DRAFT Housing Domestic Abuse Policy

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1. Introduction

Domestic abuse affects people across all communities. It can happen to anyone, regardless of age, background or circumstance.

Domestic abuse is unacceptable and will not be tolerated within our homes or communities. As both a housing authority and a social landlord, Brent Council has a responsibility to respond promptly, sensitively and effectively when it occurs, and to protect those at risk of harm.

Brent Council takes a clear stance that responsibility for domestic abuse lies solely with the perpetrator. While our primary focus is the safety and wellbeing of victims/survivors, we will also take action to challenge abusive behaviour, hold perpetrators accountable, and work with partners to support behaviour change where appropriate. Our aim is not only to respond to incidents of abuse, but to contribute to a wider culture where domestic abuse is recognised as unacceptable, perpetrators are challenged and society as a whole is focused on the safety and wellbeing of women and children in particular.

Our housing services are well placed to recognise the signs of domestic abuse, including early indicators that may emerge before abuse is formally disclosed. Housing staff will be supported through training and guidance to identify potential warning signs and to respond safely and effectively.

It is essential that we take all reports of domestic abuse seriously and work positively and proactively with the victim/survivor to offer support. Our primary focus is on the victim/survivor of domestic abuse; however, we will also seek to assist perpetrators who wish to positively change their behaviour by supporting access to appropriate services, with the aim of reducing the risk of further harm.

As set out in Brent's VAWG (Violence Against Women and Girls) Strategy, we're committed to addressing the root causes of violence, holding perpetrators accountable, and creating a supportive environment for victims/survivors, through partnership between local organisations. This includes promoting awareness across the borough, challenging harmful attitudes, and contributing to prevention alongside responding to incidents of abuse.

This policy reflects recognised best practice in responding to domestic abuse, including the Whole Housing Approach, which places the experiences and voices of people with lived experience of domestic abuse at the centre of designing safe and effective housing responses.

2. Policy scope and our role

This policy applies to all Brent Council housing services and housing staff involved in Housing Management, Housing Needs, and related housing functions, including contractors delivering services on behalf of the Council.

The policy applies to people experiencing domestic abuse who are:

- council tenants or leaseholders
- private renters
- owner occupiers
- approaching the council for housing advice, assistance or support

This includes support to:

- remain safely in their home, or
- move to alternative accommodation where it is unsafe or not appropriate to remain.

All housing staff and contractors delivering services on behalf of Brent Council are responsible for complying with this policy and the associated procedures.

Our role as housing authority

As a housing authority, Brent Council has statutory duties to prevent and relieve homelessness and to ensure victims/survivors of domestic abuse have access to safe and suitable accommodation. We will meet these duties in a way that prioritises safety, dignity and choice.

Our role as landlord

As a registered provider and social landlord, Brent Council does not tolerate domestic abuse within its homes. We are committed to ensuring tenants feel safe to report concerns and confident they will be taken seriously. We will handle disclosures sensitively and confidentially, within the limits of safeguarding and legal duties, and will take proportionate and lawful action where necessary to protect victims/survivors, support those who come forward as witnesses, and hold perpetrators accountable.

3. Principles

These principles guide how housing services respond to domestic abuse and how decisions are made in practice. They apply across all housing functions and should be used alongside professional judgement, safeguarding responsibilities and operational procedures, particularly where situations are complex or procedures do not provide a clear answer.

Safety first

The safety of victims/survivors and any children is the primary consideration in all our decisions.

Non-judgment and belief

Housing staff must work to create an enabling environment where victims/survivors know they will be believed and feel safe to disclose abuse without judgement. Victims/survivors will not be required to provide evidence or proof of abuse in order to receive support. Housing responses will avoid language or actions that place responsibility on victims/survivors, and will clearly recognise that responsibility for abuse lies with the perpetrator.

Coordinated working

Housing services will work alongside specialist domestic abuse services, safeguarding partners and other agencies to provide a coordinated and trauma-informed response. This includes seeking to minimise unnecessary hand-offs, reduce the need for victims/survivors

to repeat their experiences multiple times, and supporting access to specialist advocacy, such as Independent Domestic Violence Advisers (IDVAs), where appropriate.

Amplifying diverse lived experience

Brent is a diverse borough, and domestic abuse is experienced differently across communities, and disproportionately impacts marginalised communities. The council recognises the importance of hearing from a wide range of victims/survivors, particularly those from under-represented or marginalised groups, to ensure housing responses and procedures are accessible, safe and effective for all. The council will use data, insight and engagement to understand patterns of impact across the borough, including where deprivation or wider socio-economic barriers may affect access to support, and will consider this in the ongoing development and review of housing responses.

These principles will inform the development of supporting procedures and guidance, ensuring that day-to-day practice reflects the approach set out in this policy.

4. Definitions

Domestic abuse

Domestic abuse has a statutory definition, set out in the Domestic Abuse Act (2021). This definition has three sections, setting out the definition of domestic abuse, including the requirement to be 'personally connected' and acknowledge situations in which children would be victims of domestic abuse. The Act defines abusive behaviour as physical or sexual abuse, controlling or coercive behaviour, economic abuse, psychological, emotional or other abuse.

