Melton Borough Council

Helping people | Shaping places

DOMESTIC ABUSE POLICY

Residents and Tenants

Service Area	Housing & Communities
Policy Owner	Strategic Lead for Homelessness and Housing Options
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1 Introduction

1.1. Three simple facts that are difficult to read:

- Domestic abuse is a leading cause of homelessness for women in the UK;
- Two women are killed by their partner or ex-partner every week; and
- One in four women and one in six men experience domestic abuse in their lifetime.

1.2. Domestic abuse often escalates over time, which is why early identification, safe enquiry and timely support matter. As a local authority, we recognise the important role we can play through housing, homelessness, safeguarding and community leadership in helping residents access safety and support.

1.3. Whilst the human cost is immeasurable, tackling domestic abuse makes business sense, too. Domestic abuse, including economic abuse, can contribute to rent arrears, housing-related debt and barriers to accessing safe accommodation. Early intervention can help survivors sustain tenancies, reduce homelessness risk and support safer, more stable communities.

2 Scope and Purpose of the Policy

2.1 This policy sets out how the Council will assist and support residents, tenants, applicants and other customers who are experiencing, or are threatened with, domestic abuse. It applies to Council tenants, non-tenants living in Council properties, people approaching the Council for housing or homelessness assistance, and other customers who may need advice, safeguarding, signposting or support through Council services.

2.2 It sets out how the Council will work in partnership with domestic abuse services, the Police and registered housing providers to address the issues that are caused by domestic abuse.

2.3 This policy will assist the Council in monitoring and continually improving its performance in identifying and responding to reports of domestic abuse. The Council will monitor the operation of this policy through relevant service information, which may include domestic abuse-related homelessness approaches, referrals to specialist services, safeguarding referrals, repeat presentations, customer feedback, complaints, case audits, staff training completion and learning from partnership activity. Monitoring will be used to identify barriers to access, improve consistency of response and inform policy, procedure and training updates.

2.4 The policy is intended to invite, empower and enable victims and survivors to disclose their experiences safe in the knowledge they will be believed, validated and

supported to make choices.

2.5 We will meet our safeguarding responsibilities in line with current safeguarding policies, procedures and local partnership arrangements. Where there are concerns about a child or an adult at risk, staff will follow the appropriate safeguarding pathway in addition to any domestic abuse response.

3 Strategic Context

3.1 This policy supports the Council's wider objectives to prevent homelessness, protect vulnerable residents, promote community safety, reduce harm and work collaboratively with partners to improve outcomes for adults, children and families affected by domestic abuse.

3.2 This policy supports the Government's strategic commitment to tackling Violence Against Women and Girls (VAWG) by ensuring that housing services identify, respond to and help prevent domestic abuse, provide appropriate support to victims and survivors, and work collaboratively with partners to reduce harm and improve outcomes.

3.3 The Council will work with domestic abuse services, housing providers, the police, health partners, community safety partners and safeguarding partners to promote early intervention, coordinated responses and access to safe accommodation and support.

3.4 Across Leicestershire, the Council will align this policy with the countywide domestic abuse partnership approach, including early intervention and prevention, targeted support, reachable and inclusive services, safe accommodation duties and strong multi-agency working. This includes working with Leicestershire County Council, district and borough councils, Leicestershire Police, health, safeguarding, community safety, specialist domestic abuse and sexual violence services, housing providers and voluntary and community sector partners.

3.5 The Council recognises that domestic abuse is often hidden and may involve patterns of controlling or coercive behaviour, economic abuse, harassment, stalking, technology-facilitated abuse, honour-based abuse, forced marriage, abuse linked to immigration status, abuse affecting older people, abuse affecting disabled people, and abuse experienced by children and young people. Staff will therefore use professional curiosity and trauma-informed practice when identifying need, assessing risk and coordinating support. Examples can be found at Appendix B.

4 Legislation and Guidance

4.1 This policy is informed by current legislation and statutory guidance in force in England. The Council will keep its approach under review where legislation, case law or government guidance changes.

4.2 The Domestic Abuse Act 2021 provides the statutory definition of domestic abuse. It recognises that abuse can be a single incident or a course of conduct between people aged 16 or over who are personally connected, and that abusive behaviour includes physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse, and psychological, emotional or other abuse. The Act also recognises children as victims of domestic abuse in their own right where they see, hear or experience the effects of the abuse. Further terms and definitions are set out in Appendix A.

4.3 Part 7 of the Housing Act 1996, as amended by the Domestic Abuse Act 2021, requires housing authorities to apply the statutory definition of domestic abuse when carrying out homelessness functions. A person who is homeless as a result of domestic abuse has an automatic priority need, and it is not reasonable to continue to occupy accommodation if doing so would probably lead to domestic abuse or violence. The Council will ensure that advice, assessments and accommodation decisions reflect these duties.

