

# Supporting Residents - Domestic Abuse Policy

## 1.0

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## Residents Domestic Abuse Policy

### 1.0 Introduction

1.1 Huntingdonshire District Council (the Council) is committed to ensuring that all residents affected by domestic abuse are supported in a sympathetic and sensitive manner and that staff act in a non-judgemental way.

1.2 The Council is a member of the Domestic Abuse Housing Alliance (DAHA) working towards full accreditation. As members we follow good practice in how we address domestic abuse and support victims. This accreditation is the UK benchmark for how housing providers and councils should respond to domestic abuse and is endorsed by the Domestic Abuse Commissioner for England and Wales.

1.3 This policy sets out the level of service we aim to provide.

1.4 At all times it is the Council's intention to increase the housing security and safety of those experiencing domestic abuse, and for perpetrators to be held accountable for their behaviours.

1.5. For the purposes of this policy, the statutory definition of abuse applies and incorporates behaviours of violence as well as other forms of abuse, including economic abuse and coercive control.

1.6. The Council has signed an agreement with Cambridgeshire County Council to work within their Adult Safeguarding Policy guidelines and procedures. More information is available on the CCC website [here](#).

1.7. The Council has a corporate policy regarding safeguarding. This Safeguarding Policy provides an overarching approach to the Council's response to all safeguarding matters. It is used in conjunction with the inter-agency procedures developed by the Cambridgeshire and Peterborough Safeguarding Partnership Board. How we respond to domestic abuse is set out within this document.

1.8. The Council recognises that our staff may also be victims of domestic abuse and we have a separate policy relating to how we offer support to our staff members.

### 2.0 Definition of domestic abuse

2.1 Domestic Abuse refers to abusive behaviours which take place between two people aged over 16 who are personally connected to each other. This includes people who are, or have previously been married, in civil partnerships or in relationships; or have a child together; or are relatives.

2.2 The 2021 Domestic Abuse Act states that abuse can be a single incident, but is often a pattern of behaviours, and it takes many forms:

- Physical
- Emotional

- Psychological
- Sexual
- Financial

The definition also includes honour-based abuse, female genital mutilation and forced marriage.

2.3 Men, women, and children can all experience domestic abuse although women are disproportionately affected by domestic abuse. The people causing harm can also be of any gender, although the majority of people causing harm are men. It takes place at all levels of society regardless of social class, race, religion, gender identity, sexuality, or disability and those who experience abuse are often affected by it long after they have left their abuser.

2.4 There are a wide range of activities and behaviours that amount to domestic abuse which are often dangerous can be life threatening. Some examples are:

#### *2.4.1 Controlling behaviour*

This is a range of acts designed to make a person subordinate and/or dependent by isolation 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.

#### *2.4.2 Coercive behaviour*

This 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.

#### *2.4.3 Harassment*

This is a crime involving behaviour that takes place more than once and the perpetrators 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.

#### *2.4.4 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.

2.5 The full definition of the 2021 Domestic Abuse Act is available at [Domestic Abuse Act 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

## **3.0 Support**

3.1 We will treat all reports of domestic abuse with respect, sympathy and confidentiality and we will listen to the needs and wishes of the victims in agreeing a course of action.

3.2 We take a victim-centred approach to those experiencing domestic abuse and will always make the safety, dignity and well-being of the person the priority.

3.3 All reports of domestic abuse will be responded to in accordance with inter-agency procedures and guidelines developed by the Cambridgeshire and Peterborough Safeguarding Partnership Board, the Council's Safeguarding Children, Young People and Adults at Risk of Harm Policy and this document.

3.4 Each case will be different; we will always place an individual's needs at the forefront of any support we provide. This will include needs arising from the survivor possessing one or more of the 9 protected characteristics of the Equality Act 2010 in addition to any other additional needs for example, physical, emotional and or mental health needs they may have.

3.5 We will refer the person to other agencies that provide specialist support and guidance, with their agreement.

3.6 Domestic abuse is a criminal offence, and we will encourage people to report it to the Police, whether they are the victim of or a witness of abuse. You do not need to report incidents to the Police to receive ongoing support from the Council. In an emergency situation the Police should always be called by phoning 999.

