work done by our consultants, Sue Cripps and Zed Tintor who produced the Kit and also Peabody (Gudrun Burnet) and Gentoo (Kelly Henderson) and the wider national work of the Domestic Abuse Housing Alliance (DAHA) that has significantly informed this Toolkit development.

Wendy Hayhurst

Chief Executive Officer
NSW Federation of Housing Association



How to use this Toolkit

This Toolkit has been developed to assist housing professionals better understand and respond to incidents of domestic and family violence (DFV). It has a number of components that have been designed for community housing providers to customise and fit within their organisation's practice.

They include

1. A policy – Identifying & responding to DFV to frame the early intervention response embedded through this Toolkit and to guide practice across community housing organisations.
2. A series of pathways that provide direction to housing professionals in regard to possible responses to DFV for tenants and applicants with suggestions about possible issues of concern and actions that housing professionals might choose to take. The pathways focus on building collaborative practice with domestic and family violence support services.
3. A number of guidance tools and checklists to support housing professionals develop consistent service delivery practice across community housing providers.
4. A tenant & applicant resource on domestic and family violence available for all tenants as part of the lease sign up. This resource describes the response that can be expected from community housing providers and provides a range of useful resources. By including this resource in a lease sign up kit, it minimises the risk to victims having such information as all tenants will have it. It also provides an opportunity for early intervention by housing professionals.
5. A tenant & applicant resource on men's behaviour change services available for all tenants as part of the lease sign up. It provides information on men's behaviour change programs available to assist them should they be seeking support to address issues that they have around their behaviour and attitudes.
6. Four case studies to provide examples of how housing professionals might work with different tenant groups.
7. A resource for employers to guide their support of staff working with DFV.
8. An information resource that provides an overview of DFV, how it might manifest, some myth busting and a precis of the current laws that govern domestic and family violence both federally and in Queensland.
9. A copy of the Duluth Model, Power and Control and Equality Wheels that provide a framework to understand relationship dynamics that underpin domestic and family violence.
10. A summary of current domestic and family violence policy initiatives in Queensland.
11. A toolbox talk that can be used as part of staff induction and staff development sessions (separate power point presentation).

Policy template

Policy statement

The Queensland Government has worked together with Government Agencies and community organisations to develop the Domestic and Family Violence Prevention Strategy 2016-2026.

Community Housing Providers are a key component of an integrated response to improve policy and service delivery to victims of domestic and family violence.

(Name of Provider) recognises that domestic and family violence can happen to anyone, regardless of social background, disability, age, gender, religion, sexuality or ethnicity. We also recognise that domestic and family violence affects both male and female victims, including those in lesbian, gay, bisexual, transgender, intersex and queer relationships. We are committed to supporting victims of domestic and family violence regardless of gender or sexuality.

(Name of Provider) takes domestic and family violence seriously and is committed to providing a sensitive and confidential response to anyone approaching us for assistance in cases of domestic and family violence.

(Name of Provider) is committed to building our skills, capacity and practice to identify indicators of domestic and family violence and to work with victims to assist them to manage their housing and support situation.

(Name of Provider) will take appropriate action that balances the rights and wishes of the victim with the rights of the landlord to protect the property and the safety and wellbeing of other household members and neighbours.

(Name of Provider) will also work with support services and other partners to assist victims and deal with perpetrators as domestic and family violence cases require a multi-agency approach.

This policy covers all tenants and applicants of **(Name of Provider)**.

POLICY NUMBER	
POLICY NAME	Identifying and responding to domestic and family violence
APPLIES TO	
VERSION	
DATE APPROVED	
DATE REVIEWED	
SPECIFIC RESPONSIBILITIES	

References

- » *Not Now, Not Ever: Putting an end to domestic and family violence in Queensland*
- » *Residential Tenancies and Rooming Accommodation Act 2008 (QLD)*
- » *Domestic and Family Violence Prevention Strategy: 2016-2026 (Queensland Government).*

Definitions

Domestic and family violence is any behaviour that causes physical, sexual, financial or emotional harm, or causes someone in the relationship to live in fear.



Procedure

(Name of Provider) will support and resource our staff across all aspects of community housing provision to have an understanding of domestic and family violence. Staff will utilise the Domestic and Family Violence Pathways Tools to understand their internal reporting and support structures. Through understanding our role in identifying indicators of domestic and family violence and referring to tenancy management staff for further investigation, (Name of Provider) will develop and enhance their early intervention approach to vulnerable tenancies and victims.

