

Housing Domestic Abuse Policy

Version control

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Owner/responsibility for compliance		Head of Housing Customer Services	
Status (draft / approved and live)		Approved and live	
Version no:	Date approved:	Approved by:	Summary of changes made to each version:
1.1	17 July 2024	Cabinet	New policy

1 Introduction

- 1.1 This policy is to support the Council in its function as a landlord to provide effective housing management.
- 1.2 This policy outlines the approach when the Council - in relation to its housing management function - becomes aware of a tenant experiencing domestic abuse.
- 1.3 The Council takes a zero-tolerance stance towards domestic abuse.
- 1.4 In developing this policy, the feedback of tenants and partnering agencies has been considered. An Equalities Impact Assessment has been carried out.

2 Aims/objectives

- 2.1 The aim of this policy is to outline how the Council will assist tenants, or anyone living in a Council property who is experiencing domestic abuse.
- 2.2 This policy enables the Council to take prompt action when domestic abuse occurs to help resolve the situation and minimise the risk to the person who is being abused.
- 2.3 The Council is committed to developing trauma informed ways of working. Trauma-informed organisations assume that people have had traumatic experiences, and as a result may find it difficult to feel safe within services and to develop trusting relationships with service providers. Consequently, services are structured, organised and delivered in ways that promote safety and trust, and aim to prevent re-traumatisation.
- 2.4 The Council recognises that effective delivery of this policy relies on the development of good relationships between our housing colleagues, tenants and the wider community.

3 Definitions

- 3.1 Domestic abuse is a criminal offence. It is defined by the Domestic Abuse Act 2021 as an incident or pattern of incidents where someone's behaviour towards another is abusive, and where the people involved are aged 16 or over and, or have been, personally connected to each other. The abuse can involve, but is not limited to psychological, physical, sexual, financial, emotional, violent, threatening, controlling or coercive behaviour.
- 3.2 Anyone can be affected by domestic abuse, which can be a single incident, or problems that continue over time. The abuse can be physical, psychological, sexual, financial or emotional, or could be in the form of 'honour' based violence, including forced marriage or female genital mutilation.
- 3.3 The Council considers abuse to be capable of causing a person to alter their behaviour because they are frightened of how someone will react if they don't.

4 Scope

- 4.1 This policy applies to all tenancies granted by the Council, licensees, persons in 'use and occupation' of a Council residential property, and families of tenants and other occupants.

5 Support and information for tenants experiencing domestic abuse

- 5.1 The Council will provide support and advice to tenants who experience domestic abuse. The Council's approach will be sensitive and will maintain the tenant's trust at all times. The Council will:
- be led by the wishes of the person who is experiencing domestic abuse, including meeting them where and when it is most convenient to them
 - assist them to pursue legal remedies such as restraining orders and injunctions. This applies to tenants only.
 - protect their confidentiality, only sharing their data with organisations with which the Council has a data sharing agreement and with their agreement
 - make referrals to other agencies which can provide specialist help.
- 5.2 Where there are children or adults at risk, the Council will refer the issue to the relevant local authority safeguarding team. This is in accordance with the Housing Safeguarding Policy.
- 5.3 Housing will appoint a champion, at manager level, to lead the work supporting people experiencing domestic abuse and work with partnering agencies.

6 Supporting tenants to remain in their home

6.1 Where a tenant who has experienced domestic abuse wants to continue living in their home, the Council will:

- offer to improve the security in their home and provide advice on appropriate security measures.
- provide support to enable them to alert statutory and voluntary organisations and other sources of help when abuse occurs.
- commit to repairing quickly security elements of the home damaged because of domestic abuse.
- Support those in joint tenancies to live in a safe environment without the perpetrator.

7 Supporting tenants to leave their home

7.1 Where the tenant who has experienced domestic abuse is unable to remain in their home because of the ongoing presence of the abuser or the threat of future abuse and wishes to move, the Council will:

- support them to prepare to leave their home.
- support them to leave at a time of their choosing, whether this is spontaneously, at short notice or at a time which suits them.
- ensure they are aware of the available housing options, including locations, and whether it is urgently required, on a temporary or long-term basis.
- provide support to access alternative accommodation.
- provide reassurance that experiencing domestic abuse does not put a tenant at risk of becoming homeless.

7.2 If the tenant needs to leave their home at short notice due to domestic abuse, the Council may agree with them to end their tenancy early, without giving the standard amount of notice. This is called 'surrendering' a tenancy. In the case of a joint tenancy, when the tenancy comes to an end, both tenants will be required to leave the property. The Council will normally rehouse a tenant who has ended their tenancy because of experiencing domestic abuse.

7.3 The Council may also agree with them an alternative payment arrangement to clear any rent arrears or other money owed to us.

8 Perpetrators of domestic abuse

8.1 The Council recognises that cases of domestic abuse can be complex, and the alleged perpetrators of domestic abuse may not have committed a crime.

8.2 The Council will provide housing advice to perpetrators to enable them to understand the implications for their existing home and future housing options.

- 8.3 Where the perpetrator is a tenant and there is evidence that a breach of tenancy has occurred, the Council will use the full range of approaches available to ensure the breach is remedied and there is no further recurrence.
- 8.4 Some perpetrators may be vulnerable and will need help and support to deal with the situation. When they are tenants, in accordance with the Tenancy Sustainment Policy, the Council will support those tenant through specialist advice and action, provided directly or by signposting to the appropriate agencies.

9 Partnership working

- 9.1 The Council will work collaboratively with other agencies, including the police, local authorities and other statutory and voluntary bodies to develop strong partnerships. The aim of these partnerships will be to share experience and information, and co-ordinate action to prevent or respond to incidents of domestic abuse. This is in accordance with the ASB Policy.
- 9.2 The Council recognises that people who experience domestic abuse may no longer be able to live in the area in which the abuse occurred. They may therefore move to other areas in which the Council has homes and need temporary or long-term accommodation. The Council will assist local authorities and housing associations to provide housing solutions in these situations, including reciprocal agreements, in accordance with the Access Policy.

10 Monitoring and review

- 10.1 This policy will be reviewed every two years or sooner if legislation or regulations change.

11 Further information

- 11.1 Please contact Stuart Hook, Head of Housing Customer Services, SHook1@swindon.gov.uk for information or support in relation to this policy.