3.7 We can also refer domestic abuse victims to courses, such as the Freedom Programme, which examines the roles played by attitudes and beliefs on the actions of abusive perpetrators and the responses of victims and survivors. The aim is to help them to make sense of and understand what has happened to them.

3.8 We are part of the Cambridgeshire & Peterborough Domestic Abuse and Sexual Violence Partnership, which consists of other key agencies in the area which offer support, services, and information to survivors of domestic abuse. You can find more information about the Cambridgeshire & Peterborough Domestic Abuse and Sexual Violence Partnership at [Cambridgeshire County Council DASV Partnership - Home](http://Cambridgeshire County Council DASV Partnership - Home) ([cambsdasv.org.uk](http://cambsdasv.org.uk))

#### **4.0 Multi-agency working**

4.1 We recognise that no single organisation will have a complete picture of the life of a family or individual living with domestic abuse but may have insights that are crucial to their support and safety.

4.2 We recognise the importance of working collaboratively with other agencies to provide support to victims of domestic abuse and to contribute to an effective Co-ordinated Community Response.

4.3 Examples of other partners include (but are not limited to):

- Specialist domestic abuse support agencies
- Independent Domestic-Based Violence Advocates (IDVAs)
- Legal advisory services

- Victim support services
- Education
- Social Care
- Learning Disabilities Partnership (LDP)
- Gypsy & Traveller Liaison Officers (Where required)
- The Police
- Other housing partners

(Further information about information sharing and consent is provided in Section 5).

4.4 Appropriate members of staff will receive enhanced domestic abuse training, for example our Lead Officer for Domestic Abuse and Safe Accommodation, our Housing Advice and Options Officers and our Domestic Abuse Support Champions who support our staff.

4.5 Appropriate members of staff attend multi agency working groups and panels on a regular basis, in order to support residents and address where domestic abuse is taking place. This includes sharing information internally between teams where appropriate.

4.6 Partnership groups which help address domestic abuse include:

- Cambridgeshire and Peterborough Safeguarding Partnership
- Domestic Abuse Sexual Violence (DASV) Partnership
- Multi Agency Public Protection Arrangements (MAPPA) Senior Management Board
- Multi Agency Public Protection Arrangements (MAPPA) Panels
- Cambridgeshire Perpetrator Panel (DAPP)
- Multi-Agency Risk Assessment Conference (MARAC)
- Huntingdonshire Domestic Homicide Reviews
- Huntingdonshire Multi Agency Problem Solving Group (PSG)

4.7 In addition, we take advantage of opportunities to participate in regional and national discussion forums, such as Regional Domestic Abuse Housing Alliance (DAHA) events.

## **5.0 Information sharing and consent**

5.1 We will only share information with other agencies with the consent of the person experiencing any domestic abuse, or if:

- The information is required for the protection of children.
- We are required by law to share the information.
- There are legal reasons to protect a person without capacity.

5.2 As stated in the Cambridgeshire and Peterborough Safeguarding Adults Board Multi-Agency Safeguarding Policy, any decisions made by professionals that affect the person experiencing domestic abuse should be proportionate and take into account their wishes (where known) as closely as possible. However, any wishes of the individual cannot undermine any of the Council's legal duties to act towards safeguard individuals.

