



South  
Cambridgeshire  
District Council

# **Policy for Supporting Residents Experiencing Domestic Abuse**

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## 1. Introduction

- 1.1. South Cambridgeshire District Council is committed to ensuring that all residents affected by domestic abuse are dealt with in a sympathetic and sensitive manner and that staff act in a non-judgemental way. This policy sets out the level of service we aim to provide. At all times it is the organisation's intention to increase victim safety and housing security and to hold perpetrators to account for their harm.
- 1.2. 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.
- 1.3. The Council have signed an agreement with Cambridgeshire County Council to work within their Adult Safeguarding policy guidelines and procedures. More information can be read at the Cambridgeshire County Council website.
- 1.4. The Council has a corporate policy regarding safeguarding and therefore this Domestic Abuse policy should be read in conjunction with our Safeguarding Children and Adults at Risk of Harm Policy which provides an overarching approach to the Council's response to all safeguarding matters. In addition, the housing department's Anti-Social Behaviour Policy and the Cambridgeshire and Peterborough Safeguarding Adults Board Multi-Agency Safeguarding Policy are related policies. How we respond to domestic abuse is set out within these documents.
- 1.5. The Council also has a policy for any staff members that may be experiencing domestic abuse, which can be found on our intranet.

## 2. What is domestic abuse?

### 2.1 Statutory Definition of Domestic Abuse

The Domestic Abuse Act 2021 defines domestic abuse as:

Behaviour of a person ("A") towards another person ("B") is "domestic abuse" if:

- A and B are each 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 (see subsection (4));
- Psychological, emotional or other abuse; and it does not matter whether the behaviour consists of a single incident or a course of conduct.
- “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to:
  - acquire, use or maintain money or other property, or
  - obtain goods or services.
- For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).
- References in this Act to being abusive towards another person are to be read in accordance with this section.

## **2.2 Who can experience domestic abuse?**

### Definition of “personally connected”

For the purposes of this Act, two people are “personally connected” to each other if any of the following applies:

- they are, or have been, married to each other
- they are, or have been, civil partners of each other
- they have agreed to marry one another (whether or not the agreement has been terminated)
- they have entered into a civil partnership agreement (whether or not the agreement has been terminated)
- they are, or have been, in an intimate personal relationship with each other
- they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2))

- they are relatives.

For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if:

- the person is a parent of the child, or
- the person has parental responsibility for the child.

You can find the full definition at [legislation.gov.uk](https://www.legislation.gov.uk)

### **3. 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 survivor 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 investigated in accordance with Cambridgeshire County Council's Adult Safeguarding policy guidelines and procedures, our Anti-Social Behaviour Policy and our Safeguarding Children and Adults at Risk of Harm Policy.
- 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 (but not be limited to), physical needs, mental needs, communication needs and each of the nine characteristics of the Equality Act (2010).
- 3.5 We can refer the person to other agencies that provide specialist support and guidance.
- 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 abuse or a witness to abuse. In an emergency, always call 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 men 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 to offer support, services and information to survivors of domestic abuse.

### **4. 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. 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. Examples of other partners include (but are not limited to):

- The police
- 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 Officer(s) (Where required)
- Other housing partners

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

4.2 Some members of staff throughout the organisation receive enhanced training and are Domestic Abuse Support Champions. They are available to offer support and advice to colleagues in relation to good practice. Their role is also to raise awareness of domestic abuse and ensure staff know how to access support.

4.3 Members of our Housing Enforcement Team, Housing Advice Team, Environmental Health teams and the Communities team also attend multi-agency working groups and panels on a regular basis as well as sharing information internally between teams. Partnership groups include:

- Cambridgeshire and Peterborough Safeguarding Partnership
- Domestic Abuse Sexual Violence (DASV) Partnership
- Multi Agency Public Protection Arrangements (MAPPA) Senior Management Board
- Sub Regional Homeless Leads Group
- Multi-Agency Risk Assessment Conference (MARAC)
- Cambridge Perpetrator Panel
- South Cambs Domestic Homicide reviews

- South Cambs Community Safety Partnership (CSP) Problem Solving Group-Adults
- South Cambs CSP Task & Finish Group
- Residents at Risk of Homelessness Group

In addition, officers take advantage of opportunities to participate in regional and national discussion forums through attendance at Regional DAHA events and through participation in the National Housing Federation's Domestic Abuse core group.

## **5. 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 (2017), 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 SCDC legal duty to act.

## **6. Housing options**

6.1 Housing staff recognise the importance of the Whole Housing Approach (WHA) 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. Housing Advice staff receive domestic abuse awareness training and are also trained in completing DASH risk assessments. Staff will offer advice and support to assist those experiencing domestic abuse to identify possible ways of resolving their housing situation.

