

DOMESTIC ABUSE POLICY HOUSING

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Approved by	Cabinet
Associated documents	Tenancy Strategy Housing Management Policy Housing Allocations Policy Housing Anti-Social Behaviour Policy Housing Enforcement Policy Children, Young People & Vulnerable Adults Safeguarding Policy Equality & Diversity Policy

Revision history			
Version	Date	Revision description	Policy author
1	November 2024	New policy	Mike Bailey &

			Kathy Butler
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NEW POLICY / POLICY REVIEW	
New policy	Yes
Early review – change in legislation	
Early review – significant changes in practice	
Review due – significant changes	
Review due – cosmetic changes or unchanged	
Other reason	

Reason for new policy / summary of changes
As part of the council's work to achieve the Domestic Abuse Housing Alliance (DAHA) accreditation, one of the requirements is for a standalone housing domestic abuse policy. This is essential in providing our tenants and housing clients who experience or perpetrate domestic abuse with clear and succinct information about what they can expect from the housing service's domestic abuse response.

CONSULTATION	
List of people/roles who have been consulted	Date
Chief Officer, Housing	November 2024
Neighbourhood Services Manager	November 2024
Housing Strategy & Homelessness Manager	November 2024
Housing Advice & Preventions Team Leader	November 2024
Senior Housing Accommodation Officer	November 2024
Senior Housing Strategy & Initiatives Officer	November 2024
Private Sector Housing Manager	November 2024
Housing Assets Lead Manager	November 2024
Community Partnerships Manager	November 2024
Safeguarding Officer	November 2024
Domestic Abuse Champions	November 2024

EQUALITY IMPACT ASSESSMENT	Completed	Date
	Yes	January 2025

DISSEMINATION		
Role	Awareness	Essential
All Housing Operations staff		Yes
All Housing Strategy & Homelessness staff		Yes
All Housing Assets staff	Yes	
All Housing Customer	Yes	

Support staff		
All Housing Income staff	Yes	

TRAINING		
Role	Trainer	Date completed
All Housing Operations staff		
All Housing Strategy & Homelessness staff		
All Housing Assets staff		
All Housing Customer Support staff		
All Housing Income staff		

MONITORING AND COMPLIANCE		
Method	Responsibility	Frequency
Case reviews and audits	Housing Managers	Monthly
Internal audit	East Kent Audit Partnership	As required

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1. Introduction

- 1.1 Domestic abuse does not discriminate. It can have a prolonged impact on the health and wellbeing of those affected. Folkestone & Hythe District Council (F&HDC)'s Housing Service has an important role in recognising domestic abuse and supporting survivors to access appropriate advice and support, as well as access to safe accommodation away from the perpetrator.
- 1.2 The safety of our residents and communities is of paramount importance to us. We believe that all forms of domestic abuse are unacceptable, and this policy sets out not only our responsibilities under the Domestic Abuse Act 2021, but also what actions we will take to support domestic abuse survivors (including children) in partnership with other agencies.
- 1.3 The council is committed to ensuring the health, wellbeing and safety of all tenants and staff. We have a zero tolerance approach to domestic abuse. Anyone who is experiencing, or has experienced, domestic abuse should be able to raise this with the council, without fear of stigmatisation, whilst being provided with sufficient and appropriate support.
- 1.4 We recognise that domestic abuse can be experienced by anyone regardless of gender, sexuality or any other protected characteristic, it does disproportionately affect women. Additionally, people with some protected characteristic face additional barriers to disclosing that they are a survivor of domestic abuse. Our response to any individual disclosing domestic abuse will be non-judgmental and survivor-focused.

2. Purpose of the policy

- 2.1 This policy, together with the council's internal Housing Domestic Abuse Procedure, sets out how the council's Housing Service will recognise and respond to incidents of domestic abuse (DA), and work with other agencies to facilitate support for survivors of DA and their children.
- 2.2 The policy demonstrates how the council will meet its legal obligations and inform survivors what they can expect from us regarding their safety, including how we work in collaboration with external agencies to alleviate and prevent domestic abuse.
- 2.3 The policy extends to residents as defined in section 12 of this document (including people in temporary accommodation) and homelessness assistance applicants or homeless applicants.
- 2.4 For council staff who may be experiencing DA, please refer to the council's Staff Domestic Abuse Policy.