In order for (Name of Provider) to effectively identify and respond to domestic and family violence we will:

- » Ensure all staff across all divisions receive training on identifying and responding appropriately to domestic and family violence.
- » Enable residents to report domestic and family violence to us in different ways, including in person, in writing, over the phone and online.
- » Investigate all reports of domestic and family violence that we receive. Reports of antisocial behaviour might also be related to incidents of domestic and family violence and will also be investigated.
- » Give victims the opportunity to opt for a staff member of the same gender to deal with their case wherever practicable.
- » Ensure that victims know that they can meet staff in confidence at (name of provider) offices or at an agreed safe venue. We will also agree to the method of contact that the victim wishes us to use to stay in contact with them.
- » Work with partner agencies to ensure co-ordinated services to prioritise the victim's (including children's) safety.
- » Advise victims about external agencies that can offer further advice and support (for advice on tenancy issues, legal advice for example) and make referrals on their behalf and with their consent if required.
- » Encourage victims to engage with domestic and family violence support and advocacy services and make referrals on their behalf and with their consent if required.

Provisions within the Residential Tenancies and Rooming Accommodation Act (2008) to respond to domestic and family violence

The *Residential Tenancies and Rooming Accommodation Act* (RTRA Act) has provisions aimed at giving some protection to tenants who are victims of domestic and family violence. A victim of domestic and family violence might want to end their tenancy agreement with the perpetrator of that violence. They might want to:

- » Stay at the rented premises and have the perpetrator leave, or
- » Leave and end their legal liability.

Staying will mean taking action to end the tenancy of the perpetrator by getting a protection order against them that prohibits the perpetrator from having access to the residential premises or taking other action under tenancy law which may involve taking action in the Queensland Civil and Administrative Tribunal (QCAT). A tenant who has experienced domestic violence or who fears future violence may apply to QCAT to terminate the lease without penalty.

The following sections of the RTRA Act relate to the circumstances of people who are victims of domestic violence:

SECTION OF RTRA ACT	OUTCOMES AFTER SUCCESSFUL APPLICATION	WHO CAN TAKE THE ACTION
245	Domestic associate can be named on lease Violent tenant can be removed from lease	Domestic associate (e.g. partner, family member or carer)
246	Occupant can be named on lease Violent tenant can be removed from lease	Occupant
297	Termination of lease for tenant's objectionable behaviour	Property owner
310	Termination of lease for tenant's excessive hardship	Tenant
312	Termination of lease for damage or injury	Tenant
321	Termination of lease for damage or injury	Domestic associate
328/348	Restraining order to prevent further injury, damage or entry onto premises	Tenant or domestic associate

Source: Gabrielle Mewing on the Residential Tenancies Authority Website, 2017

The Residential Tenancies Authority has produced some helpful resources about tenancies and DFV: [Domestic Violence Information for Tenants Fact Sheet.](#)

Leaving means ending a victim's tenancy with or without ending a perpetrator's tenancy.

A victim's tenancy status affects their options:

- » **Co-tenant:** the victim's name and the name of other tenants are on the residential tenancy agreement for the premises. They share rights and obligations with the other co-tenant.
- » **Head-tenant:** the victim is the tenant identified in the residential tenancy agreement for the premises.
- » **Occupant:** QCAT may recognise a remaining occupant or co-tenant as a tenant under the Residential Tenancy Agreement if there is a final domestic violence order on

the tenant or co-tenant (perpetrator). It is noted that the occupant needs to meet eligibility criteria of the social housing provider.

Working with perpetrators

(Name of Provider) will take appropriate action (where evidence is available) against anyone responsible for domestic and family violence.

The appropriate response to the perpetrator will depend on the situation. This may include:

- » Contacting the Police and other emergency services if the situation requires an immediate response due to safety.
- » Refer to support workers who provide services to men (or women where relevant) to assist perpetrators to gain support in addressing their issues.
- » If the perpetrator is the head tenant or co-tenant, negotiate with the perpetrator to relocate them to another property if this is the desire of the victim and if it is safe to do so.
- » If it is not considered appropriate/safe to relocate the perpetrator and if the RTRA Act supports the situation, terminate the tenancy for the perpetrator allowing the victim to become the head tenant.

If it is not considered appropriate/safe to relocate the perpetrator or terminate the perpetrator's tenancy, relocate the victim(s) to a safe property. This may be to crisis or transitional accommodation with a plan in place with support worker(s) to obtain long term, stable and affordable accommodation. Assess for suitability of housing assistance such as a bond loan or rental grant to assist victims to be re-housed in the private rental market. RentConnect Officers located within selected Housing Service Centres can assist victims to link with bond loans or rental grants and to navigate private rental market housing options. More information is available at: <http://qld.gov.au/housing> website or call 13 QGOV (13 74 68) to find the closest service.