4.4 The Council will have regard to the Homelessness Code of Guidance for Local Authorities, including Chapter 21 on domestic abuse. This guidance makes clear that applicants experiencing domestic abuse may approach any local housing authority for assistance, should not be referred to an area where they or a household member would be at risk, and must be offered accommodation that is suitable and safe.

4.5 In delivering this policy, the Council will act in accordance with the Equality Act 2010, the Human Rights Act 1998, the Children Act 1989, the Care Act 2014 and relevant safeguarding duties and procedures. We recognise that domestic abuse affects people differently and that barriers to disclosure, access to services and safety planning may be shaped by disability, age, sex, race, religion or belief, pregnancy or maternity, sexual orientation, gender identity, immigration status, language and socio-economic circumstances.

4.6 The Council will manage personal information in accordance with the UK General Data Protection Regulation, the Data Protection Act 2018 and relevant information-sharing guidance. Information will be shared lawfully, fairly and proportionately where necessary to prevent or detect crime, protect children or adults at risk, reduce serious harm, or meet statutory duties. Consent will be sought where appropriate, but it is not the only lawful basis for information sharing in safeguarding or domestic abuse cases.

4.7 The Council will also have regard to the Domestic Abuse Statutory Guidance issued under the Domestic Abuse Act 2021 and to the statutory guidance for the Domestic Violence Disclosure Scheme (Clare's Law). These documents support consistent, trauma-informed and victim-centred practice across agencies.

5. Equality and Diversity

5.1. The Council recognises that it supports a diverse range of people, including those who may be at heightened risk, face barriers to seeking help, or be living in highly stressful circumstances. We will deliver services in a way that is fair, inclusive, accessible and responsive to individual need.

- Ensure that all individuals and households are treated sympathetically and with courtesy and respect;
- Be sensitive and respond to the individual needs and circumstances of the people using its services; and
- Monitor its services and the outcomes for people using them in order to ensure that they are fair and responsive to needs.

5.2. We will provide information and support in accessible ways, including interpretation, translation and alternative formats where required. We will work with specialist organisations where people may need culturally specific, disability-aware, LGBTQ+ inclusive, age-appropriate or trauma-informed support.

5.3. The Council will monitor service accessibility and outcomes so that our response remains equitable, effective and informed by learning from residents, partners and lived experience where appropriate.

6. The Policy

6.1. Our Approach

6.1.1 We believe that everyone has the right to live free from fear, abuse and coercion. We take all reports of domestic abuse seriously and will respond in a way that is victim-centred, trauma-informed, non-judgmental and focused on safety. We will listen, believe, respect confidentiality within lawful limits, and support people to make informed choices about the options available to them.

6.1.2 Our response will be tailored to individual circumstances. Where it is safe and appropriate, this may involve supporting a person to remain in their home with additional safety measures. In other cases, it may involve emergency, temporary or longer-term housing options, legal remedies, safeguarding action, specialist support

or coordinated multi-agency working.

6.1.3 When domestic abuse is disclosed or suspected, staff should follow the Council's current domestic abuse and safeguarding procedures. As a minimum, staff should establish a safe method of contact, consider immediate risk and emergency action, make appropriate referrals, record the rationale for decisions, and seek management oversight where the case is high-risk, complex, repeat or involves children or adults at risk. Staff should not contact the alleged perpetrator, family members or other third parties in a way that could increase risk. Where appropriate, staff will work with specialist domestic abuse services, housing providers, the police, health partners and safeguarding teams to coordinate support.

6.1.4 The Council will not adopt a one-size-fits-all approach. Our actions will take account of risk, housing circumstances, children and dependants, disability or health needs, communication needs, and the wishes of the victim or survivor wherever this is possible and safe.

6.1.5 Staff will consider the whole household and any wider risk network, including children, adults at risk, carers, pets, extended family members and neighbours where relevant. Responses should consider immediate safety, safe methods of contact, the risk of escalation, barriers to leaving or remaining safely, financial and economic abuse, immigration or no recourse to public funds issues, accessibility needs, and the risk that the perpetrator may monitor communications, devices, finances or movements. Example case scenarios are provided in Appendix B to support consistent recognition and response.

6.2 Legal Action

6.2.1 Where there is a criminal investigation, the Council will cooperate with the police and other relevant agencies, in line with this policy, information-sharing requirements and any applicable safeguarding duties.

6.3 Injunctions

6.3.1 A person experiencing domestic abuse may be able to seek a civil injunction, such as a non-molestation order or occupation order, depending on their circumstances. Staff should not give legal advice unless authorised to do so but should support residents to access independent legal advice and specialist services promptly.