3. Definition of domestic abuse

3.1 The council uses the definition of domestic abuse as set out in the Domestic Abuse Act 2021, which defines domestic abuse as:

“The behaviour of one person towards another who are each aged 16 or over and are personally connected to each other, and the behaviour is abusive”.

3.2 Personally connected refers to those who are intimate partners, ex-partners, family members or individuals who share parental responsibility for a child. There is no requirement for the survivor and perpetrator to live in the same household.

3.3 The 2021 Act (which can be viewed in full here <https://www.legislation.gov.uk/ukpga/2021/17/contents>) defines behaviour as abusive if it consists of any of the following:

- a) Physical or sexual abuse
- b) Violent or threatening behaviour
- c) Controlling or coercive behaviour
- d) Economic abuse
- e) Psychological, emotional or other abuse

It does not matter whether the behaviour consists of a single incident or a course of conduct. Stalking, female genital mutilation (FGM) and forced marriage are all offences in their own right but may also be demonstrative of domestic abuse.

4. Policy objectives and scope

4.1 The aim of this policy is to support and safeguard survivors of domestic abuse, including their children, wherever possible.

4.2 The specific objectives of this policy are that:

- a) Residents experiencing domestic abuse are aware of the support which the council's Housing Service can provide them, and that this service is accessible, supportive, effective and survivor-focused
- b) The council works collaboratively with knowledgeable and specialist partner agencies towards the prevention of domestic abuse within our housing stock and those who are made homeless as a result of domestic abuse
- c) Staff are clear and confident about the council's approach to domestic abuse and receive necessary training and support to deliver a consistent,

sensitive and confidential service. This will involve raising awareness of domestic abuse and its indicators amongst relevant staff

- d) We provide housing support and solutions that are appropriate to the needs of the survivor/s and hold perpetrators to account for their actions, whilst maintaining the primary focus upon the safety of the survivor/s and their children
- e) The council's service for survivors of domestic abuse, including their children, is robustly monitored to identify and explore opportunities for improvement

4.3 We will also aim to intervene early to address domestic abuse and prevent further abuse.

4.4 We will hold perpetrators to account for their actions with a focus on rehabilitation and maintaining the safety of the survivor.

4.5 We will fulfil and deliver the aims of the Domestic Abuse Housing Alliance (DAHA) framework.

4.6 We will adopt a trauma-informed approach and will protect and provide sufficient support for survivors of domestic abuse, including signposting and referrals to appropriate agencies.

4.7 Understanding the experiences of survivors of domestic abuse is integral to the Council ensuring that any changes to the way that we work can be informed by the lived realities of those who have experienced it. This will allow our services to improve responses so everyone gets the support and protection they need. There is no "one voice" to represent survivors given that everyone's experiences are different, but those with lived experience who are willing to contribute to service development are free to share as much or as little as they choose, and should be able to do so without having to repeat their story and experiences.

5. Legal / regulatory framework

5.1 The council's Housing Service has a legal duty and obligation to support survivors of domestic abuse under the following legislation:

- [Domestic Abuse Act 2021](#)
- [Children Act 1989](#)
- [Crime & Disorder Act 1998](#)
- [Care Act 2014](#)
- [Social Housing \(Regulation\) Act 2023](#)
- [Data Protection Act 2018](#)
- [Equality & Diversity Act 2010](#)
- [Homelessness Reduction Act 2017](#)

- [Housing Act 1996](#)
- [Human Rights Act 1998](#)
- [Anti-Social Behaviour, Crime & Policing Act 2014](#)

6. Responsibility

- 6.1 All F&HDC staff are responsible for complying with domestic abuse legislation, this policy, the council's [Children, Young People & Vulnerable Adults Safeguarding Policy](#), [Equality & Diversity Policy](#) and associated processes and procedures when identifying, recording and providing support to survivors. Staff are also responsible for attending training when required as appropriate to their role, and to have an awareness of safeguarding, report and refer any concerns to their line manager and a Designated Safeguarding Officer (DSO).
- 6.2 All line managers and supervisors are responsible for complying with domestic abuse legislation, this Policy, the Children, Young People & Vulnerable Adults Safeguarding Policy and the Equality & Diversity Policy and associated processes. This means that any staff working within their service areas have read and understood this Policy and associated policies and procedures, can easily access them, comply with them, undertake and complete training when required, such as e-learning provided by the council, or prescribed training provided externally.
- 6.3 DSOs are district leads on the respective children and adult Safeguarding Boards and give advice on requirements for vetting and training requirements and coordinate serious safeguarding cases and reviews.

