



Domestic Abuse Policy

Key policy details

Item	Details
Reference:	Domestic Abuse Policy (Housing) 2025
Status:	Draft
Originator:	AH
Owner:	Housing Management Team Manager
Version No:	1.1
Date:	2025

Approvals

Item	Date of Approval	Version No.
Consulted with [insert]		
Reviewed by [insert e.g Audit and Governance Committee]		
Approved by [insert]		

Policy Location

This policy can be found at [insert location of policy e.g. NWLDC website, Sharepoint page under current policies tab]

Equality Impact Assessment (EIA)

Completed by	Completion date

Revision history

Version Control	Revision Date	Summary of Changes
1.1	January 2025	None – new policy

Policy Review Plans

This policy is subject to a scheduled review once every four years or earlier if there is a change in legislation or local policy that requires it.

Distribution

Title	Date of Issue	Version No.
[Insert e.g. distributed to Cabinet, on Website etc].		

1. INTRODUCTION

- 1.1 The Council believes that all forms of Domestic abuse are unacceptable and will not be tolerated. Domestic abuse often has consequences for the housing of victims and their families This policy aims to ensure that all staff, partner agencies and contractors understand domestic abuse and give a consistent service when offering guidance and support.

- 1.2 As a social landlord and the provider of homelessness, housing advice and housing allocations services the Council has a major role to play in both preventing domestic abuse and supporting its victims.
- 1.3 The Council has already identified in the Homeless and Rough Sleeping Strategy 2021 that domestic abuse is a major cause of homelessness in the district.
- 1.4 Domestic abuse is still a largely hidden crime and measuring the true scale of the issue is difficult. Domestic abuse happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity.
- 1.5 Domestic abuse is rarely a one-off event and is often used systematically to gain power and control over the victim, with the abuse and or violence increasing in frequency and severity over time.
- 1.6 As a landlord, the Council is well placed to recognise the signs of domestic abuse. It is essential that all reports of domestic abuse are taken seriously and that positive and pro-active work is undertaken with the victim/ survivor to offer support.
- 1.7 In addition, perpetrators of domestic abuse who wish to positively change their behaviour will be assisted to help them access appropriate support and assistance.
- 1.8 Abuse perpetrated by a person over the age of 16 is a domestic abuse issue, while abuse committed against a person under the age of 16 is a child safeguarding issue.

2. LEGISLATIVE CONTEXT

- 2.1 The Domestic Abuse Act 2021 provides further protections to those who experience domestic abuse, as well as strengthen measures to tackle perpetrators. Amongst other measures, the Domestic Abuse Act;
 - creates a statutory definition of domestic abuse, emphasising that domestic abuse is not just physical violence, but can also be emotional, coercive or controlling, and economic abuse. As part of this definition, children will be explicitly recognised as victims if they see, hear or otherwise experience the effects of abuse.
 - ensures that when local authorities rehouse victims of domestic abuse, they do not lose a secure lifetime or assured tenancy.
 - provides that all eligible homeless victims of domestic abuse automatically have 'priority need' for homelessness assistance
 - Places a legal duty on councils to fund support for survivors in 'safe accommodation'
- 2.2 The Act defines domestic abuse is 'the behaviour of one person towards another where: both people are aged 16 or over and are personally connected to each other and the behaviour is abusive

Behaviour is 'abusive' if it consists of any of the following:

- physical or sexual abuse
- violent or threatening behaviour
- controlling or coercive behaviour
- economic abuse
- psychological, emotional or other abuse

It does not matter whether the behaviour consists of a single incident or a course of conduct. Anyone can be a victim of domestic abuse. It can happen in all kinds of relationships - regardless of age, race, sex, sexuality, disability, wealth, gender identity, and lifestyle.

The Domestic Abuse Act 2021 also now recognises children as victims of domestic abuse if they have seen, heard or experienced the effects of domestic abuse

This definition also includes honour - based violence, forced marriage and female genital mutilation.

The impact of domestic abuse can range and can sadly often end in the loss of life.

Domestic abuse happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity. When dealing with domestic abuse it is important to recognise differences between all protected characteristics and that different approaches and resources are needed when addressing domestic abuse cases.

Domestic abuse can involve:

- **Controlling behaviour** - a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- **Coercive behaviour** - 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.
- **Physical injury** – this can be because of a wide range of different behaviour and can include punching, slapping, hitting, biting, pinching, kicking, pulling hair, pushing and strangling. It can also include withholding access to medication, medical care or forcing alcohol or drug use.
- **Harassment** - a crime involving behaviour that takes place more than once, and the perpetrator's actions must have an unwanted effect on the victim. Under the Protection from Harassment Act 1997, it is an offence for a person to pursue a course of conduct that amounts to harassment of another person, and that they know (or ought to know) amounts to harassment. The Act defines harassment and states: "References to harassing a person include alarming the person or causing the person distress." A 'course of conduct' in the case of harassment of a single person must involve conduct on at least two occasions.
- **Stalking** - there is no specific legal definition of stalking. However, it is helpful to know that in cases of stalking there is a pattern of unwanted, fixated and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress.

3. APPROACH

- 3.1 This policy sets out how the Housing Service will take steps to assist and support any person subject to or threatened with domestic abuse. The Council fully supports the Chartered Institute of Housing's "Make a Stand" campaign which aims to ensure that all social housing providers across the UK are fully committed to tackling domestic abuse in their homes.
- 3.2 This policy aims to ensure that those who are subjected to domestic abuse are dealt with in a sympathetic and sensitive manner, in accordance with their needs. It aims to ensure all employees act in a non-judgemental way when dealing with cases of domestic abuse.