6.3.2 Support may be available through a solicitor, legal aid where eligible, the court application process, or specialist organisations such as the National Centre for Domestic Violence and FLOWS. Staff should prioritise safe and timely signposting and should consider wider safety planning alongside any legal remedy.

6.3.3 In cases of domestic abuse, an injunction would normally involve the perpetrator being not allowed to come into the locality of the survivor's home.

6.3.4 From a landlord perspective, legal action may be relevant where the perpetrator is a tenant, joint tenant or member of the household and where tenancy enforcement action is necessary to protect others. Any action taken will be informed by risk, evidence, proportionality, legal advice and the safety of the victim or survivor.

6.4. Eviction of perpetrator - landlord role

6.4.1 Perpetrators may have support needs of their own, but these do not reduce the seriousness of domestic abuse. When considering legal or tenancy action, the Council will act lawfully and proportionately, taking account of the Human Rights Act 1998, the Equality Act 2010, relevant evidence, and the need to prioritise safety.

6.4.2 The Council may use appropriate housing management and legal tools where these are necessary and proportionate, including injunctions, notices and possession proceedings. Where options affecting occupation of the home are being considered, we will discuss these, where safe and appropriate, with the victim or survivor and ensure support is available.

6.4.3 Any decision to seek possession will be made through the Council's current governance and authorisation arrangements. Relevant factors may include the wishes of the victim or survivor, available evidence, wider tenancy issues, occupancy considerations, risk to children and adults, and known vulnerabilities.

6.4.4 Where possession action is the agreed route and there is a lawful basis to proceed, the Council will serve the appropriate notice and take further action in accordance with housing law and procedure.

6.4.5 If the matter is not resolved following service of notice, the Council may commence court proceedings where appropriate.

6.4.6 In some cases, it may be appropriate to advise a survivor of domestic abuse about ending a joint tenancy, but only after careful consideration of safety, legal consequences and housing options. This route would usually be considered only where the survivor has already left the property, does not intend to return, and has received appropriate advice. The Council will support the person to understand the implications, including any effect on housing rights and ongoing liability.

6.4.7 Where a survivor approaches the Council for homelessness assistance because it is not reasonable for them to continue to occupy accommodation due to domestic abuse or the risk of domestic abuse, their application will be assessed in accordance with Part 7 of the Housing Act 1996, the Domestic Abuse Act 2021 and the

Homelessness Code of Guidance.

6.5. Responsibilities

6.5.1 We will provide support and assistance to residents experiencing domestic abuse in line with this policy, current procedures and relevant statutory duties, either directly or through established support pathways.

6.5.2 If a resident does not take up support immediately, staff should not assume that support is not wanted or needed. There are many reasons why engagement may be difficult, including fear, trauma, coercion, practical barriers, stigma or previous negative experiences of services.

6.5.3 Where risk is identified, staff should consider the appropriate referral or escalation route, which may include specialist domestic abuse support, safeguarding, the police, housing options, health services, MARAC or another multi-agency pathway. Decisions should be based on risk, consent where appropriate, safeguarding duties and the need to prevent serious harm. Staff must record the rationale for any information sharing, referral, safety action or decision not to refer, and should seek management oversight where risk is high, complex, repeat or unclear.

6.5.4 Staff should respond with patience, professional curiosity and an understanding that people may disclose abuse gradually or may need time before they are able to engage with support.

6.5.5 Where an individual is not ready to engage with specialist domestic abuse support, we may still be able to offer relevant housing, safeguarding or welfare support and continue to provide safe opportunities to seek help later.

6.5.6 The Council will ensure that staff know how to access current Leicestershire domestic abuse pathways and local referral routes, including support for survivors, children and young people, people using harmful behaviour, and residents with additional or complex needs. Managers will provide oversight in high-risk, complex or repeat cases. Further information on services and support routes is provided in Appendix C.

6.5.7 The Council will ensure that relevant staff receive appropriate domestic abuse awareness training for their role, including recognising indicators of abuse, safe enquiry, trauma-informed practice, safeguarding responsibilities, information sharing, safe contact, housing duties and local referral pathways. Managers will ensure that staff know where to find current procedures and specialist advice, and that learning from complex cases is shared appropriately.

6.5.8 All Council tenants are responsible for adhering to the terms of their tenancy. Any tenancy breaches connected to domestic abuse will be considered carefully and action will be taken lawfully, reasonably and proportionately, with regard to risk, evidence and safeguarding.

6.5.9 Where appropriate, perpetrators may be signposted to specialist behaviour-change or support services. Any such referral is separate from, and does not replace, the Council's responsibility to take action where necessary to protect victims, survivors and the wider community.

6.5.10 If the perpetrator is a Council tenant and the person experiencing abuse has left the property, the Council will assess risks to any remaining household members and children before taking action. Officers should seek management oversight and legal advice where legal remedies or tenancy enforcement are being considered.