## **6.0 Housing Options**

- 6.1 We recognise the importance of the 'Whole Housing Approach' and to ensuring access to a range of housing options and initiatives which give choice to people experiencing domestic abuse in relation to relocation or remaining in their existing accommodation.
- 6.2 Housing Advice and Options staff receive enhanced domestic abuse training and are also trained in completing DASH risk assessments.
- 6.3 Housing Advice and Options staff will offer advice and support to assist those experiencing domestic abuse to identify possible ways of resolving their housing situation.
- 6.4 Within our Lettings Policy, victims of harassment, violence or abuse may get preferential priority banding for housing. In addition, the Lettings Policy recognises the impact that economic control can have on an individual's finances and does not take a blanket approach to debt incurred because of domestic abuse or harassment.
- 6.5 The Lettings Policy can be accessed online at [Lettings Policy \(huntingdonshire.gov.uk\)](https://www.huntingdonshire.gov.uk/lettings-policy)
- 6.6 Help can be provided to access to Refuge services and emergency accommodation where required.
- 6.7 The Housing Advice and Options team hold a homeless prevention budget, which may be available to provide funds for additional home security to those wishing to remain in their own home. There are also other schemes that we are able to work with that provide security measures for victims, such as the [bobby scheme](#).
- 6.8 In addition, we are able help with financial support such as the Rent in Advance and Rent Deposit Scheme that may be available to people wishing to relocate.
- 6.9 We do not generally encourage victims of domestic abuse to carry out a mutual exchange as it can be easier for a perpetrator to find out a new address. Our priority is ensuring people access a safe and secure environment and we do not consider that a mutual exchange meets this need.
- 6.10 Each case will be assessed on an individual basis, including consideration of the risks. Where appropriate, specialist advice, for example from the Independent Domestic Violence Advisory (IDVA) Service will be sought.

## **7.0 Joint tenancies**

- 7.1 In situations of domestic abuse between joint tenants, the landlord is unable to remove a person's name from the tenancy without their consent. This means that the tenancy is unable to be assigned to either party, although we can offer advice.
- 7.2 In these circumstances the victim can apply for an occupation order or for a court order to transfer the tenancy into their sole name. We encourage the victim to obtain independent legal advice on how best to proceed.
- 7.3 If a victim has a secure tenancy (not a fixed-term tenancy, as both tenants are required to give notice on this type); they will also have the option to serve a notice to quit on the property, which will end the tenancy for both parties.
- 7.4 If the perpetrator does not vacate the property, the landlord could decide to begin possession proceedings. This decision is normally made on a case-by-case basis based on

the level of risk involved and will be made in consultation with the victim and other professionals (such as the Independent Domestic Abuse Advisory Service).

7.5 The landlord may consider using discretion to grant the victim a sole tenancy at an alternative property or the original property. However, granting a sole tenancy to the original property will depend on the person's housing needs and whether it would be considered safe for them to remain there.

7.6 Where a victim loses their secure tenancy because of domestic abuse, the Domestic Abuse Act 2021 requires local authorities to grant another secure tenancy to the victim if they rehouse them.

7.7 Decisions will be made in consultation with the victim and other professionals such as the Independent Domestic Abuse Advisory Service, with risk and the client's wishes in mind.

7.8 The victim should always seek advice and support to be fully informed of their options and to avoid losing their tenancy. It is important to let the Housing Advice and Options Team know about this, especially in situations where the victim wishes to remain in the area.

## **8.0 Taking action**

8.1 The Council has an agreement with Cambridgeshire County Council to work within their Adult Safeguarding Policy guidelines and procedures.

8.2 We can refer victims to access advice on their options and may be able to provide support when they are taking legal action against the person committing the domestic abuse.

## **9.0 Repairs and security**

9.1 As mentioned in the Housing Options section above (6), in some circumstances we may be able to offer financial assistance towards extra security measures at the property through our Homeless Prevention Fund.

9.2 We can also refer people to other initiatives, such as the Cambridgeshire Bobby Scheme, who can also provide advice, assistance and security measures.

## **10.0 Perpetrator Management**

10.1 When supporting someone experiencing abuse, we will take account of their wishes and not assume that they wish the matter to be reported to the police or that they want a shared living arrangement to end.

10.2 If the victim wishes to remain with the perpetrator, any decisions around support will be based on the specific risks associated with the situation. Housing Advice and Options staff, where appropriate complete a risk assessment (for which they have received training) to determine what risk the perpetrator poses to the victim, to ensure that the appropriate safety plan is in place. They will also refer to specialist domestic abuse services where the victim agrees with this.

10.3 Where it is appropriate for enforcement action to be taken (for example, reporting to the Police or action involving a tenancy), Council staff will do so.

10.4 It is also recognised that Housing Advice and Options staff may be expected to support a perpetrator with their housing options.