- 3.3 The Council will support victims of domestic abuse in a variety of ways and work with other agencies, for example:

Multi Agency Risk Assessment Conference (MARAC)

MARAC is a regular local meeting to discuss how to help people at high risk of murder or serious harm. This includes a domestic abuse specialist (Independent Domestic Violence Advisor - IDVA), police, children's social services, health and other relevant agencies including Housing.

Safeguarding

Safeguarding is defined by The Care Act statutory guidance as "Protecting an adult's right to live in safety, free from abuse and neglect." Domestic abuse often involves safeguarding issues; please refer to the Council's **Safeguarding Policy** for further information on our approach to safeguarding.

- 3.4 When dealing with reports of Domestic Abuse, the Council will ensure tenants are able to disclose domestic abuse through a variety of methods and not be restricted to a particular method. Responses to reports will be within one working day, at a time that is safe and convenient for the victim.

During initial contact, where safe to do so the Council will discuss the safest means of contact, as well as safest times and day to make further contact, including contact by our Domestic Abuse Housing Link Worker.

In the first instance, with agreement from the victim, they should be referred to the Domestic Abuse Housing Link Worker within the Housing Choices team. The link worker will complete a DASH risk assessment as part of their initial engagement.

A safeguarding referral is to be completed following any disclosure.

The Council will respond to disclosures of domestic abuse by:

- Treating all complaints of domestic violence and abuse seriously
- Taking a victim-centred approach to reports of domestic abuse
- Giving priority to the safety of victims and their household
- Ensuring confidentiality
- Working with specialist agencies to manage the victim's safety
- Taking or supporting legal action against perpetrators where appropriate
- Considering any additional security measure to manage the victim's safety

Victims will be referred with their consent to other agencies who may be able to provide additional support or assistance including;

- Police
- Domestic abuse support agencies
- Victim Support
- National domestic violence helplines
- Legal advice (normally accessed via a support agency)
- Children's Services

Victims will be supported as necessary in accessing any of the above services.

A new case will be opened on the Housing management system to record information relating to the disclosure.

The designated safeguarding officer will open a new safeguarding case on the secure case management system shared with police.

3.5 Homelessness and Temporary accommodation

The Council will always work to support the victims wishes. Where a tenant wishes to maintain their tenancy and it is safe to do so, including where this requires a period of absence from the home, the Council will support them to do so. However, where the tenant agrees this is not in their best interests, they will be supported to access appropriate homelessness advice and support.

This policy is designed to ensure that a tenant wishing to maintain their tenancy is not disadvantaged by doing so. All services available to someone as a result of homelessness including support and practical assistance will also be available to current tenants.

3.6 Tenancy Policy

The Tenancy Policy states that if victims of domestic abuse are rehoused, they will retain their security of tenure, for example, secure tenants will be given another secure tenancy.

3.7 Partnership working

The Domestic Abuse Act 2020 places emphasis on multi-agency working and at NWLDC there are already strong partnership arrangements in place to deal with Domestic Abuse;

- MARAC leads in place in Housing and Community Safety and a robust procedure in place in terms of responding to MARAC cases.
- Domestic Abuse Housing Link Worker service provided by Women's Aid in post to provide specialist domestic abuse advice and support to customers and staff
- Safer North West Leicestershire Partnership has an established Domestic Abuse Priority Action Group which the Housing service contributes to, with an action plan around improving the response to and awareness of domestic abuse across North West Leicestershire, including any concerns regarding under reporting
- Fortnightly Threat Risk Harm meetings with neighbourhood policing team, housing and community safety as well as other relevant partners.

3.8 Confidentiality

Where possible any disclosure of domestic abuse will be kept confidential. By maintaining confidentiality, the Council can encourage victims to discuss their situation and as a result help an individual experiencing domestic abuse make positive changes as well as reduce risks to themselves and others.

The Council can only involve other agencies or share information with the consent of the employee concerned, unless the Council is required to do so by law or the information is necessary for the protection of children or vulnerable adults.

3.9 Domestic Abuse experienced by staff

In cases of staff experiencing domestic abuse, the Council will refer to the **Staff**

Domestic Abuse Policy.

There may be circumstances when it will be appropriate for a manager to encourage an employee to disclose what is happening to them so that appropriate help and support can be provided and to prevent the possibility of action being taken due to a decline in performance, poor timekeeping or absenteeism.

As far as possible, information will only be shared on a need-to-know basis.

4. IMPLEMENTATION AND REVIEW

- 4.1 The Strategic Director is responsible for implementing and monitoring of this policy.
- 4.2 This Policy will be reviewed at least every four years from the date approved, to ensure its continuous suitability, adequacy and effectiveness. The introduction of new legislation, regulatory or operational changes or other matters may trigger an earlier review.
- 4.3 Managers in the Housing Service are responsible for making sure that all relevant employees are aware of the contents and responsibilities of this policy.
- 4.4 Managers in the Housing Service responsible for procurement of contractors working in tenants' homes on behalf of the council are required to report any safeguarding concerns, which includes any concerns regarding domestic abuse.

Equality Analysis

Completion of Equality Impact Assessment (EIA) Form

Has an EIA form been completed as part of creating / reviewing / amending this policy?	Please tick: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If yes, where can a copy of the EIA form be found?	Available upon request
If no, please confirm why an EIA was not required?	N/A