

Cheshire West & Chester Council

Council Housing

Domestic Abuse Policy

Issue date: July 2024
Review date: July 2027



Cheshire West
and Chester

1. Management Information

Approval Date:	July 2024
Next Review Date:	July 2027
Policy Owner:	Janet Lawton, Head of Housing Delivery
Responsible Service Area:	Council Housing Management Service
Responsible Director:	Director of Economy and Housing

2. Introduction

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 Council managed property or receiving a service from us. We have a separate policy which applies to staff, contractors, and volunteers.

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

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

The Council 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.

3. Aim of Policy

This Policy sets out how the Council 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 the Council or is within a neighbourhood where the Council manages homes.

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.

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

4. Strategic context

This policy helps the Council to meet the following national and local strategic aims.

Social Housing Regulations Act 2023 – Consumer Standards

- Transparency, Influence and Accountability Standard
- Neighbourhood and Community Standard
- Tenancy Standard

[CWAC Borough Plan 2024 – 2028](#) - sets out how the Council will work with all its residents to build a stronger future where the Council and residents all play their part in creating thriving, caring and sustainable communities.

The Borough Plan has six missions as follows:

- Starting well - The best start for the borough's children and young people, with improved opportunity, a healthier start, greater resilience in families and the best possible support and care when it is needed.
- Tackling hardship and poverty - More people feel more financially secure as the causes and impact of hardship and poverty are addressed by working alongside residents.
- Resilient people living their best lives - Local people are enabled to flourish, be healthy, happy and independent for longer in supportive communities.
- Opportunity in a fair local economy - Local people and businesses contribute to and benefit from a strong and fair local economy.
- Neighbourhood pride - Residents live in well maintained, connected and safe places with good and affordable homes.
- Greener communities - Individuals, public services and businesses take action to move to tackle the climate emergency, achieve net zero, protect the natural environment and adapt to the impact of climate change.

[Domestic Abuse Strategy | Cheshire West and Chester Council](#) – sets out the Council's strategic approach and how it intends to continue and develop the good work already happening across the borough. The strategy will serve to raise awareness of what domestic abuse is and what services and communities working together can do about it and will result in west Cheshire being an even safer and happier place to live. The strategy will deliver on its core aim of ensuring that west Cheshire is a place where domestic abuse is spoken about openly and residents who are harmed can access the services they need.

5. Definition and legislation

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 the Councils priority, and we will inform statutory services where we believe that a child is harmed or at risk due to Domestic Abuse.

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

The Council 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.

Legislation

- 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

6. How the Policy will be delivered

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

Obligation of Tenants

Council 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. The Council 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 the Councils Domestic Abuse cases will require the involvement of other agencies and services to ensure our approach is victim focused. Staff will work with partner agencies such as the Police, 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.

The Council are 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

The Council 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 staff 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 Council property is a crime and a breach of tenancy. The Council are committed to managing Domestic Abuse cases on an individual basis, with a survivor focused approach whilst holding perpetrators to account.

The Council will work alongside victims and survivors to ensure that any action taken 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

The Council 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.

7. Equity and reasonable adjustment statement

We value diversity and work to create an inclusive environment for customers and staff, where everyone has access to the same opportunities. We welcome our responsibility to comply with equalities legislation and regulatory requirements that relate to equity, diversity and inclusion and aim to do more. Through our activities we aim to remove systemic barriers to equal opportunities and eliminate all forms of discrimination, harassment, and victimisation within our organisation.

We are committed to providing excellent customer services, which are fair, equitable and inclusive. As such, we will endeavour to understand and make any reasonable adjustments required for customers in line with our Reasonable Adjustment Statement and the Equality Act 2010. Any reasonable adjustment provided will be recorded and kept under active review.

8. Related Documents

- ASB Policy
- Council Domestic Abuse Strategy 2026-30
- Hate Crime Statement
- Safeguarding Policy
- Data Protection Policy

9. Equality Analysis

Results of EA / Actions taken forward to mitigate any potential negative impacts	Inform that this policy can be provided in alternative formats. Inform about the ongoing equality and diversity training for staff in the delivery of this policy.
--	---

See appendix 1 for full Equality and Diversity Impact Assessment.

10. Consultation and Business Intelligence

The policy was created in consultation with the Council's tenants leaseholders and staff.

11. Monitoring and review

The Council Housing Management Board has responsibility for the monitoring and review of this policy. This policy will be reviewed every three years starting from the date it is approached and adopted.

12. Approval and Review History

The approval route for all policies and procedures is via the Cabinet Member for Homes and Planning who has delegated powers for policy approval from the Council's Executive Cabinet.

Issue	Approved by	Date
Approval V1	ForHousing (HMC) SMT	12 June 2024
Approval V1.1	Cabinet Member for Homes and Planning and safer communities	2 July 2024

13. Document Revision History

Date Amended	Version	Key Changes
May 2024	V1	Detail any key changes here, if this is a new policy enter: New Policy
28 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.
16 September 2025	V1.2	Revised version to take into account the insourcing of the housing management service from the Council.