The Home Office sets out types of domestic abuse as: intimate partner abuse; teenage relationship abuse; abuse by family members; and child-to-parent abuse. The Domestic Abuse Act recognises that children under the age of 18 years who see, hear or experience the effect of domestic abuse are themselves victims of such abuse.

Brent Council has published a guidance on the different forms of domestic abuse, including indicators and how abuse may present in practice. Housing staff should refer to this guidance to support identification and understanding of abuse, alongside the statutory definition set out above.

Requirement for personal connection

For behaviour to be classed as domestic abuse, the perpetrator must be personally connected to the person the abusive behaviour is directed towards.

Personally connected means they are, or have:

- been married to each other
- been in a civil partnership with each other
- agreed to marry one another (whether that agreement has ended or not)
- entered into a civil partnership agreement (whether that agreement has ended or not)
- been in an intimate personal relationship
- had a parental relationship to the same child

It also includes people who are relatives.

Violence Against Woman and Girls (VAWG)
Is an umbrella term which includes:

- Domestic Abuse
- Coercive and Controlling Behaviour
- Rape, Sexual Violence, Abuse, and Exploitation
- Forced Marriage
- So-called 'Honour' Based Abuse
- Female Genital Mutilation (FGM)
- Sexual Harassment and Bullying
- Stalking & Harassment
- Girls and gang violence
- Modern Slavery and Human Trafficking

Whilst men and boys can also experience these forms of abuse and harm, data demonstrates that these crimes and their associated harmful impacts are disproportionately experienced by women and girls, overwhelmingly perpetrated against them by men and boys. The prevalence of these abuses against women and girls is both a cause and consequence of gender inequality. As a result, a gendered approach which recognises and understands the attitudes and structures that underpin these crimes is fundamental to properly address VAWG. Marginalised groups including LGBTQ+ individuals, people with disabilities and multiple intersecting needs (mental health challenges, substance use, poverty, insecure immigration status) face greater barriers to accessing support and are at higher risk of experiencing VAWG.

5. Housing response and pathways

Housing services play a crucial role in responding to domestic abuse, supporting victims/survivors and preventing homelessness. There is no single housing route that will be appropriate for everyone. We will work in partnership with victims/survivors when making decisions that affect their housing and safety. Wherever possible, individuals will be supported to make informed choices about whether to remain in their home or move to alternative accommodation. Where a perpetrator is a Brent tenant or household member, housing services will also consider appropriate tenancy management or enforcements action to address abusive behaviour and protect the safety of victims/survivors. We will provide clear information about options, risks and available support, and will respect the views and wishes of the victim/survivor, while balancing our safeguarding and legal duties. Whether a victim/survivor chooses to remain in their home or to move because they are experiencing domestic abuse, Housing teams will work together and take an approach that is coordinated, survivor-led, and trauma informed.

Where domestic abuse is disclosed or reasonably suspected, Housing will:

- Ensure that where an online homelessness application is completed, an officer makes contact within 2 working days.
- Ensure that individuals attending the Civic Centre in person are seen the same day in a private and safe environment.
- Prioritise calls where domestic abuse is identified and connect the individual to an appropriate officer as soon as possible.

- Assess individual circumstances and housing situations sensitively and without judgement.
- Complete a DASH risk assessment, where appropriate, to understand the level of risk and support needs.
- Work with partner agencies to support individuals to remain safely in their home, where appropriate and reasonable, including referrals for sanctuary measures or legal protections such as non-molestation orders.
- Where it is not safe or reasonable to remain in the home, support access to suitable alternative accommodation, including refuge or temporary accommodation.

6. Safeguarding

Safeguarding is about protecting a person's right to live free from abuse and neglect. It means working to prevent harm and responding when someone is at risk. Safeguarding is everyone's responsibility.

Where there is an immediate risk of serious harm or danger, emergency services should be contacted by calling 999.

Although safeguarding action may require prompt attention, safeguarding duties do not replace or delay housing action.

Safeguarding adults

Housing staff have a duty to consider adult safeguarding where domestic abuse is disclosed or where there is reasonable cause to suspect abuse, neglect, or risk of abuse or neglect (including self-neglect) in line with the Care Act 2014. Adult safeguarding is about protecting an adult's right to live free from abuse and neglect, while supporting choice, control, and personal autonomy wherever possible.

Safeguarding children

The Domestic Abuse Act 2021 recognises children as victims of domestic abuse if the child sees, hears, or experiences the effects of the abuse, and is related to, or falls under "parental responsibility" of, the victim and/or perpetrator of the domestic abuse.

If housing staff and contractors delivering services on behalf of Brent Council have any safeguarding concerns, they should immediately refer to the internal Safeguarding procedures for guidance.

