

Cheshire West & Chester Council

Council Housing

Relationship Breakdown Policy

Issue date: June 2024
Review date: June 2028



Cheshire West
and Chester

1. Management Information

Approval Date:	June 2024
Next Review Date:	June 2028
Policy Owner:	Janet Lawton, Head of Housing Delivery
Responsible Service Area:	Council Housing Management Service
Responsible Director:	Director of Economy and Housing

2. Introduction

Relationship breakdowns can be among the most stressful and emotionally draining experiences a tenant/leaseholder can face. Whether the relationship was romantic, family-based or a close friendship, the loss of connection can affect every area of life: mental health, physical well-being, finances and self-esteem.

A relationship is more than just two people; it's routines, shared memories, future plans and often mutual support. When it ends, the tenant/leaseholder may experience:

- Grief and Loss – Similar to bereavement, it's natural to grieve the loss of what a person had and what they hoped for.
- Shock and Confusion – Even if the person saw it coming, the finality can be hard to process.
- Changes in Identity – If their sense of self was tied to the relationship, it may feel like they've lost part of who they are.
- Practical Disruption – Changes to living arrangements, finances, and daily routines can be overwhelming.
- Impact on Health – High stress can lead to anxiety, depression, sleep problems, or physical symptoms.

3. Aim of Policy

This policy outlines the Council's approach to managing relationship breakdowns, with a focus upon the following key issues:

- Effective and consistent tenancy management to ensure an equitable service is provided and stock use maximised
- Minimising the social impact of relationship breakdown, the impact on children and other vulnerable family members
- Prevention of homelessness and meeting housing need
- Rights of the Tenant

The purpose of this Policy is to inform tenants/leaseholders of their housing rights for when a relationship with a partner breaks down, where there is no violence, threatened violence or coercion involved. Please refer to Domestic Abuse policy for guidance where violence or coercion is involved.

The policy also gives guidance on how joint tenants can deal with conflicts over property rights and what action can be taken by the Council once the tenant and partner have decided on the property issue.

4. Strategic context

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

Social Housing Regulations Act 2023 – Consumer Standards (delete as appropriate)

- 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.

[Together with Tenants Charter | Cheshire West and Chester Council](#)

5. Definition and legislation

A relationship breakdown is when a person's feelings towards a person you have previously felt comfortable and close to change or how you feel in their presence shifts. Relationships include friendships, couples, families, and marriages/civil partnerships.

Legislation, Guidance and Background

Housing Act 1996 (The Act) sets out a framework for the conduct of tenants in order to ensure that both parties knew their rights when signing up for a tenancy agreement.

The Act gave responsibility to the Council to prioritise those in greatest need of housing, based on particular needs they have and on the likelihood of them being able to secure accommodation themselves.

The Homelessness Act 2002 made further provision about the functions of local housing authorities relating to homelessness and the allocation of housing accommodation.

The Homelessness Reduction Act 2017 amends the existing Homelessness legislation in the Housing Act 1996. It places new legal duties on councils to ensure everyone who is homeless or at risk of homelessness has access to meaningful help, irrespective of their priority need, as long as they are eligible for assistance.

6. How the policy will be delivered

The delivery of this policy and associated procedures will be the responsibility of the Council. This Policy will be available to all staff and regular training will be provided to relevant staff on all policies and procedures.

If staff become aware that there are problems with effective operation of the policy or the associated procedures, they should report this to the policy owner. This feedback will be incorporated into the policy / procedural review process.

In all cases of relationship breakdown, any decision on eligibility for social housing will be made with regard to Council's Housing Allocation Policy due to the limited number of homes available to applicants. In line with homelessness legislation the Council will not have a duty to rehouse people that are not in priority need.

Where domestic abuse is a feature of the relationship breakdown, the Council Domestic Abuse policy alongside appropriate legislation will be followed to deal with the case.

Where there are children involved the aim will be to accommodate the adult who has custody/residence order for the children. In all cases, advice, support and assistance will be offered to the partner who does not have custody/residence order of the children.

Each case will be considered on an individual basis due to the varied and complex circumstances of individual households, which include married and co-habiting couples, households with or without children, and same sex couples.

Both parties will be advised and supported, at the initial enquiry stage and throughout the duration of the case, to seek independent legal advice, and be made aware of the implications of ending their tenancy.

We will follow the relevant legislation. In the case of joint tenants, the legal position is:

- Both parties have equal rights to stay in the home
- Both parties have the right to remain as a joint tenant although they may not be living at the property

- Both parties have the right to hand over (known as voluntarily assignment) their tenancy by deed to the other joint tenant, so ending their own secure tenancy rights and giving the other joint tenant the whole tenancy. The remaining sole tenant will have all the rights and responsibilities of the tenancy including responsibility for payment of the rent and any arrears.
- If divorce proceedings have been started the Court can decide who should have the tenancy. The joint tenants will need to make a request to the court to make a Property Adjustment Order. This will determine who will be given the tenancy.
- One tenant can unilaterally end the tenancy by serving the correct notice to quit on the Council, and this will end the tenancy for both parties upon expiry of the notice. Both joint tenants will then have no legal right to stay in the property. The consequence of this will be clearly explained to both parties.