Appendix 1 – Equality and Diversity Impact Assessment

Area of activity or change	Domestic Abuse Policy
IMDF Approval	Allan Batty, Senior Housing Policy Officer

STAGE ONE - SCOPING	Outlines the decision that is being made any why
STAGE TWO - RESEARCH	Outlines the collaboration and research that will inform this decision
STAGE THREE - FINDINGS AND NEXT STEPS	Considers how learnings from research and engagement are being embedded, the potential impact of the decision on different people and how these can best be managed.

STAGE ONE – SCOPING	
<p>Consider points such as:</p> <ul style="list-style-type: none"> Where has the proposed activity or change come from and why is it needed? Why is it important to the Council? How will this affect the tenant / customer journey or colleague experience? 	<p>What activity or change is being proposed and why?</p> <ul style="list-style-type: none"> The Community safety service are currently undergoing the Domestic Abuse Housing Alliance (DAHA) accreditation, it has been identified through this process that there is a requirement for a Domestic abuse policy for tenants, which is separate to the ASB policy. A separate policy for Domestic abuse will provide tenants with advice, guidance and an understanding of how ForHousing can support those experiencing Domestic abuse. A standalone Domestic abuse policy will improve the customer journey; tenants will have access to the policy online and will not need to navigate their way through the ASB policy. The DAHA accreditation is the UK’s benchmark for how housing providers should respond to domestic abuse, the accreditation recognises that registered housing providers have an established set of standards when dealing with Domestic Abuse and are taking a stand to ensure they deliver safe and effective responses to Domestic abuse. This accreditation is important to ForHousing as it will help recognise the important service we provide to our tenants who may be a victim or survivor of Domestic Abuse
	<p>What benefits are you trying to achieve?</p> <ul style="list-style-type: none"> Implementing the Domestic abuse tenant policy will provide tenants with clear information and guidance on what support can be provided, and how staff can work alongside partner agencies to support those victims/ survivors of Domestic abuse.

STAGE TWO – RESEARCH

Consider points such as:

- What groups or individuals will you approach to discuss this?
- How will you ensure that these people are diverse and representative? (See Equity and Diversity table in stage three)
- Is there any data you can look at to support you?

Who will help develop your thinking so that different experiences and perspectives are included?

- Consultation with tenants and leaseholders using closed facebook page.
- Colleagues from HR, Tenancy sustainment, Safeguarding, Community Safety and Neighbourhood Services will be consulted with when writing the policy.

What research will you do to inform your understanding?

- Review all relevant requirements, including good practice
- To support the development of the policy other Registered providers will be looked, in particular those who have already completed the DAHA accreditation to look at best practice models for a domestic abuse policy.
- Data in terms of statistics relating to Domestic abuse will be researched from sources which will include the Office of National Statistics alongside charitable organisations such as Refuge, Safe Lives and National centre for Domestic Violence.
- Internal reports will be generated to gather data in relation to the EDI information we hold on victims of Domestic abuse which can be compared to national data and ensure that our policy meets the needs of our tenants

STAGE THREE – FINDINGS AND NEXT STEPS

Consider points such as:

- What have people told you are some of the key issues?
- What good practice is happening in other organisations?
- What changes are you planning to make because of the things you’ve found out?

What have you learnt from your research and engagement?

- Consultation with tenants and leaseholders informed on minor changes to the policy which is recorded in the final document.
- From the research conducted we have learnt that Domestic abuse is under reported to organisations, learning from this we would like to ensure that tenants/ victims of domestic abuse have a variety of ways in which they can report Domestic abuse to use whether that be online or in person. This will be outlined in the policy.
- Domestic abuse affects any gender, although statistics show that 74% of domestic abuse related crimes were linked to a female as the victim. Statistics also show that there is a higher proportion of victims in the 20-24 age category compared to those over the age of 55. Those with a disability or also at a higher risk of being a victim of Domestic abuse in comparison to those without a disability.
- Training for all staff is essential in being able to identify, signpost and support victims of Domestic abuse to the right support. To address this mandatory E-Learning training has been created and made available for all staff across the organisation. For Community safety staff who case manage reports of Domestic abuse, specialised training will be made available.

How will you embed what you’ve learnt into your activity or change?

The policy will be accessible via the tenants website and will provide tenants with advice and guidance on how they can report domestic abuse as well as advise them on the support they can receive from ForHousing. The policy will be inclusive regardless of gender, age, ethnicity and disability.

Equity and Diversity - Not everyone has the same access to opportunities or services, and the things that make us different – such as the characteristics listed below – can affect our experiences and outcomes. Therefore, it is important to consider how different people could be impacted by any activity or change we want to bring about.