(Name of Provider) will monitor domestic and family violence incidences across our housing portfolios to

support identification of perpetrators and monitor the success of actions in supporting victims. This will assist (Name of Provider) by prioritising areas or individuals affected by repeated domestic and family violence and other antisocial behaviour.

More information about RentConnect and other housing services is available at: <http://qld.gov.au/housing> or call 13 QGOV (13 74 68) to find the closest service.

For information relating to men's behaviour change programs, please refer to the [outline of available programs](#).

Work health and safety

(Name of Provider) utilise a robust risk assessment process to maintain safety for all staff and contractors. We ensure that all workers and contractors check tenant alert registers before conducting any home visits to manage tenants or their visitors who may pose a risk to staff and contractors.

Partnering with other domestic and family violence responses

(Name of Provider) collaborates with a range of partners across our communities in a variety of ways to support and better manage domestic and family violence.

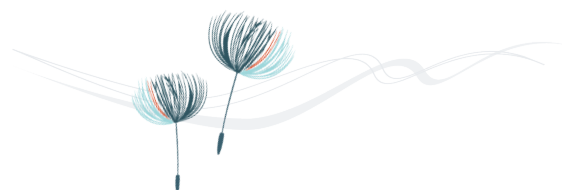
(Name of Provider) has specific partnerships with the following specialist domestic and family violence responses to assist tenants:

- » Name specific partners
- » [Find specialised services here.](#)

Related documents

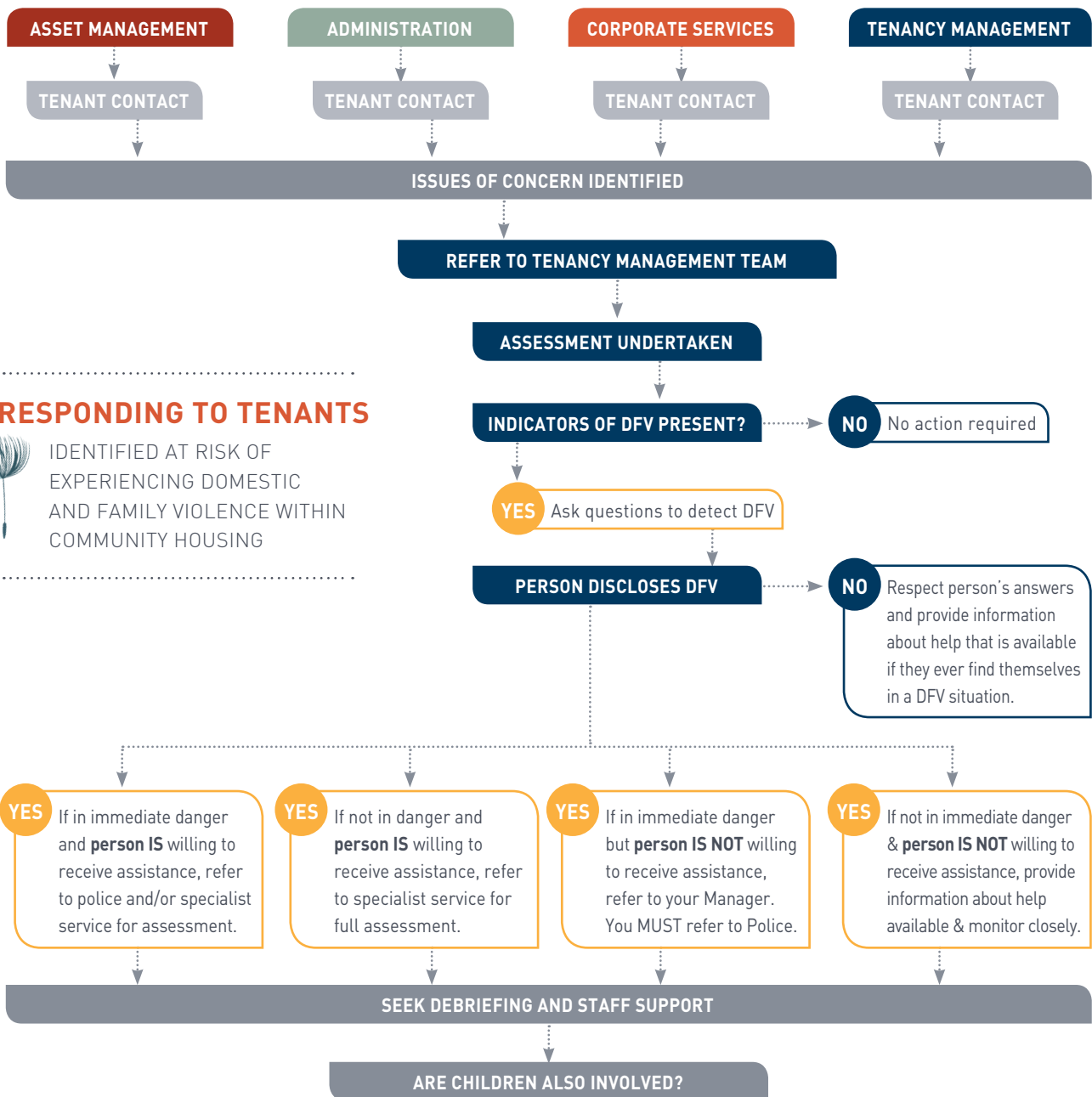
- » Privacy and confidentiality policy
- » Workplace health and safety policy
- » Application and allocation policies
- » Tenancy management policies
- » Home visit policies
- » Outreach policies
- » Framework for partnerships with support services.

