



West Lancashire Borough Council

Domestic Abuse Policy – Housing Services April 2024

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Service Area	Housing Services
Group / Persons consulted	Landlord Services Committee, Domestic Abuse Co-ordinator
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1.0 Introduction

- 1.1 West Lancashire Borough Council believes that none of its customers or their households should live in fear of violence from a current or former spouse or partner or any other member of their household.
- 1.2 This policy sets out how West Lancashire Borough Council will assist and support housing customers experiencing or threatened with domestic abuse.
- 1.3 As a Housing Provider our staff are in regular contact with our tenants and we are well placed to recognise the signs of domestic abuse. It is essential that we take all reports of domestic abuse seriously and work with the victim/survivor to offer support.

2.0 Scope

- 2.1 The Policy covers tenants of the Council and those living with them. Employees who are experiencing domestic abuse will be supported in line with the Councils Domestic Abuse Policy.

2.2 The Policy aims to:

- Put the safety of the victim and their family first.
- Create an environment where victims/survivors of domestic abuse feel that they can approach us and will be listened to.
- Provide information and support to enable victims to make informed decisions about their lives.
- To respond to any cases of abuse that may arise by working in partnership with relevant agencies.
- Work in partnership to offer support to perpetrators of domestic abuse who recognise and seek to change their behaviour.

3.0 Types of Abuse

3.1 The Domestic Abuse Act 2021 provides a statutory definition of Domestic Abuse:

‘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 abuse can encompass, but is not limited to psychological, physical, sexual, financial, emotional.’

3.2 **Emotional or Psychological Abuse** can include: manipulating a person’s anxieties or beliefs or abusing a position of trust; silent treatment; being insulted, including in front of others; repeatedly being belittled; keeping a victim awake; threats towards pets, family, friends etc; using social media sites to intimidate the victim; persuading a victim to doubt their own sanity or mind (including ‘gaslighting’).

3.3 **Physical Abuse** can include: hitting, punching, kicking, slapping, hitting with objects, pulling hair, pushing or shoving, cutting or stabbing, restraining, strangulation, choking.

3.4 **Sexual Abuse** can include rape and coerced sex, forcing a victim to take part in unwanted sexual acts, refusal to practice safe sex or use contraception, threatened or actual sexual abuse of children.

3.5 **Financial Abuse** can include: controlling money and bank accounts, making a victim account for all their expenditure, running up debts in a victim’s name, allowing no say on how monies are spent, refusing to allow them to study or work.

3.6 **Discriminatory Abuse** is motivated by oppressive and discriminatory attitudes towards a person’s: Physical appearance; Learning disability; Mental ill-health; Sensory impairment; Race; Religion; Gender/ gender identity; Age; Culture; Sexual orientation; Appearance.

3.7 The definition includes honour-based abuse, forced marriage and female genital mutilation and Family and Intergenerational abuse.

3.8 Children who have witnessed the abusive behaviour are also considered victims, however any concerns for the safety of children within a household will still be addressed through the Safeguarding Policy.

3.9 A personal relationship between the victim and perpetrator is key to the definition of domestic abuse. Domestic Abuse Act 2021 sets out how people can be ‘personally connected’ including if they are or have been in an intimate relationship, married, civil

partners, agree or have agreed to marry each other, have had, or have a parental relationship to a child or are relatives. There is no requirement for the victim to live in the same household as the abuser.

4.0 Our Approach

- 4.1 There are a number of ways that we might receive a report of domestic abuse taking place in one of our homes. It may be made by the individual experiencing the abuse or by the perpetrator disclosing their own behaviour. It may be by a concerned neighbour, relative, or the police. Suspected cases may be brought to our attention by repeat repairs, repeated reports of loud noises, banging or shouting or a member of staff noticing a change in behaviour of a resident.
- 4.2 We understand that victims will often find it difficult to make a disclosure and ask for help. It is vitally important, therefore, that if a disclosure is made, it is dealt with in a sensitive and supportive manner, this will be supported by procedural guidance for our teams.
- 4.3 We will offer confidential advice over the phone, at our offices, at a home visit, or at a visit to a local venue of the customers choosing.
- 4.4 We will ensure that people experiencing domestic abuse are provided with information on appropriate services as early as possible. This will include signposting victims to specialist help and support including advice on the use of civil and criminal laws, to offer them protection and to prevent further abuse.
- 4.5 We will provide employees with training and guidance on how to identify the signs of domestic abuse, how to deal with a disclosure and Safeguarding.