7. Legal framework

Brent Council recognises and acknowledges its legal duties and obligations under legislation relating to domestic abuse. The areas of law that are relevant to this policy include:

- The Domestic Abuse Act 2021 and Statutory Guidance
- The Family Law Act 1996
- The Domestic Violence, Crime and Victims Act 2004
- The Civil Partnership Act 2004
- The Protection from Harassment Act 1997
- The Homelessness Act 2002

    - Statutory guidance: Improving access to social housing for victims of domestic abuse
- The Housing Act 1996, as amended by the Homelessness Reduction Act 2017
- The Serious Crime Act 2015
- The Care Act 2014
- ASB, Crime and Policing Act 2014
- The Equality Act 2010
- GDPR regulations 2018
- Clare's Law, also known as Domestic Violence Disclosure Scheme (DVDS)
- Police and Justice Act 2006

8. Links to other policies and strategies

This policy links to and should be read together with the following Brent Council policies, strategies and procedures:

- Safer Brent Community Safety Strategy
- Brent VAWG Strategy
- Vulnerable Residents and Reasonable Adjustments Policy
- Domestic Abuse procedures for housing staff
- Equity, Diversity, and Inclusion Strategy

9. Equity, Diversity and Inclusion

The policy aims to ensure that all cases of domestic abuse are treated consistently and fairly regardless of age, disability, gender re-assignment, race, religion, belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity, care experience, socio-economic status and other relevant characteristics such as carer status or immigration status. Brent Housing services are committed to ensuring that residents are treated as individuals, with dignity, fairness and respect, and that responses take account of cultural implications and barriers to reporting domestic abuse.

We will ensure that emergency, temporary and longer-term accommodation options are inclusive and responsive to a wide range of needs, including those arising from disability, gender identity, age, or cultural considerations. This includes ensuring communication and information are accessible, with translation and interpretation services and alternative formats available as needed. Officers will proactively identify communication barriers and make reasonable adjustments as necessary.

10. Staff welfare

Brent Council recognises that the potential risk of violence and aggression towards staff in performing their duties will be high in certain instances. In order to reduce risk staff are expected to participate in risk assessments during one to ones and personal development reviews, and to follow health and safety procedures; particularly when working outside the office.

The Council also acknowledges that staff may be dealing with stressful situations when working with victims/survivors of domestic abuse which can lead to "secondary trauma". This

can be the cumulative effect of working with victims/survivors of traumatic life events. Staff will be supported by their managers and receive support and training to build their resilience to deal with difficult aspects of their work.

Brent Council employees can obtain confidential and professional advice by contacting the Employee Assistance Programme either for themselves or on behalf of someone they know.

Domestic abuse affects many individuals and families. As a council, we are committed to providing support to employees who may be experiencing domestic abuse. A separate Domestic Abuse Policy for staff is in place, which outlines the workplace support and adjustments available to employees, including special leave, flexible working and financial support, as well as access to a range of internal and external support services. The policy also and provides guidance to managers on responding to disclosures and support available for perpetrators.

11. Training

The council recognises the importance of staff having the knowledge and confidence to respond appropriately to domestic abuse. Housing staff will receive regular training and development to support safe and effective practice.

This will include training and learning opportunities relevant to housing roles, such as domestic abuse awareness and DASH risk assessment, trauma-informed practice, safeguarding adults and children, recognising coercive control and non-physical abuse, risk assessment and safety planning, legal duties under housing and domestic abuse legislation, and multi-agency working including MARAC processes.

The council also recognises that domestic abuse can begin and escalate before a victim/survivor or perpetrator identifies the behaviour as abusive. Housing responses should therefore support early identification and appropriate action based on concern and professional judgement. Training will support staff to recognise early signs of abuse and to respond in a way that prioritises safety, belief and support.

12. Monitoring and review

All cases of domestic abuse will be recorded and monitored to ensure appropriate action is taken based on information provided by residents including recording referrals made to other agencies, in line with the Domestic Abuse case management procedure.

Monitoring will include analysis of trends over time and, where data is available and appropriate, consideration of protected characteristics and other relevant factors. This will help the council to understand patterns of impact, identify any disparities in access to support or outcomes, and take targeted action where needed.

The council will use monitoring data, case learning and feedback to inform ongoing improvements to this policy and associated procedures. The policy will be reviewed at least annually, including engagement with specialist domestic abuse services and, where appropriate and safe to do so, people with lived experience, to understand what is working well and where further improvements are needed.

13. Legal action

Where a tenant or household member is responsible for domestic abuse, Brent Council will take a zero-tolerance approach and will take firm and proportionate action using the powers available to it as a landlord and housing authority to protect victims/survivors and prevent further harm.

This may include, where proportionate and necessary, the use of legal remedies such as injunctions, closure orders, or other relevant powers under the Crime and Policing Act and Housing legislation.

Decisions on legal action will be made on a case-by-case basis, taking into account the safety of the victim/survivor and any children, the severity and pattern of behaviour, the risk of further harm, and any relevant vulnerabilities of the perpetrator.

Alongside enforcement action, and where appropriate, perpetrators may also be signposted or referred to behaviour change programmes or specialist services aimed at addressing abusive behaviour and reducing the risk of further harm.