



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

**July 2025**

## Contents

1. Introduction.....	2
2. What is domestic abuse? .....	2
3. Support.....	3
4. Multi-agency working.....	4
5. Information sharing and consent .....	5
6. Housing options.....	5
7. Joint tenancies .....	5
8. Taking action .....	6
9. Repairs and security.....	6
10. Perpetrator management.....	6
11. Prevention and awareness .....	7
12. Related legislation and regulations.....	7
13. Related documents .....	8
14. Equality and Diversity .....	8
15. Complaints .....	8
16. Review.....	9

## 1. Introduction

- 1.1. Fenland District Council (FDC) 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 and procedure sets out the level of service we aim to provide.
- 1.2. For the purposes of this policy and procedure, 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 policy should be read in conjunction with our Safeguarding Children and Adults at Risk of Harm Policy, the Council's Anti-Social Behaviour Policy and the Cambridgeshire and Peterborough Safeguarding Adults Board Multi-Agency Safeguarding Policy. 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://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.
- 3.9 In addition, in terms of supporting people experiencing domestic abuse, the council recognises that a person's intersectional needs will impact on their experience and the support required. The council promotes a range of resources and information via its webpages which can support staff and champions access specialised advice.

#### **4. Multi-agency working**

- 4.1 We will work with other agencies to provide support to victims of domestic abuse, where consent is provided by the person, or in circumstances where we have a duty to share information (please see section 5 for full information of information sharing and consent). These may 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
- 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 Private Sector Housing Team, Housing Options Team and the Community Safety Team also attend multi-agency working groups on a regular basis, such as the Multi-Agency Risk Assessment Conference (MARAC), the Perpetrator Panel and the Problem-Solving 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 FDC 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 Options Team staff receive domestic abuse awareness training and are also trained in completing DASH (domestic Abuse, Stalking, harassment and honour Based Violence Assessment) 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 Options team have links to support services who can assist with providing additional home security to those wishing to remain in their own home. In addition, other financial support such as access to Rent Deposit and rent in advance may be available to people wishing to relocate.

## **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.

- 7.2 In these circumstances the survivor 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 survivor 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 social housing tenancy, Housing Associations are 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 survivor 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 (via a Social Housing provider). 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) along with the Social Housing provider.
- 7.6 The survivor 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 survivors to access advice on their options and may be able to provide support when taking legal action against the person committing the domestic abuse.

## **9. Repairs and security**

- 9.1 We would work with partners to assist with necessary repairs and security.
- 9.2 We will refer people to 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 Options 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)
- 10.3 It is also recognised that, from time to time, Housing Options 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 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 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, where 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 Equality is about treating individuals fairly, supported by legislation designed to promote equality and eliminate discrimination and harassment. Diversity is about the recognition and valuing of difference for the benefit of the Council and the individual. Equality and diversity are not interchangeable but are interdependent. There is no equality of opportunity if difference is not recognised and valued.

14.2 We are committed to identifying, understanding and eliminating all barriers that prevent access to services, information and employment.

14.3 As a major employer and provider of services, Fenland District Council is committed to actively promoting equality and diversity, and working to combat discrimination across all nine protected characteristics of equality;

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnerships
- Pregnancy and Maternity
- Race
- Religion / Belief
- Sex
- Sexual Orientation

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

### **15. Complaints**

15.1 Any complaints should be addressed in line with the Council's 3C's procedure.

15.2 An overview of the complaint's procedure is available on the website:  
<https://www.fenland.gov.uk/threecs>

## **16. Review**

16.1 This policy and its procedures will be reviewed in June 2028. However, earlier reassessment may be required if there are changes in operations and / or legislation etc. As part of the review the council will understand any learning when the policy has been utilised.

JUNE 2025