7. The policy

- 7.1 Domestic abuse may come to the attention of staff through direct disclosures and by way of potential indicators such as a higher-than-average number of repairs, presenting as homeless or at risk of homelessness due to domestic abuse, abandoned properties, anti-social behaviour complaints and noise nuisance.
- 7.2 Housing staff are well placed to recognise domestic abuse as abuse often takes place in the home environment. It should be noted that indirect disclosures may also take place, and staff are aware and trained on how to respond to these disclosures too. Housing staff should therefore be able to recognise the signs and respond appropriately and signpost to if someone experiencing abuse is identified as requiring advice and support.

7.3 The Housing department will raise awareness amongst staff and improve our ability to identify cases of abuse by:

- a) Attending training and briefings for all staff on domestic abuse. This includes the mandatory domestic abuse training for all F&HDC staff
- b) Ensuring all housing staff are aware of local referral pathways for specialist support and what to do in an emergency
- c) Ensuring all housing staff are aware of the Housing Domestic Abuse Procedure, including how to refer an incident of domestic abuse to internal teams to manage the household
- d) Ensuring all housing staff are familiar with the correct process for responding to survivors who are at high risk of harm, including making a referral
- e) Ensuring all housing staff are familiar with the correct process for making safeguarding referrals for children and adults at risk where appropriate
- f) Creating opportunities for residents to disclose abuse during home visits or assessments by the Housing team. Prompting disclosure will only take place where it is safe to do so (e.g., where the suspected survivor is alone)
- g) Using the knowledge and expertise of our Staff Domestic Abuse Champions to raise awareness in the Housing Service of potential indicators of abuse and increase understanding of how to safely enable the potential survivor to disclose abuse
- h) Making enquiries – through interviewing and asking questions - areas of concern and potential indicators of abuse within cases of people presenting either as homeless or at risk of being homeless (as a result of self-referral or otherwise), to the Housing Options Team.

7.4 There are multiple and complex barriers that may prevent someone from disclosing their abuse. We will believe all survivors who make a disclosure and therefore will not ask for proof to evidence domestic abuse. However, we will ask questions to support our understanding of the situation, help us determine the most appropriate action to ensure that we provide the right help and support. F&HDC will take a survivor-focussed approach and will provide support in a confidential and non-judgemental manner. We will work sensitively with those experiencing abuse to promote their safety and wellbeing under the guidance of specialist domestic abuse agencies.

7.5 There are often complex barriers that prevent someone from leaving an abuser. We recognise that people are more often at risk when leaving an abusive person and in the period of time following a separation. Our support offer will not be dependent on survivors leaving their home because where appropriate we can support them to remain in their home.

7.6 We recognise that survivors of domestic abuse who have a lifetime social tenancy may be reluctant to leave an abusive relationship if it means losing their

security of tenure. In line with the Domestic Abuse Act 2021, we will ensure that lifetime tenants who suffer domestic abuse will retain lifetime security if they are granted a new tenancy for reasons connected to domestic abuse.

- 7.7 In accordance with the VAWG Strategy, we will support the community response priority by delivering and supporting communications campaigns in the district. This will support tenants to understand how to identify domestic abuse and how access help and support.

8. Equality and diversity

- 8.1 The Council is committed to promoting equality and opportunity and to eliminating unlawful discrimination on the grounds of race, age, disability, gender, sexual orientation, religion, belief, financial status, and any other difference that can lead to discrimination or unfair treatment considering the principles of the Equality Act 2010.
- 8.2 An Equality Impact Assessment (EIA) was conducted for this policy in accordance with our Public Sector Equality Duty (PSED) when carrying out our duties (s149 of Equality Act 2010). The EIA has identified no negative impacts as a result of the Policy's implementation, and therefore there is no requirement at this time for mitigative actions to be put in place.
- 8.3 We are committed to fostering an open and inclusive culture in which employees feel safe to speak out and access support, and colleagues who have a concern for another know how they can signpost to support or raise issues.
- 8.4 There are 9 characteristics protected under the Equality Act 2010; people can have multiple protected characteristics and it should be recognised that DA affects everyone differently. Depending on the circumstances, appropriate referrals and signposting will be made, and services available to support individuals based on their specific needs will be made available on our website.

