

Cheshire West and Chester Council
Housing Management

Domestic Abuse Policy

1 MANAGEMENT INFORMATION

Approval Date – V1	2 nd July 2024
Next Review Date	1 st July 2027
Responsible Service Area	Strategic Housing and Commissioning
Responsible Director	Gemma Davies, Director Economy and Housing

Aim of Policy

This Policy sets out how Cheshire West and Chester (CW&C) and ForHousing will endeavour to prevent and tackle Domestic Abuse and applies where the alleged perpetrator and/or the complainant lives in, or is visiting, a property managed by ForHousing or is within a neighbourhood where ForHousing manages homes.

Strategic Statement

Our vision is to positively impact the lives of our social housing tenants by providing safe, well-maintained homes and deliver customer focused equitable and efficient services.

Perpetrators of Domestic Abuse can have a devastating impact on the lives of their victims and their actions can result in injury, trauma and potentially death.

Domestic Abuse can happen to anyone, regardless of age, background, gender, religion, sexuality, or ethnicity. However, statistics show most Domestic Abuse is carried out by men and experienced by women.

The policy applies to anyone living in CW&C housing or receiving a service from us. We have a separate policy which applies to ForHousing colleagues, contractors, and volunteers.

This policy sets out how ForHousing will respond to anyone suffering from Domestic Abuse and the key principles that underpin our response. The policy also sets out how we will hold perpetrators to account.

It recognises the need to share information and work in partnership with other agencies with greater experience of Domestic Abuse in order to reduce the risk of harm to victims.

Our aim is to support victims of Domestic Abuse by

- Enabling staff to identify Domestic Abuse through training
- Speaking to victims and taking account of any safety concerns around communication
- Listening and believing their account
- Working with them to assess risk and agree an appropriate action plan.

We will work with relevant external agencies, share information appropriately and in line with GDPR and our data sharing protocols.

We will work with victims ensuring we stay focused on their individual needs and the needs of their family/ household.

This policy is supported by the Anti-Social Behaviour (ASB) Procedure and the Safeguarding Procedure.

Policy

ForHousing is committed to delivering Domestic Abuse services through a balanced approach. All cases of Domestic Abuse will be treated fairly, taking into account the needs of all individuals involved, including the complainants, witnesses and alleged perpetrators.

Definition of Domestic Abuse

Domestic Abuse is any incident or pattern of incidents of controlling, coercive, 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 Domestic Abuse Act 2021 defines abusive behaviour as the following:

- Psychological
- Physical
- Sexual
- Controlling or coercive
- Violent or threatening
- Financial
- Emotional

Domestic Abuse can encompass, but is not limited to, the above types of abuse. It does not matter whether the behaviour consists of a single incident or a course of conduct. Both parties must be 16 and over and “personally connected”, defined as being married or civil partners; or have agreed to a marriage or civil partnership; are or have been in an intimate personal relationship with each other; or have a parental relationship with same child; or are relatives. Domestic Abuse can also occur between adult children and parents, or those in similar relationships.

Children

The Domestic Abuse Act 2021 recognises children as victims/survivors of Domestic Abuse. Victims of Domestic Abuse includes a reference to a child who (a) sees or hears, or experiences the effects of, the abuse, and (b) is related to either of the parties. Children living in households where Domestic Abuse occurs are recognised as victims of that abuse in their own right and our approach reflects this. The safety of all victims is our priority, and we will inform statutory services where we believe that a child is harmed or at risk due to Domestic Abuse.

We will also make appropriate safeguarding referrals in respect of any vulnerable adult who may also be impacted by the abuse.

ForHousing will ensure that employees are familiar with the statutory definition of Domestic Abuse, and with the abusive behaviours detailed within the Domestic Abuse Act 2021 through the mandatory e-learning package and bespoke training for front line staff.

Response to Domestic Abuse

ForHousing will acknowledge and triage a report within one working day and arrange to discuss the report with the victim and interview the alleged perpetrator (where appropriate and safe to do so) within two working days.

Obligation of Tenants

CW&C tenancy agreements set out the tenant's responsibilities to behave in a reasonable manner and to ensure that their family and any visitors do so as well. They include specific clauses regarding ASB which includes Domestic Abuse. ForHousing will take appropriate action against perpetrators of Domestic Abuse if they do not comply with the conditions of the tenancy agreement.

Multi-agency working

Many of ForHousing's Domestic Abuse cases will require the involvement of other agencies and services to ensure our approach is victim focused. ForHousing will work with partner agencies such as the Police, Council, and other providers as well as support services, for example Social Services, Education, Health, Youth and Fire Services. The latter can include carrying out joint interviews or home visits to Victims or Perpetrators to assess support needs or issue warnings.

ForHousing is involved in multi-agency meetings such as action planning meetings to discuss victims and/or perpetrators, Community Safety Partnership meetings, MARAC (high risk Domestic Abuse) and Child Protection Professionals meetings.

Support for Victims

ForHousing will ensure that appropriate support is provided on a case-by-case basis. This will include carrying out a comprehensive CAADA-DASH Risk Identification checklist ensuring that the victims support needs are met throughout the duration of the case.