10.5 There is no blanket policy to prevent perpetrators from accessing social housing via the Home-Link allocation system, although the policy does allow exclusions based on behaviour where this is not being addressed.

10.6 Any decisions to exclude someone will be on a case by cases basis and informed by the level of risk to associated parties if an exclusion was to exist.

10.7 Where counter allegations of harm exist, the Council will work with specialist domestic abuse and partner agencies to identify the primary perpetrator and to ensure support is provided to the victim.

10.8 The Council will also ensure that information and support is available to perpetrators who wish to address their behaviour. This can include signposting to Respect and other specialist services for further advice.

10.9 The Council will work to rehouse perpetrators through a variety of housing options, if this is considered an appropriate response, to allow victims and children to stay in their property.

## **11.0 Prevention and awareness**

11.1 The Council are committed to learning from good practice and providing appropriate training for staff. This will include domestic abuse awareness for all staff, specialist training for key roles and the introduction of Domestic Abuse Support Champions throughout the organisation.

11.2 We will actively seek to raise awareness of domestic abuse and encourage anyone that is experiencing it to engage with support services.

11.3 We are committed to working towards and building on the Domestic Abuse Housing Alliance (DAHA) accreditation and seek to learn and improve services through the accreditation process.

11.4 We will also raise awareness of domestic abuse through information shared on our website, our social media platforms and relevant partners and agencies.

## **12.0 Related legislation and regulations**

- The Domestic Abuse Act 2021
- Anti-Social Behaviour, Crime and Policing Act (2014)
- Care Act (2014)
- Civil Partnership Act (2004)
- Crime and Security Act (2010)



- Data Protection Act (2018)
- Domestic Abuse Crime and Victims Act (2004)
- Equality Act (2010)
- Family Law Act (1996)
- Female Genital Mutilation Act (2003)
- Forced Marriage (Civil Protection) Act (2007)
- Homelessness Act (2002)
- Housing Act (1996)
- Protection from Harassment Act (1997)
- Serious Crime Act (2015)
- Clare's Law (2017)

### 13.0 Related documents

- Internal Domestic Abuse Support Policy for Staff
- Lettings Policy
- Safeguarding Children, young People and Adults at Risk of Harm Policy
- Cambridgeshire and Peterborough Safeguarding Adults Board Multiagency Safeguarding Policy

### 13.0 Equality and diversity

14.1 As a Council, we are committed to delivering services that narrow the gap in outcomes between disadvantaged groups and the wider community, and to ensuring that protected groups are included and have their voices heard (see our [Equality webpages](#) for more information).

14.2 We are also obliged to comply with the Equality Act 2010 and the Public Sector Equality Duty. More information about the act can be found at [Public sector equality duty - GOV.UK \(www.gov.uk\)](#)

14.3 We believe that all people are entitled to be treated with dignity and respect and we are determined to ensure that everyone entitled to use services receives fair and equitable treatment.

14.4 One way that we can achieve this is by ensuring that those who do not use English as a first language (including users of British Sign Language) still have equal access to our services through the provision of interpretation and translation services.

14.5 We are committed to working with our partners and communities to promote good relations and to combat prejudice, discrimination, and harassment.

14.6 An equality impact assessment has been carried out for this policy.

## 14.0 Complaints

15.1 We want to know if you are dissatisfied with our service and in the first instance would encourage any victim who has a concern to contact the relevant service area, who will try to resolve the issue with you.

15.2 However if the problem cannot be resolved you may wish to raise a formal complaint which will be addressed in line with the Council's complaints procedure. The responding officer may discuss the complaint with the Lead Officer for Domestic Abuse or one of the Councils Domestic Abuse Support Champions to ensure that matter is viewed through an informed domestic abuse lens.

15.3 More information on the Council's complaints procedure and how you can register a formal complaint can be found on the Council's website at [Customer Feedback - Huntingdonshire.gov.uk](https://www.huntingdonshire.gov.uk/customer-feedback)

## 16.0 Review

16.1 This policy and its procedures will be reviewed every three years. However, earlier reassessment may be required if there are changes in operations and/or legislation.