REVIEWING AND APPROVING THIS POLICY		
FREQUENCY		
PERSON RESPONSIBLE		
APPROVAL		
POLICY REVIEW AND VERSION TRACKING		
REVIEW 1		
DATE APPROVED		APPROVED BY
NEXT REVIEW DATE		
REVIEW 2		
DATE APPROVED		APPROVED BY
NEXT REVIEW DATE		
REVIEW 3		
DATE APPROVED		APPROVED BY
NEXT REVIEW DATE		



Pathways procedures

These procedures have been developed to guide and strengthen practice and support staff as they identify concerns about domestic and family violence. A key component of this practice is the enabling of all staff employed across a community housing provider to better clarify their role in identifying and responding to domestic and family violence. These pathways procedures are intended to be used in conjunction with the organisation's DFV and other relevant policies and procedures.



RESPONDING TO TENANTS



IDENTIFIED AT RISK OF EXPERIENCING DOMESTIC AND FAMILY VIOLENCE WITHIN COMMUNITY HOUSING

- YES** If in immediate danger and **person IS** willing to receive assistance, refer to police and/or specialist service for assessment.
- YES** If not in danger and **person IS** willing to receive assistance, refer to specialist service for full assessment.
- YES** If in immediate danger but **person IS NOT** willing to receive assistance, refer to your Manager. You **MUST** refer to Police.
- YES** If not in immediate danger & **person IS NOT** willing to receive assistance, provide information about help available & monitor closely.

