

## Domestic Abuse Policy

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# Document Control

## Governance

Table 1 – Policy information

Item	Response
Title	Domestic Abuse Policy
Responsible officer	Janet Sharpe, Interim Service Director, Homes & Neighbourhoods
Author	Claire Felvus, Housing Services Strategic Manager
Approved by	Cabinet
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Applicable to	Kirklees Homes & Neighbourhoods staff and subcontractors; Kirklees Homes & Neighbourhoods tenants, leaseholders and household members.
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## Revision history

Table 2 – History of revisions

Date	Version	Author	Authorised by	Revision details
Xxxxxx	1.0	Xx	Xx	First publication

# 1. Introduction

## 1.1 Purposes of this policy

1.1.1 Domestic abuse is a complex, social problem. A quarter of women and one in seven men will experience domestic abuse at some point in their lives. Domestic abuse is often hidden and can be hard to identify. Victims can find it difficult to come forward and abuse itself often extends to silencing those affected. The Office of National Statistics reports an estimated 2.1 million people aged 16 years and over experienced domestic abuse (2023) with the police recording 889,918 domestic abuse-related crimes (2023).

1.1.2 Kirklees Council Homes and Neighbourhoods (KHN) believes that every resident has the right to a home free from all forms of abuse. We are committed to tackling domestic abuse by working in partnership, sharing best practice, and ensuring our staff respond to this issue in a coordinated and consistent way.

1.1.3 This policy sets out our approach to prioritising and acting directly, in our capacity as landlord, to protect and support our tenants. Our approach is consistent with that set out in the Kirklees Domestic Abuse Strategy and is in alignment with Kirklees Council's Housing Allocation Policy.

## 1.2 Legal context

1.2.1 This policy responds to the Social Housing Regulation Act 2023 and the associated Consumer Standards by addressing the following requirements:

### **Neighbourhood and Community Standard**

- Registered providers should have a victim approach to recognising and effectively responding to cases of domestic abuse. They should consider, among other things, how they
- Raise awareness and understanding amongst relevant staff
- Make tenants aware of appropriate support and advice available
- Offer tenants affected by domestic abuse referrals to specialist domestic abuse agencies
- Provide staff supporting tenants experiencing domestic abuse with appropriate specialist training
- Registered providers must ensure that communication with and information for tenants is clear, accessible, relevant, timely and appropriate to the diverse needs of tenants.
- Registered providers must ensure that landlord services are accessible, and that the accessibility is publicised to tenants.
- Registered providers must allow tenants and prospective tenants to be supported by a representative or advocate in interactions about landlord services.

1.2.2 This policy also aims to ensure compliance with the following legislation:

- Domestic Abuse Act (2021)
- Domestic Violence Disclosure Scheme (Clare's Law)
- Data Protection Act (2018)
- Modern Slavery Act (2015)
- Anti-Social Behaviour Crime and Policing (2014)
- Protection Of Freedoms Act (2012)
- Equality Act (2010)
- Police and Justice Act (2006)
- The Children Act (2004)
- Sexual Offences Act (2003)
- Human Rights Act (1998)
- Protection from Harassment Act (1997)
- The Care Act (2014)
- Housing Act (1996)

## 1.3 Definitions

1.3.1 The Domestic Abuse Act (2021) defines the behaviour of person 'A' towards another person 'B' as 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
- psychological, emotional or other abuse

It does not matter whether the behaviour consists of a single incident or a pattern of behaviour.

"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.

1.3.2 Children under the age of 18 years are recognised as victims / survivors of domestic abuse in their own right, if they see, hear or experience the effect of the abuse and are related to the victim / survivor or the perpetrator.

1.3.3 The following are just some examples of what abusive behaviour could look like:

- being isolated or prevented from having contact with friends and family
- humiliating you in front of others, insulting or mocking you
- disproportionate anger or yelling
- threatening to do something to you or others
- destroying things that belong to you
- withholding or stealing money from you or preventing you from working
- preventing you from escaping
- telling you are worthless, unwell or weak
- telling you what to wear, who to see, where to go, and what to think
- regulating your everyday behaviour
- hurting you in a number of ways such as kicking, punching or using other forms of physical abuse towards you
- making unwanted sexual demands

1.3.4 This policy uses the terms 'victim' and 'survivor', respecting the variation in how individuals who are living with or recovering from domestic abuse prefer to be referred to. Reference to 'people affected by domestic abuse', includes victims and survivors (adult and children) and perpetrators of domestic abuse.