- 6.2 Victims of harassment, violence or abuse may get preferential banding for housing in accordance with the Council's Lettings Policy. 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 as a result of domestic abuse or harassment.
- 6.3 We can help with access to emergency accommodation or access to refuge services where required.
- 6.4 The Housing Advice and Options team hold a Safe at Home budget, which may be available to provide additional home security to those wishing to remain in their own home. In addition, other financial support (such as access to Rent Deposit and Spend to Save schemes) may be available to people wishing to relocate.
- 6.5 We do not generally encourage victims of domestic abuse to carry out a mutual exchange. Our priority is ensuring people access a safe and secure environment and we do not consider that mutual exchanges usually fulfil these criteria. However, 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. 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 Housing staff are unable to make a decision to assign the tenancy 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. If the perpetrator does not vacate the property, the landlord could decide to begin

possession proceedings and may then consider using discretion to grant the victim a sole tenancy at an alternative property or the original property.

- 7.4 In the case of Council Tenants, the Council is likely to begin possession proceedings against a perpetrator. However, this decision will be 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 If a victim of domestic abuse loses their secure tenancy as a result of the abuse, the Domestic Abuse Act 2021 requires local authorities to grant another secure tenancy to the victim if they rehouse them. 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. (Again, these decisions will be made in consultation with the victim and other professionals such as the Independent Domestic Abuse Advisory Service).
- 7.6 The victim should always seek advice and support to be fully informed of their options and to avoid losing their tenancy.

## **8. Taking action**

- 8.1 The Council have signed an agreement with Cambridgeshire County Council to work within their Adult Safeguarding policy guidelines and procedures. More information can be read at the Cambridgeshire County Council website.
- 8.2 We can refer victims to access advice on their options and may be able to provide support when taking legal action against the person committing the domestic abuse.
- 8.3 We can use civil injunctions where appropriate.
- 8.4 We will also facilitate direct management transfers if suitable.

## **9. Repairs and security**

- 9.1 Our repairs contractor will respond to any repair issues that arise as a result of violence in accordance with the agreed priority timescales within the contract.

- 9.2 Any repair issues that involve security of the property (example, lock change, board up windows, make safe etcetera) will be treated as an emergency appointment and will be attended to within a maximum of 24 hours.
- 9.3 Our repairs contractor, or a member of staff from South Cambridgeshire District Council, may ask for a crime reference number in order to ensure a recharge invoice for the works is not generated. However, it is recognised that victims of abuse do not always report crimes to the police. In circumstances where a crime reference number is not available, staff will seek to deal with the situation as pragmatically as possible (for example, a person may already be known to be experiencing abuse and / or receiving specialist domestic abuse support services. Alternatively, a service manager could agree to waive the re-charge).
- 9.4 In some circumstances we may be able to offer extra security measures at the property through our 'Safe at home budget'.
- 9.5 We will also refer people to other initiatives, such as the Cambridgeshire Bobby Scheme, who can also provide assistance.

## **10. 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. If the survivor wishes to remain with the perpetrator, any decisions around support will be based on the specific risks associated with the situation. Housing Advice staff are trained in DASH risk assessments and are also encouraged to refer to the specialist Independent Domestic Violence Advisory Service where there are concerns.
- 10.2 Where it is appropriate for enforcement action to be taken (for example, reporting to the police, action against a tenancy), Council staff will do so.
- 10.3 It is also recognised that, from time to time, Housing Advice and Housing Services staff may be expected to support a perpetrator with their housing options. 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. 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.

10.4 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.

10.5 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.

## **11. Prevention and awareness**

11.1 The Council are committed to learning from good practice and providing appropriate training for staff. This will include e-learning 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 violence and encourage anyone that is experiencing it to engage with support services.

11.3 We are committed to achieving 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 the topic through articles published on our website, Tenant and Leaseholder newsletters and magazine and share awareness material on our housing Facebook page and with relevant partners and agencies where and when appropriate.

## **12. 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. Related documents**

- Anti-Social Behaviour Policy
- Internal Staff Domestic Abuse Policy (HR)
- Lettings Policy
- Safeguarding children and adults at risk
- Cambridgeshire and Peterborough Safeguarding Adults Board Multi-Agency Safeguarding Policy

### **14. 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 Scheme](#) webpages for more information). We are also obliged to comply with the Equality Act 2010 and the Public Sector Equality Duty. As per the [Cambridgeshire Equality Pledge](#), 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 our services receives fair and equitable treatment. 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. We are committed to working with our partners and communities to

promote good relations and to combat prejudice, discrimination and harassment.

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

## **15. Complaints**

15.1 Any complaints should be addressed in line with the Housing Services Comments, Compliments and Complaints Procedure. The responding officer may discuss the complaint with the Domestic Abuse Lead or one of the organisation's Domestic Abuse Support Champions to ensure that matter is viewed through an informed domestic abuse lens.

15.2 An overview of the complaint's procedure is available on the [website](#).

## **16. Review**

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