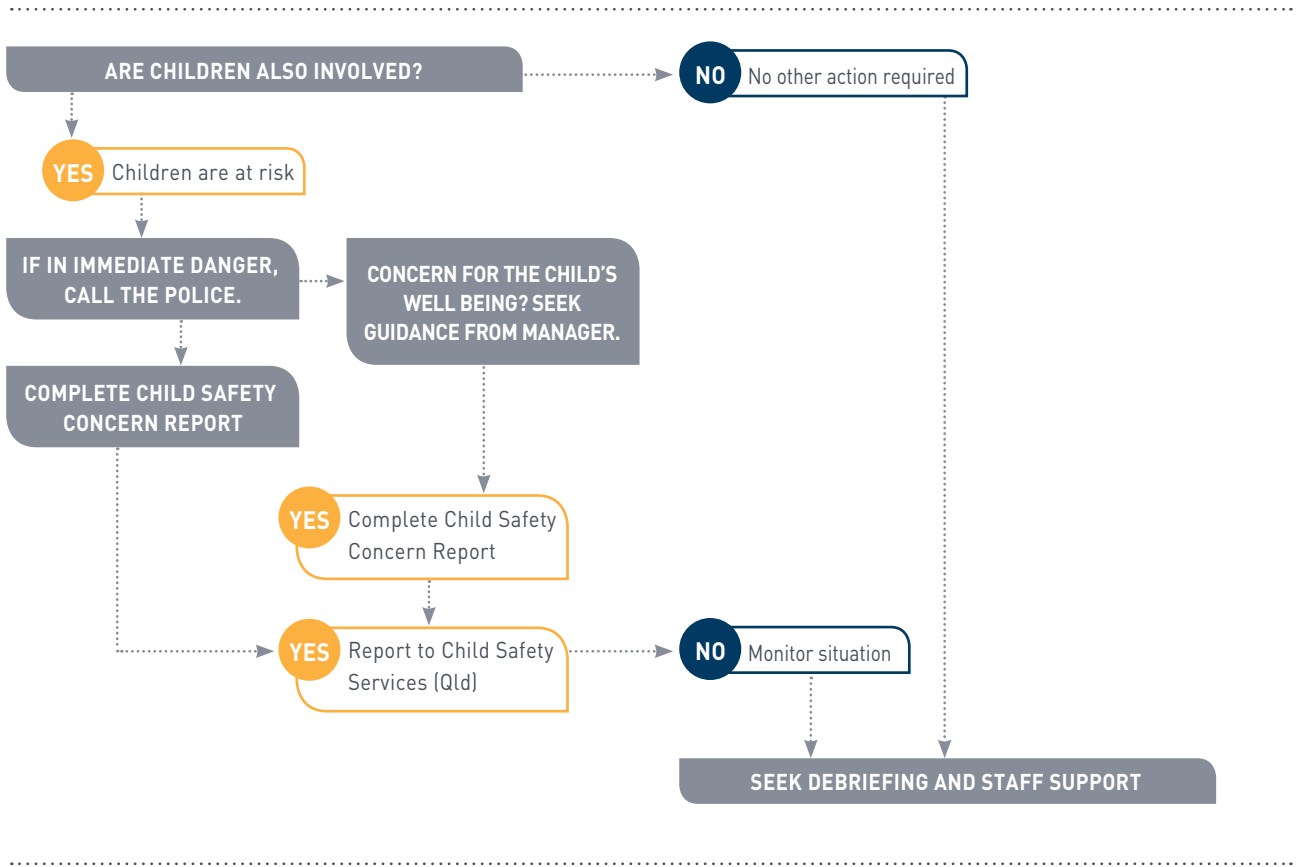
SEEK DEBRIEFING AND STAFF SUPPORT

ARE CHILDREN ALSO INVOLVED?