## 2. Objectives and scope

### 2.1 Policy objectives

2.2.1 This policy is built upon the six principles we expect H&N staff to work towards when addressing safety or safeguarding concerns relating to children, young people and adults as noted in the H&N Safeguarding Guidance and Support document:

- **Empowerment**
  - o Support / encourage individuals to make own decisions / informed consent
- **Prevention**
  - o Taking action before harm takes place
- **Proportionality**
  - o The least intrusive response appropriate to presented risk
- **Protection**
  - o For all in need
- **Partnership**
  - o With services and local communities
- **Accountability**
  - o Including transparency for all to understand everyone's role

2.2.2 This policy aims to:

- Promote the welfare of victims / survivors of domestic abuse who come into contact with H&N services.
- Provide employees with clear and practical guidance to ensure we support and protect victims and survivors of domestic abuse.
- Support employees to understand how rent arrears, housing damage, and anti-social behaviour may be indicative of domestic abuse.
- Create a safe environment where victims and survivors of domestic abuse feel they can approach us, are encouraged to talk, and are listened to, thus enabling them to make informed decisions about their lives and live more independently.
- Provide housing services to victims and survivors of domestic abuse that are supportive, empathetic and professional.

### 2.1.4 In applying the policy, we will:

- Work collaboratively with partners so that we can respond quickly to any cases of abuse and enhance the safety and security of those involved such as Police, Safer Kirklees, Social Care, Children's Services and other specialist support.
- Work with those individuals experiencing domestic abuse irrespective of age, gender, sexuality, disability, ethnicity, religion, social background or any other characteristics identified in the Equality Act 2010.
- Keep accurate and secure data on domestic abuse within the bounds of data protection to aid decision-making.
- Ensure that relevant staff are provided with ongoing learning and development to support their role.
- Signpost support and raise awareness through an ongoing communication strategy utilising a wide spectrum of media including face to face, telephony, social media and digital media.
- Identify risk and vulnerability in new tenancies.
- Encourage tenants to report all incidents of threatened or actual domestic abuse but be guided by the customer and appropriate professionals in determining the most appropriate course of action.
- Offer impartial, discreet, sensitive, and non-judgemental advice and enable access to specialist sources of support through signposting and referral (while recognising that housing officers would not be expected to fulfil the role of specialist agencies themselves).
- Establish close working relationships with key partners such as the police and legal services.
- Support the lead statutory agency in acting against perpetrators of abuse. This could include taking legal action against perpetrators if we come across serious breaches to a tenancy, such as violence or threats of violence in line with our tenancy agreement.
- Where it is appropriate to do so, we will signpost perpetrators to appropriate support agencies if perpetrators wish to positively change their behaviour and prevent domestic abuse recurring.
- Comply with Kirklees Safeguarding Children Partnership (KSCP) and follow the relevant child protection / safeguarding children's procedures if we believe a child is at risk due to domestic abuse.
- Comply with Kirklees Safeguarding Adult Board (KSAB) and follow the relevant safeguarding adult's procedure if we believe a vulnerable adult is at risk due to domestic abuse.

## 2.2 Policy scope

2.2.1 This policy applies to all tenants and household members living in properties owned and/or managed by Kirklees Council. We recognise that everyone's situation is different, and a one-size-fits-all approach does not work for everyone. KHN will respect the wishes of domestic abuse victims and will treat reports as confidential, excluding in exceptional safeguarding circumstances.

2.2.2 This policy does not aim to explain in detail how we will approach and respond to cases of domestic approach. It is a general guide and statement of intent for residents and employees, contractors, and partners working across KHN services, of our commitment to try and prevent domestic abuse and to support victims and survivors when accessing housing-related support.

## 3. Policy statement

### 3.1 Reports and concerns of domestic abuse

3.1.1 Any housing officer or operative can receive concerns or reports of domestic abuse from our tenants or household members, through any means of communication. The individual in receipt of the report / information is then responsible for ensuring information is logged appropriately.

3.1.2 We will support Kirklees' Councils Multi agency response to the most serious cases of domestic abuse in Kirklees through either Daily Risk Management Meeting (DRAMM) and Multi-Agency Risk Assessment Conference (MARAC). This could include sharing information where a victim and / or perpetrator referred to DRAMM or MARAC resides in a HN property, recording alerts on a tenants file when appropriate.

### 3.2 Risk management

3.2.1 In order to reduce risk:

- We will work with individuals to consider the best options available to prevent further abuse and to remain victim centred.
- We will consider all protected characteristics and vulnerabilities presented when assessing risk and any potential action we can take as landlord.
- If we are advised by an individual that they are in immediate danger we will advise them to contact the Police or will do so on their behalf if they are unable to do this themselves.
- We will work in partnership with relevant services such as the Police and Social Services, to prevent further incidents of domestic abuse.
- We will seek to support victims and survivors who wish to remain in their homes if safe to do so, working with partners agencies and victims / survivors to consider target hardening,

and other preventative measures which could include advice, assistive technology, and physical changes to properties such as increased security.