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
- Change of tenancy Procedures.
- Housing Allocations 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.
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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.

Delivery of relationship breakdown services will be measured using existing methods including continued monitoring of:

- Satisfaction with services
- Redress levels and satisfaction with resolution
- Performance and Service Standard levels
- Complaints

If staff become aware that there are problems with effective operation of the Policy or the associated procedures, they should report this to the Policy Owner. This feedback will be incorporated into the policy / procedural review process.

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	Date
Approval V1	Cabinet Member for Housing and Planning	28/06/2022
Approval V2	Cabinet Member for Homes and Planning.	28/07/2024
Approval V2.1	Cabinet Member for Homes and Planning.	12/072024
Approval V2.2	Cabinet Member for Homes and Planning	19/09/2025

13. Document Revision History

Date amended	Version	Key Changes
	1	Original version
24/08/2021	1.2	Revision following tenant feedback CW&C Allocations Policy added to related documents.
04/05/2024	2	Removed sentence around domestic abuse as new Domestic Abuse Policy
28/05/2024	2.1	Revised by tenants and recommendations made and approved. <ul style="list-style-type: none">• Improved layout and wording

		<ul style="list-style-type: none">• 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.
09/09/2025	2.2	Revised version to take into account the insourcing of the housing management service from ForHousing.

Appendix 1 – Equality and Diversity Impact Assessment

Area of activity or change	Relationship Breakdown
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	
Consider points such as: <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? 	What activity or change is being proposed and why? <ul style="list-style-type: none"> Review new policy to ensure it meets the requirements of staff, Cheshire West and Chester Council and its tenants and leaseholders Review new policy to ensure that it complies with best practice guidance including Housing Ombudsman Consult with tenants and leaseholders
	What benefits are you trying to achieve? <ul style="list-style-type: none"> Policy to consider all requirements Policy to be clear about being developed by best practice guidance Policy to be informative, to be clear and in plain English Meet the needs of staff, tenants and leaseholders
STAGE TWO – RESEARCH	
Consider points such as: <ul style="list-style-type: none"> 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? <ul style="list-style-type: none"> Consultation with tenants using various methods to ensure a diverse range of tenants have an opportunity to feedback. Involve the landlord, Cheshire West and Chester Council in the review of this policy. Undertake an equality impact assessment to ascertain any positive and/or negative impacts on characteristics.
	What research will you do to inform your understanding? <ul style="list-style-type: none"> We will gain an understanding about new legislation, any good practice to identify any changes to the information set out within the policy.

STAGE THREE – FINDINGS AND NEXT STEPS	
<p>Consider points such as:</p> <ul style="list-style-type: none"> • 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? 	<p>What have you learnt from your research and engagement?</p> <ul style="list-style-type: none"> • Legislation informed on development of a Domestic Abuse Policy, and this is to be made clear within the Relationship Breakdown Policy. • Consultation with tenants and the Council informed on minor changes to the policy. <p>How will you embed what you've learnt into your activity or change?</p> <ul style="list-style-type: none"> • Inform within the policy to refer to Domestic Abuse policy if this is the cause of relationship breakdown • Make relevant minor changes to the policy to include improve layout and wording to ensure that this document is clear, plain English and easy to understand • Inform within the document that this can be provided in alternative formats. • Inform about the ongoing equality and diversity training being provided to staff in the delivery of this policy.

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)	Positive
Caring responsibilities (Parents and those looking after an older or disabled person)	Negative
Digital inclusion (People without access to digital platforms or devices)	
Educational attainment (People who have experienced barriers to formal education)	Negative
Ethnicity, race and nationality (Including migrants, refugees and asylum seekers)	Negative
Financial inclusion (People experiencing financial barriers or challenges)	Negative
Marriage / civil partnership (Legal union between different-sex or same-sex couples)	
Mental health (People with a mental disability or ill-health)	Negative
Neurodiversity (Such as people with ADHD, Autism, Dyslexia, Dyspraxia)	Negative
Physical health (People with a physical disability or ill-health)	Negative
Pregnancy and maternity (Someone who is pregnant or has recently given birth)	Positive
Religion, faith or belief (All religions and faiths, including people with no religion)	Negative
Sex (Men and women)	
Gender identity (Including trans and non-binary people)	Negative
Sexual orientation (Such as Lesbian, Gay and Bisexual people)	

Any other characteristic	
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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> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #e0f2f7;"> <th style="width: 15%; padding: 5px;">Identified Characteristics</th> <th colspan="6" style="padding: 5px;">Reduce or avoid potential negative effects</th> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">Eligibility for social housing following CW&C Allocations Policy which has its own Equality and Diversity Impact Statement. 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If potential negative effects have been identified, how will any harm be reduced or avoided?

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