RESPONDING TO DOMESTIC AND FAMILY VIOLENCE

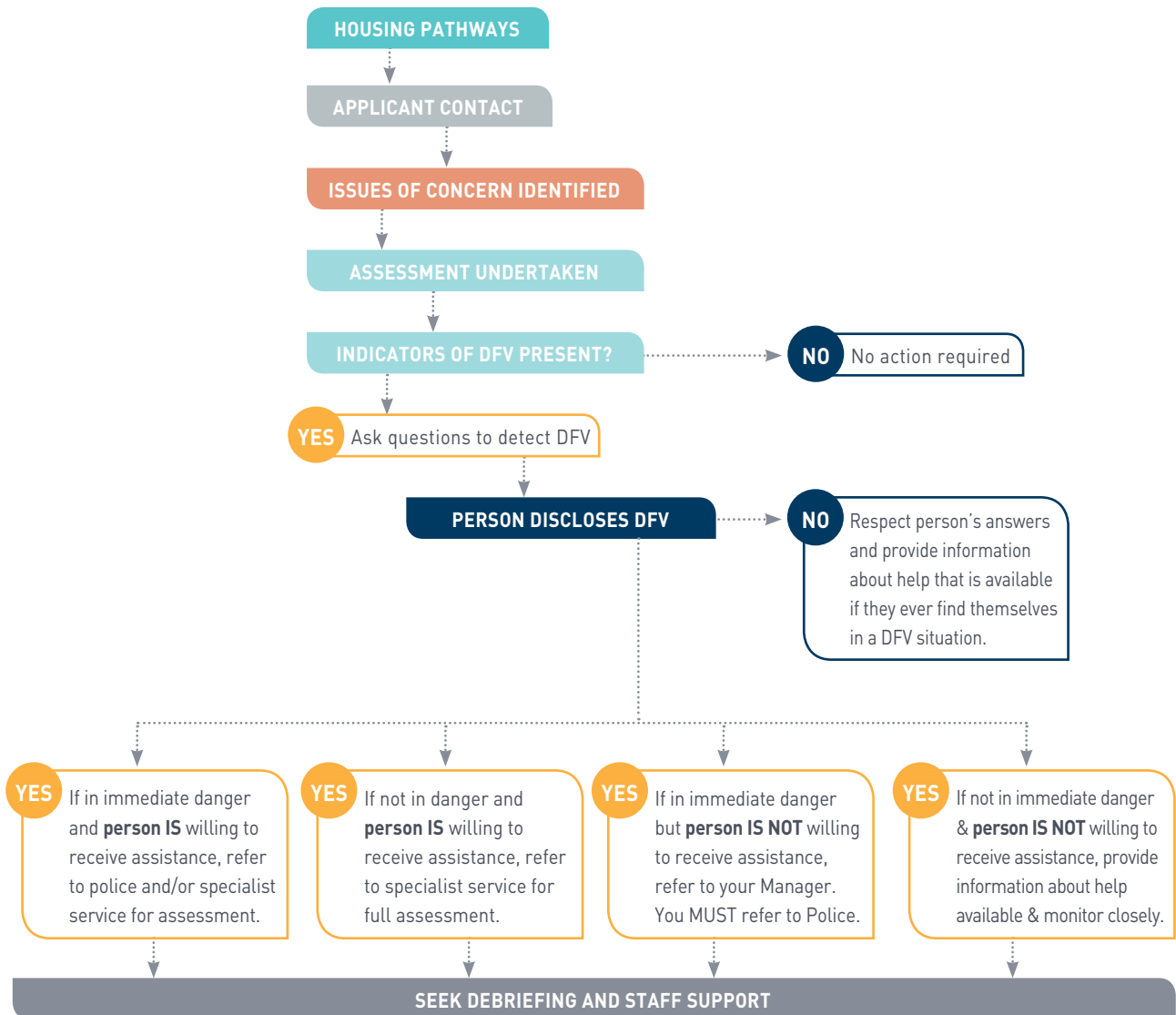
WHEN CHILDREN ARE IDENTIFIED AS LIVING WITH A TENANT





RESPONDING TO APPLICANTS

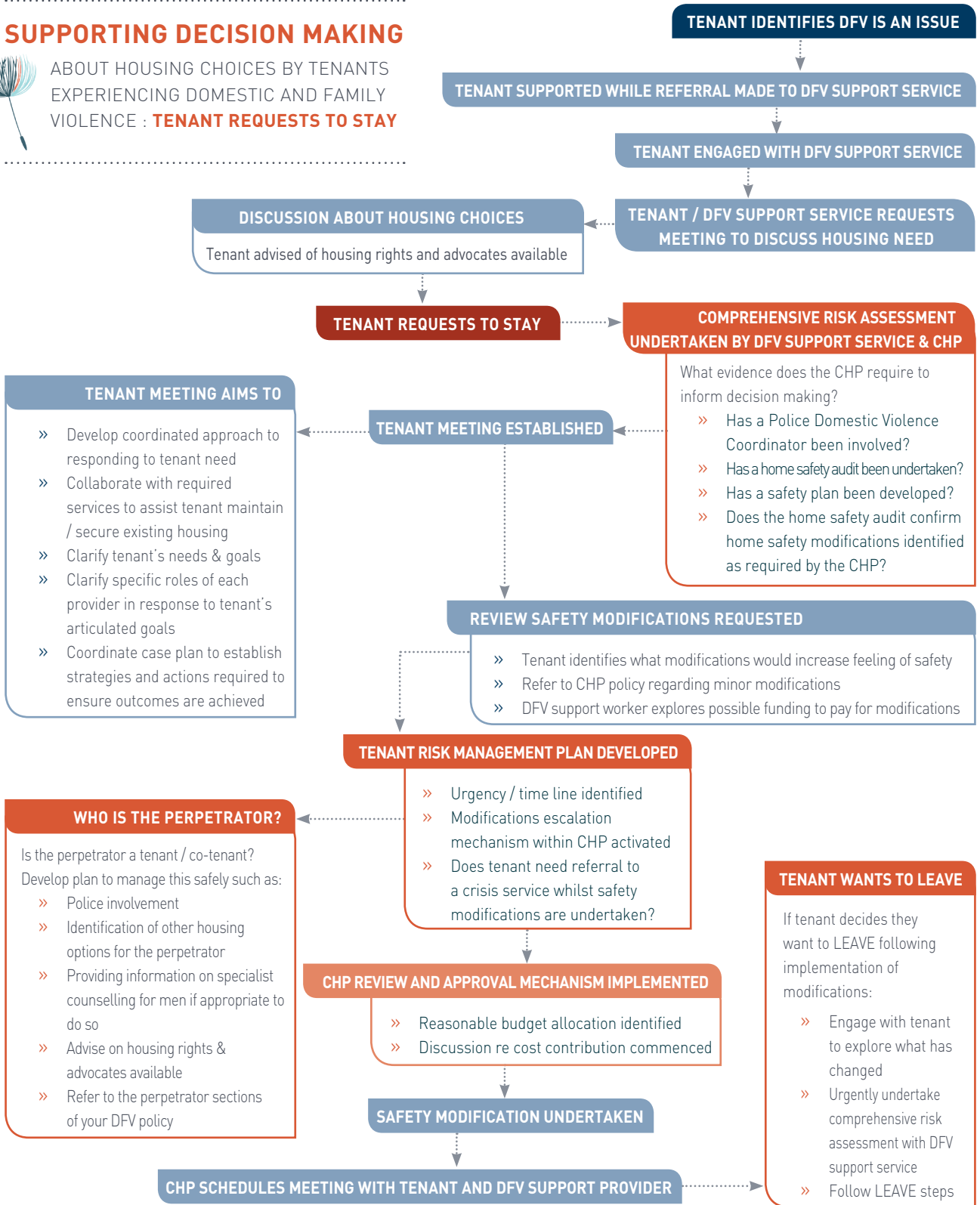
IDENTIFIED AS EXPERIENCING OR AT RISK OF DOMESTIC AND FAMILY VIOLENCE AS PART OF THE HOUSING PATHWAYS ASSESSMENT