9. Data protection

- 9.1 The council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as very important to its successful operations and to maintaining confidence between the Council and those with whom it carries out business.
- 9.2 The council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). The Council's aim is to ensure that all personal data

processing carried out by the Council, or on its behalf, complies with the seven data protection principles and other key legislative requirements.

9.3 Full details of how we store and use personal information can be found on our website and in our corporate and housing privacy notices at <https://www.folkestone-hythe.gov.uk/us/privacy-policy>. This will also contain contact information if you have any questions or require assistance from the data protection / information governance team.

9.4 For further information on our data protection compliance, please view our Data Protection Policy at <https://www.folkestone-hythe.gov.uk/legal/data-protection>.

10. Monitoring and review

10.1 This policy will be reviewed every three years, unless legislation, business, sector developments, or wider council strategies and policies require an earlier review. This is to ensure that the policy continues to meet its objectives and takes account of good practice development.

11. References and resources

[Domestic Abuse Statutory Guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk)

[Delivery of support to victims of domestic abuse in domestic abuse safe accommodation services - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

[Tackling Domestic Abuse Plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

[Housing Act 1996](#)

[Domestic Abuse Act 2021](#)

[Anti-Social Behaviour, Crime & Policing Act 2014](#)

[Homelessness Reduction Act 2017](#)

[Equality & Diversity Act 2010](#)

[Human Rights Act 1998](#)

[Data Protection Act 2018](#)

[Violence Against Women & Girls Strategy 2021 – 2027](#)

12. Definitions

For the purposes of this policy:

- 'The council', 'we', 'ours' and 'us' refers to Folkestone & Hythe District Council
- 'Staff' refers to members of staff who provide housing related services on behalf of the Council, including housing management, housing options, strategic housing and property services
- 'Contractors' refers to third party organisations who provide housing-related services on our behalf
- 'Resident' refers to existing council tenants (general needs and temporary accommodation), prospective tenants and homeless applicants including their children
- 'Survivor' refers to an individual or individuals who are survivors of domestic abuse
- 'Perpetrator' refers to an individual or individuals who commit abusive behaviour towards another person or persons that constitutes domestic abuse
- 'Tier 1 authority' refers to Kent County Council (KCC) who are responsible for assessing the need for accommodation-based support for survivors of domestic abuse in their area and are required to effectively commission services based on a local strategy informed by a robust needs assessment, and report back annually to government. KCC must meet the support needs of all survivors residing in relevant accommodation including those who originally present from outside of the locality
- 'Tier 2 authority' refers to Folkestone & Hythe District Council who are responsible for working together with KCC to establish what support is needed at safe accommodation in the local authority area. They must also cooperate with KCC to effectively commission services
- 'Safe accommodation' refers to part 4 of the Domestic Abuse Act 2021 to provide safe accommodation. This duty requires that tier 1 authorities assess the need for accommodation-based support for survivors of domestic abuse in their area and use the funding provided through Part 4 of the 2021 Act to supply this. 'Suitable accommodation' refers to accommodation provided as part of our statutory duties under Part 7 of the Housing Act 1996. Survivors who are homeless as a result of domestic abuse have a priority need for accommodation. This means local housing authorities have a duty to secure accommodation for survivors of domestic abuse if they are homeless through no fault of their own and are eligible for assistance
- 'The Policy' refers to this Domestic Abuse policy

13. Abbreviations

DA Domestic Abuse

DAHA Domestic Abuse Housing Alliance

DSO	Designated Safeguarding Officer
EIA	Equality Impact Assessment
EDI	Equality, Diversity & Inclusion
F&HDC	Folkestone & Hythe District Council
GDPR	General Data Protection Regulations
PSED	Public Sector Equality Duty