- In alignment with and Homes and Neighbourhoods Repairs and Maintenance Policy, wherever possible repairs will be diagnosed at point of order to assist in assessing the correct priority response
- On a case-by-case basis, we will seek specialist advice on whether other security measures will be beneficial and/or feasible.
- Where cases meet the threshold, work in partnership with the Daily Risk Assessment Management Meeting and Multi-Agency Risk Assessment Conference (MARAC) processes, this may involve completing a domestic abuse, stalking and harassment and honour based violence (DASH) tool.
- Plan and provide accommodation based support as a priority for those experiencing domestic abuse if they are at risk in their current home; in alignment with Kirklees Council's Housing Allocation Policy.
- Where there is a joint tenancy with the perpetrator, we will provide the victim / survivor with appropriate information to access legal advice about their joint tenancy, which could include advising them of the National Centre for Domestic Violence which offers fast and free legal advice in matters relating to domestic abuse.

### 3.3 Strategic approach

3.3.1 KHN will share information in line with [Kirklees Domestic Abuse Strategy](#) information sharing protocols and Section 115 of the Crime & Disorder Act (1998), for the purpose of preventing and detecting Crime & Disorder including domestic abuse. In doing so, we will adhere to relevant data protection legislation.

### 3.4 Recording information and data privacy

3.4.1 Staff will record information around reports / disclosures on the tenant record within our housing systems.

3.4.2 KHN will share relevant information with local agencies such as the police to deal with cases to provide better more effective support.

3.4.3 KHN will report potentially criminal acts to the police.

3.4.4 All information captured and recorded in connection to the delivery of housing-related services, as identified in this policy, will be used in accordance with the functions and activities outlined in Homes and Neighbourhoods' Privacy Notice.

## 4. Roles and responsibilities

### 4.1 Council responsibilities

4.1.1 Supervisors, team leaders and managers will be responsible for ensuring that their staff are aware of and comply with the provisions of this policy through supervisions and appraisals.

4.1.2 All frontline Housing Officers and Operatives that have tenant contact, will be given clear guidance and appropriate training (including refresher training) on being alert to the signs of domestic abuse, how to report concerns and disclosures and how relevant staff manage cases of domestic abuse.

4.1.3 All staff are responsible for implementing this policy in their day-to-day duties.

## 5. Monitoring and review

### 5.1 Monitoring and improvement

5.1.1 The effectiveness of the Domestic Abuse Policy will be monitored through regular case audits to identify gaps in procedures, strengthen our response to residents and adapt to evolving risks and challenges. Audits serve as a tool for peer review, highlight good practice and support learning and development.

5.1.2 Audit data will be shared with Homes & Neighbourhoods Senior Management Team on a quarterly basis for discussion and review. Data will be included on new tenancy visits, home visits, ASB cases etc.

5.1.3 Data relating to safeguarding and managed concern reports will be shared and discussed at the Homes & Neighbourhoods Safeguarding Working Group. The data will be used to identify gaps in service provision, inform future training and development, highlight areas of strength across the services and recognise individual cases of good practice. All relevant services within Homes & Neighbourhoods will provide appropriate senior representation at the working group; as a minimum this will include Housing Management & Partnerships, Properties, and Assets, with the addition of other colleagues as required (e.g. Learning & Occupational Development).

5.1.4 Learning from complaints and performance data about our management of tenancies will be shared with the groups above and the Tenant-Led Panel. This will include details of how the learning will be used to improve service delivery and the management of vulnerable tenants.

## 5.2 Policy review

5.2.1 This policy will be reviewed at least every three years, or in response to relevant changes in legislation, regulation or organisational structures. Any significant changes will be consulted on prior to implementation with the Tenant-Led Panel.

5.2.2 Updates to this policy will be published on the council's website.

## 6. Associated policies and procedures

### 6.1 Homes & Neighbourhoods policies

6.1.1 The following Homes and Neighbourhoods policies are relevant and should be read in conjunction with this domestic abuse policy:

- Vulnerable Tenants Policy (in draft on flightpath)
- Repairs and Maintenance Policy (currently under review)
- Complaints Policy

### 6.2 Council-wide policies

6.1.2 The following broader Kirklees Council policies are relevant and should be read in conjunction with this domestic abuse policy:

- Kirklees Council Housing Allocations Policy
- Kirklees Council Safeguarding Policy