SUPPORTING DECISION MAKING

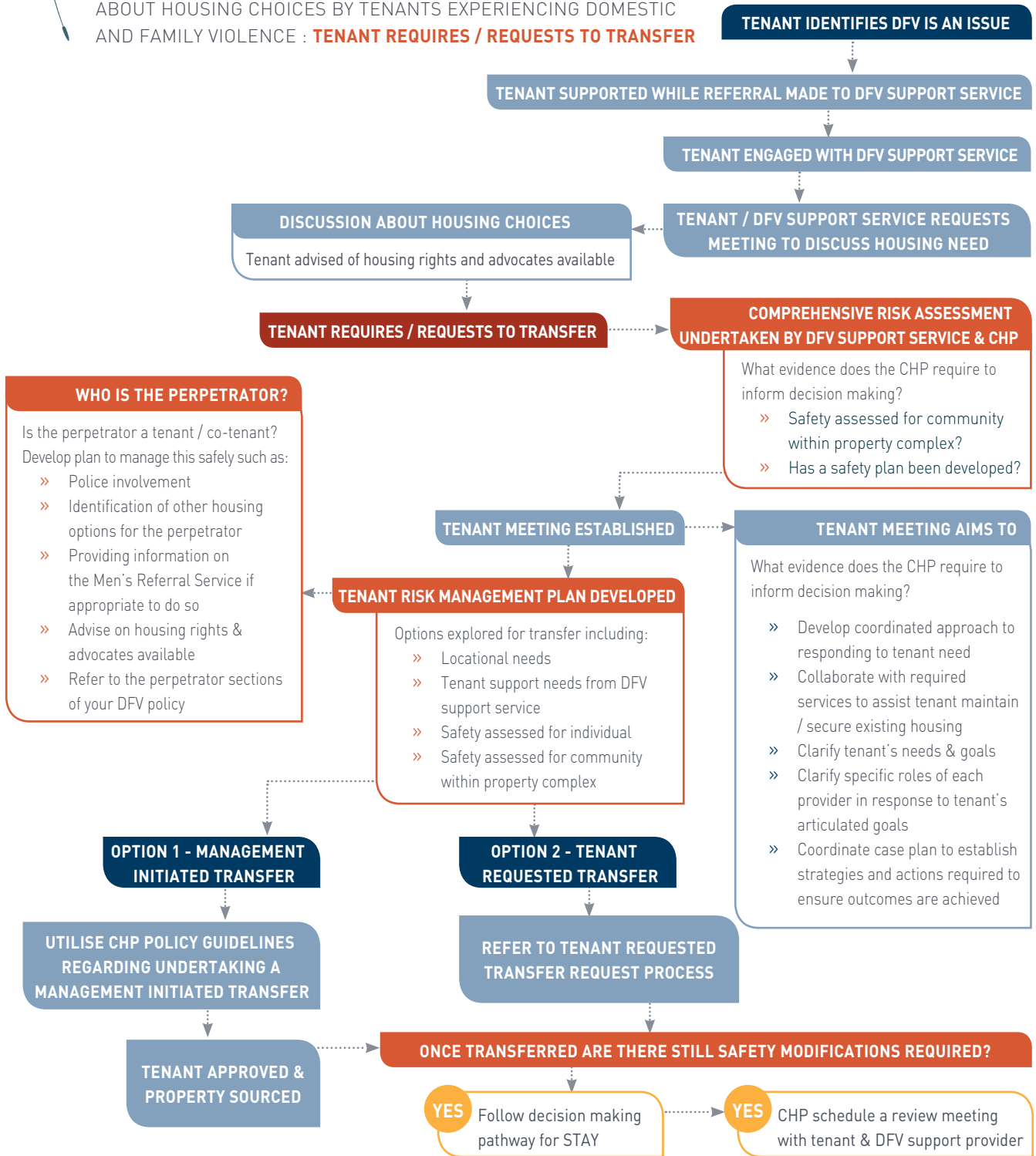
ABOUT HOUSING CHOICES BY TENANTS EXPERIENCING DOMESTIC AND FAMILY VIOLENCE : **TENANT REQUESTS TO STAY**