5.0 Use of Powers

- 5.1 By signing the tenancy agreement our customers agree not to commit acts of domestic abuse and to be responsible for the behaviour of their household and visitors. Section 7.11 states: 'You and they must not cause or threaten violence, harass, or use mental, emotional, financial or sexual abuse which would cause anyone who lives with you to leave or want to leave the home.'
- 5.2 Whilst not every victim/survivor will want to end their relationship, or want us to take action; where relevant we will make use of appropriate tools and powers, including injunctions, Notice of Seeking Possession, and possession proceedings. The actions we can take will be determined by the tenancy status of the victim and perpetrator.

We will maintain contact throughout the course of any investigation and subject to our duties of confidentiality, we will keep those involved informed of progress.

6.0 Housing Needs

- 6.1 We will support victims to make decisions around their housing needs, whether they wish to remain in their home or to move. In accordance with our Allocations Policy,

we will award the appropriate priority band to those who are at risk in their current home due to domestic abuse.

- 6.2 Rent arrears will not prevent a person experiencing domestic abuse from moving, however a repayment plan will be agreed. Financial Advice will be offered to all victims whether they move or remain in their own home.
- 6.3 Where necessary we will arrange a Direct Let to allow a customer to move within our own stock quickly. This means that the customer will be offered a property without the need to view adverts and express their interest through bidding; whilst we may not always be able to source accommodation in the customers preferred areas, any offer will take into account the associated risks.
- 6.4 Where a victim/survivor of domestic abuse is rehoused or offered a new sole tenancy in their own home, we will grant a secure lifetime tenancy.
- 6.5 Where necessary we will facilitate emergency housing for a customer fleeing domestic abuse. Officers will make every effort to ensure a safe environment is provided for them and their families and will work alongside specialist agencies to provide advice and assistance.
- 6.6 We are aware that in some cases victims may have fled their home without their belongings, in these cases we will support by offering a furnished tenancy.

7.0 Other Support

- 7.1 To reduce the risk of harm and provide peace of mind to customers who are experiencing domestic abuse and wish to remain in their own homes the Council operates the Sanctuary Scheme. The scheme provides and installs security equipment; such as door chains, viewers, window locks and personal safety alarms.
- 7.2 We will follow the Safeguarding policy if we believe a child is at risk due to an abusive relationship.
- 7.3 Where a perpetrator of domestic abuse acknowledges their behaviour, wants to change and consents to a referral being made we will assist them to access specialist support.
- 7.4 We will carry out repairs if damage has been caused to the home through an incident of domestic abuse.

8.0 Partnership Working

- 8.1 We will contribute to regular Multi agency Risk Assessment Conferences (MARAC) meetings that are held to help those at high risk of harm. The purpose of MARAC is to provide a confidential forum where agencies are able to share information which will increase the safety, health and wellbeing of individuals and children related to the case. This will take place through the sharing of information, expertise and resources, and the development of multi-agency plans which identify appropriate interventions or other actions to safeguard individuals and their children.

9.0 Confidentiality

- 9.1 The Council is committed to ensuring customer confidentiality.
- 9.2 We are fully compliant with the General Data Protection Regulations 2018 (GDPR) around data processing.
- 9.3 We carry out a DPIA (Data Protection Impact Assessment) to assess the impact of envisaged processing operations on the protection of personal data.
- 9.4 We are experienced in processing sensitive personal data, and we have robust procedures in place for the gathering and recording of consent for processing this information and disclosure.
- 9.5 Although we aim to gain consent prior to any information sharing, there may be instances where we have a statutory duty to share information without consent for example where children are at risk.
- 9.6 Whilst we respect privacy and confidentiality and are mindful of our obligations under the Data Protection Act, investigating and preventing domestic abuse requires the ability to exchange information with statutory and non-statutory agencies.
- 9.7 A disclosure of domestic abuse will be treated in the strictest of confidence, unless we have a duty to disclose information in order to:
 - Protect the victim
 - Prevent harm to someone else, or
 - Prevent or detect a crime.

10.0 Legislation

- 10.1 The following legislation is relevant to and informs this Policy and our approach:
 - Housing Act 1996
 - Family Law Act 1996
 - Protection from Harassment Act 1997
 - Human Rights Act 1998
 - Children Act 2004
 - Crime and Disorder Act 1998
 - Police and Justice Act 2006
 - Equality Act 2010
 - Protection of Freedoms Act 2012
 - Anti-Social Crime and Policing Act 2014

- Care Act 2014
- Serious Crime Act 2015
- Clare's Law (Domestic Violence Disclosure Scheme) 2014
- Homelessness Reduction Act 2017
- Domestic Abuse Act 2021

11.0 Links to Other Policies and Procedures

11.1 This policy should be read in conjunction with the following associated policies:

- Anti-Social Behaviour Policy & Procedure
- Safeguarding Policy
- Housing Allocations Policy
- Tenancy Agreement

12.0 Policy Review

12.1 This policy will be reviewed within 3 years or following changes to legislation.

13.0 Version Control

Date	Amendment	Version