How could the proposed activity or change affect people with these characteristics (positively or negatively)?		-		+
Age (Younger or older people)	Statistically there are a higher proportion of adults aged 20-24 recorded as victims of Domestic abuse compared those in age categories aged 55 and over. The policy will be inclusive regardless of age and will be accessible via the website for all. Children living in households where domestic abuse are recognised as victims of this abuse and our policy reflects this. We will inform statutory services where we believe a child is at risk.			
Caring responsibilities (Parents and those looking after an older or disabled person)	The office for national statistics estimated that between a quarter and a third of children have been exposed to domestic abuse at some point in their lives. Having a domestic abuse policy for tenants will positively impact any victim, including those with caring responsibilities as referrals can be made to supporting agencies as per the policy.			
Digital inclusion (People without access to digital platforms or devices)	The policy will be made available via the website, however all tenants are able to report domestic abuse by phone. All reports will be recorded and allocated to the community safety team who can then make the tenant aware of the policy and provide support and guidance as per the policy.			
Educational attainment (People who have experienced barriers to formal education)	No impact assessed.			
Ethnicity, race and nationality (Including migrants, refugees and asylum seekers)	The office of national statistics reports that domestic abuse reporting across different ethnic groups were not significant. The domestic abuse policy is inclusive for all tenants regardless of ethnicity, race and nationality. Implementing the policy will have a positive impact as staff will be required to signpost tenants to the appropriate service which may include specialist services such as Travelers IDVA, Jewish IDVA etc.			
Financial inclusion (People experiencing financial barriers or challenges)	No impact assessed.			
Marriage / civil partnership (Legal union between different-sex or same-sex couples)	Domestic abuse does not only arise in marriage/ civil partnerships. The policy acknowledges that Domestic abuse can arise in all relationships regardless of marital status.			

Mental health (People with a mental disability or ill-health)	Disabled people are at an increased risk of being a victim of domestic abuse, whether that be a physical or mental disability. The Policy could provide a positive impact in that referrals will be made to support agencies where a disability is identified as part of the victim risk assessment or DASH.	
Neurodiversity (Such as people with ADHD, Autism, Dyslexia, Dyspraxia)	Disabled people are at an increased risk of being a victim of domestic abuse, whether that be a physical or mental disability. The Policy could provide a positive impact in that referrals will be made to support agencies where a disability is identified as part of the victim risk assessment or DASH.	
Physical health (People with a physical disability or ill-health)	Disabled people are at an increased risk of being a victim of domestic abuse, whether that be a physical or mental disability. The Policy could provide a positive impact in that referrals will be made to support agencies where a disability is identified as part of the victim risk assessment or DASH.	
Pregnancy and maternity (Someone who is pregnant or has recently given birth)	Domestic abuse is known to either start or increase during pregnancy towards a victim. The policy will treat all victims equally and will work with partner agencies to ensure appropriate support is in place for expectant mothers.	
Religion, faith or belief (All religions and faiths, including people with no religion)	Implementing the domestic abuse policy will not negatively impact anyone's Faith, Religion or belief. The policy will be implemented and as part of the risk assessment completed religion, faith and belief will be recorded.	
Sex (Men and women)	Women are at a disproportionate risk of domestic abuse with 7 in 100 women experiencing domestic abuse in the year 21/22 compared to 3 in 100 men. The Policy will not negatively impact someone due to sexual identity and all report of domestic abuse will be investigated as per the policy. There could be a positive impact on female tenants who are statistically more likely to receive the support outlines in the Policy.	
Gender identity (Including trans and non-binary people)	A Stonewall study found that 28% of British transgender people had faced domestic abuse from a partner in the previous 12 months. The Policy is inclusive and any specialist service referrals needed will be made.	
Sexual orientation (Such as Lesbian, Gay and Bisexual people)	Domestic abuse is known to be prevalent in LGBT+ relationships and there are specialist IDVA services provided, referrals can be made into these services as per the policy.	
Any other characteristic		

Managing positive and negative effects	
<p>Consider points such as:</p> <ul style="list-style-type: none"> • Do you need to escalate any issues or seek legal advice? • Can you see any opportunities to promote or celebrate positive outcomes? • How will you build monitoring into the implementation of your activity or change and who will you report to? 	<p>If potential negative effects have been identified, how will any harm be reduced or avoided?</p> <ul style="list-style-type: none"> • No potential negative effects have been identified.
	<p>If potential positive effects have been identified, how can we ensure these are realised?</p> <ul style="list-style-type: none"> • Implementing a domestic abuse policy for tenants will provide tenants with reassurance the Council will take all reports of Domestic abuse seriously and will provide support in line with the policy. By implementing a policy that will be available online there may be an increase in reports made by tenants who previously were unaware they could report such matters to their housing provider. • Staff will ensure that relevant employees are familiar with the statutory definition of Domestic Abuse, and with the abusive behaviours detailed within the Domestic Abuse Act 2021 through mandatory training for front line staff.
	<p>How and when will the impacts of your activity or change be monitored moving forward?</p> <ul style="list-style-type: none"> • Quarterly performance reports following implementation of the domestic abuse policy will be monitored, there may be an increase in direct reports of Domestic abuse following this. • Implementing mandatory training for all staff will be monitored by EMT monthly.