SUPPORTING DECISION MAKING

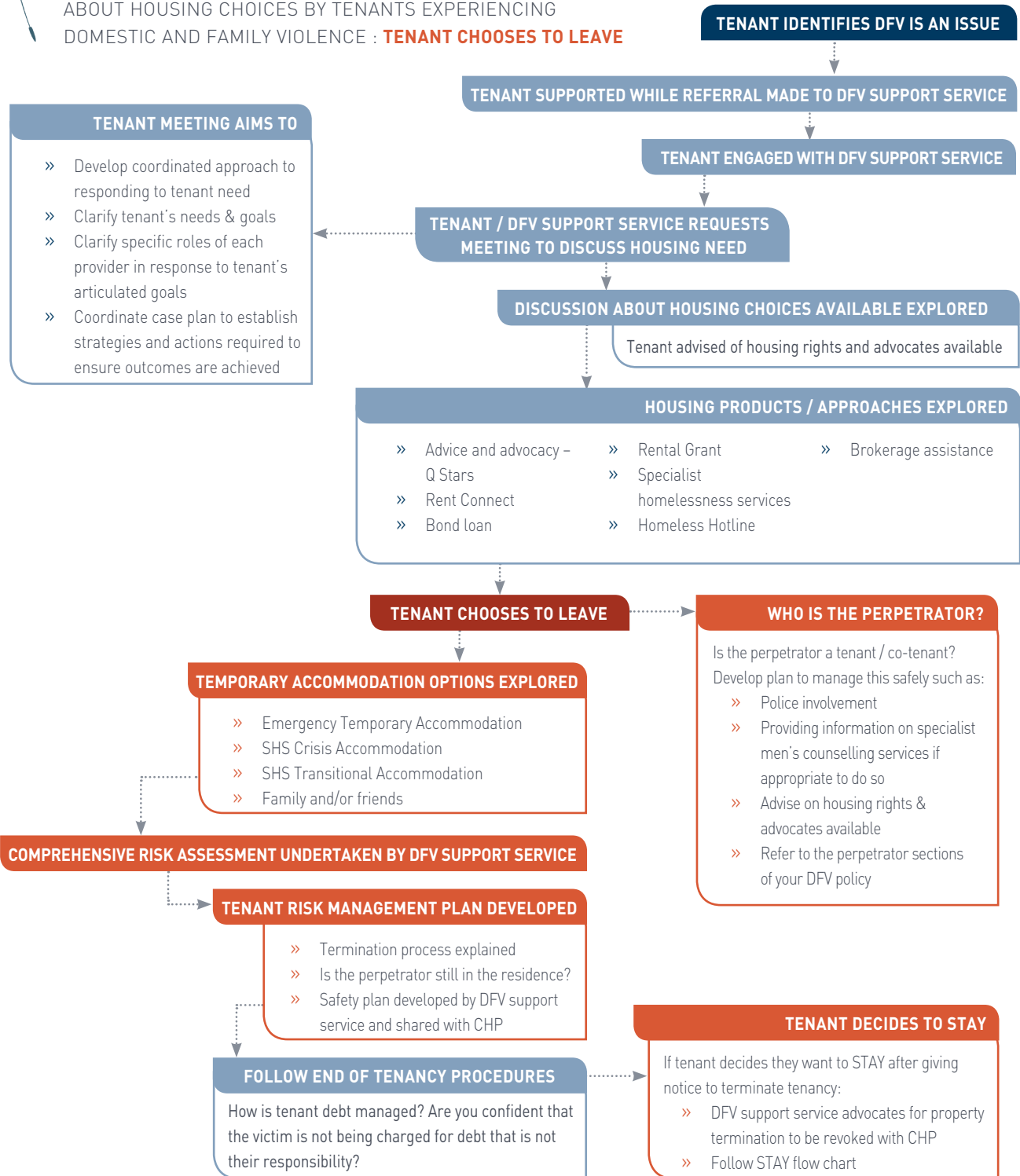
ABOUT HOUSING CHOICES BY TENANTS EXPERIENCING DOMESTIC AND FAMILY VIOLENCE : **TENANT REQUIRES / REQUESTS TO TRANSFER**





SUPPORTING DECISION MAKING

ABOUT HOUSING CHOICES BY TENANTS EXPERIENCING DOMESTIC AND FAMILY VIOLENCE : **TENANT CHOOSES TO LEAVE**





Funded by



NSW Federation of Housing Associations Inc.

Suite 301, 64-76 Kippax Street
Surry Hills NSW 2010

t: 02 9281 7144

e: nswfha@communityhousing.org.au
www.communityhousing.org.au



nswFHA

Q Shelter

Diamantina House
515 Wickham Tce Spring Hill QLD 4000

t: 07 3831 5900

e: info@qshelter.asn.au

www.qshelter.asn.au