This can include:

- support for victims (and their families, where required) tailored to their individual needs, including out of hours support and pre and post court support.
- a tailored approach to support victims with protected characteristics
- referrals to other agencies such as IDVA services, Drug and Alcohol services, Mental Health, Social Services and language translation services
- advice around housing
- additional security measures

There may be limitations to what ForHousing can do to help if the victim wishes to remain anonymous or does not want to accept support.

Action against the perpetrator

The Domestic Abuse Act 2021 specifies that perpetrators of Domestic Abuse should be held to account. Committing Domestic Abuse in a ForHousing property is a crime and a breach of tenancy. ForHousing is committed to managing Domestic Abuse cases on an individual basis, with a survivor focused approach whilst holding perpetrators to account.

We will work alongside victims and survivors to ensure that any action we take is done so in partnership with them and their wishes will be considered. We will consider appropriate action to take against the perpetrator. However, we will not take action against the perpetrator if it may increase the risk to the victim. Our main priority is to ensure the victim's safety and wellbeing. In circumstances where it is appropriate to do so, we may refer perpetrators to Domestic Abuse perpetrator programmes.

We will manage any breach of tenancy agreement by perpetrators in line with the Anti-Social Behaviour Policy and Procedure.

Data Protection, Confidentiality, and Information Exchange

ForHousing will not disclose any information about, or provided by, a victim without their consent unless there are safeguarding issues that could impact on the safety of children or vulnerable adults or where there may have been a crime committed.

All information shared in respect of perpetrators will adhere to the principles of data protection and in accordance with legislation as it relates to information sharing between agencies for the purposes of the reduction of crime and disorder.

How the policy will be delivered

Our Housing Management Teams will have day to day responsibility for delivering this Policy.

If employees become aware that there are problems with effective operation of this Policy or the associated procedures, they should report this to the Policy Owner. This feedback will be incorporated into the policy and procedural review process.

Related Legislation and Regulation

Domestic Abuse Act 2021
Domestic Violence Disclosure Scheme (Clare's Law)
Data Protection Act 2018
Modern Slavery Act 2015
Serious Crime Act 2015
Anti-Social Behaviour Crime and Policing 2014
Protection of Freedoms Act 2014
Equality Act 2010
Safeguarding Vulnerable Groups Act 2006
Family Law Act 1996
Housing Act 1985 and 1988

Related documents

Policies, procedures and website pages in the following areas:

- ASB
- Domestic Abuse workplace guidance
- Hate Crime
- Safeguarding
- Data Protection
- https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/352562/ASB_Guidance_v8_July2014_final_2_.pdf

Inclusive Decision Making Framework (IDMF) Analysis

Date of approved IDMF analysis	26 th September 2023
Actions taken forward to mitigate any potential negative impact	n/a

Equality Analysis (Tenants)

Results of EA / Actions taken forward to mitigate any potential negative impacts	Policy document to be provided in alternative formats. ForHousing staff to undertake equality and diversity training on an ongoing basis to support the delivery of this policy.
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Data Protection Impact Assessment

Data Protection Impact Assessment (DPIA)

Under the UK GDPR and the Data Protection Act 2018, you are required to carry out a DPIA when developing a new Policy or Procedure that will have a widespread or serious impact on data held on individuals. Careful consideration should be given as to whether the policy or process will have an impact on any processing of personal information that is large scale, involves profiling or monitoring, decides on access to services or opportunities, or involves sensitive data or vulnerable individuals. Information and support regarding this can be obtained from the Data Protection Officer (DPO).

Has a DPIA been completed?	Yes
If a DPIA has been completed, was the DPO consulted?	Yes
If a DPIA has been completed, were any risks identified?	Yes
If risks were identified as part of the DPIA process, have mitigation actions been identified?	Yes

Consultation and business intelligence

The Policy was created in consultation with CW&C tenants and representatives of CW&C and ForHousing.

Monitoring arrangements

ForHousing will monitor and report performance in compliance with this Policy through the in-house IT system, performance indicators and customer satisfaction feedback.

This Domestic Abuse Policy will be available to all employees through the intranet and via ForHousing websites for customers and partner agencies. Regular training will be provided to relevant employees on all policies and procedures.

Words linked to this policy for intranet searches

Anti-Social Behaviour
Domestic Abuse
Hate Behaviour
Support
Victims and witnesses
Complainant
Perpetrator
Multi agency working

Where this policy should be accessible

- ForHousing owned
- ForHousing managed
- Liberty Group
- forfutures
- ForLiving

Control data and approval history

Policy Owner:	CW&C: Lucy Heath, Head Of Housing
Next review date:	1 st July 2027

Issue	Approved By	Date
Approval – V1.1	CW&C, Cabinet Member of Homes, Planning and Safer Communities	2 nd July 2024

Document revision history

Date	Version number	Version history
May 2024	V1	New policy
28 th June 2024	V1.1	Revised version following tenant feedback: <ul style="list-style-type: none"> • Improved layout of policy document. • Made clear that this policy document can be provided in alternative formats. • Informed about the ongoing equality and diversity training being provided to staff in the delivery of this policy.