7. Confidentiality

7.1 Information obtained under this policy will be treated sensitively and shared only where this is lawful, necessary and proportionate. The Council will work with partner agencies in line with relevant information-sharing agreements, safeguarding procedures and statutory duties. A duty of confidentiality may be overridden where there is a legal basis to share information in order to safeguard children or adults at risk, prevent or detect crime, or reduce the risk of serious harm.

7.2 The purpose of sharing information is to assess and manage risk, protect victims and children, and support effective multi-agency responses. Wherever it is safe and appropriate to do so, we will be open with the victim or survivor about what information is being shared, why it is being shared, and with whom. Consent will be sought where appropriate, but it will not always be the lawful basis relied upon in domestic abuse or safeguarding situations.

7.3 The Domestic Violence Disclosure Scheme (DVDS), also known as 'Clare's Law', allows the police to disclose information in order to help protect a person who may be at risk of domestic abuse. Staff should signpost residents to the police where a Clare's Law application may be appropriate and should continue to support wider safety planning in parallel.

7.4 Where information is shared without consent, the reason must be based on a lawful basis and recorded. This may include sharing to prevent serious harm, protect a child or adult at risk, prevent or detect crime, support a MARAC process, or meet statutory housing, safeguarding or community safety duties. Staff should avoid creating additional risk by leaving messages, sending correspondence or making contact in

a way that could be seen by the perpetrator.

8. Related Policies and Documents

- Safeguarding Policy
- Tenancy Management Policy
- Anti-Social Behaviour Policy
- Homelessness and Rough Sleeping Strategy
- Equality, Diversity and Inclusion Policy
- Information Governance and Data Protection Policies
- Staff Domestic Abuse Policy

9. Review

9.1 The Policy Owner is responsible for maintaining this policy, ensuring it remains aligned with legislation, statutory guidance, local partnership arrangements and operational procedures. Relevant service managers are responsible for ensuring that staff understand and apply the policy consistently, that high-risk or complex cases receive appropriate management oversight, and that learning from complaints, case reviews, safeguarding activity and partner feedback informs future updates.

9.2 This Policy will be reviewed at least every two years, or sooner where legislative, regulatory, statutory guidance or local partnership changes require an earlier review. If Council staff become aware of issues affecting the effective operation of the Policy or associated procedures, they should report this to the Policy Owner. Feedback, learning from casework and changes in local pathways will be considered as part of the policy and procedural review process.

Appendix A

TERMS AND DEFINITIONS

71.Consent to serious harm for sexual gratification not a defence

Appendix B

EXAMPLE DOMESTIC ABUSE CASE SCENARIOS

These examples are illustrative and are not exhaustive. They are intended to help staff recognise different forms of domestic abuse and consider appropriate housing, safeguarding and partnership responses. In all cases, staff should make safe contact, listen without judgement, consider immediate risk, record decisions clearly and follow current procedures and referral pathways.

Example case	Possible indicators	Good practice response
1. Coercive and controlling behaviour **A resident says their partner controls who they see, checks their phone, prevents them attending appointments alone and threatens to make them homeless if they speak to services.**	Isolation, fear of speaking openly, missed appointments, partner answering questions, threats linked to housing or money.	Offer a safe method of contact, arrange to speak privately, complete risk assessment, consider referral to specialist domestic abuse support, discuss housing options and record any information-sharing decisions.
2. Economic abuse and rent arrears **A tenant has rent arrears because their partner controls all household income, takes benefit payments and prevents them from accessing banking or employment.**	Unexplained arrears, lack of access to money, dependence on the perpetrator, pressure to sign documents, fear of debt or eviction.	Consider domestic abuse as a contributing factor, avoid treating arrears only as tenancy non-compliance, signpost to money advice and specialist support, consider welfare or safeguarding referrals, and avoid correspondence that could increase risk.
3. Domestic abuse and homelessness **A person approaches the Council because they cannot safely remain at home after threats or violence from a partner or ex-partner.**	Fear of returning home, recent assault or threats, stalking, harassment, risk to children, lack of safe accommodation.	Assess under homelessness duties, consider whether it is reasonable to continue to occupy the accommodation, prioritise immediate safety, avoid referrals to unsafe areas, consider emergency accommodation and make referrals to relevant support services.
4. Technology-facilitated abuse **A survivor reports that their ex-partner knows where they are, repeatedly messages them, tracks their location or monitors online accounts.**	Repeated contact, stalking, location tracking, shared devices, fear of using phone or email, perpetrator appearing unexpectedly.	Agree safe contact arrangements, avoid sending sensitive information to monitored accounts, advise specialist support, consider police referral where stalking or harassment is present, and include digital safety in safety planning.
5. Abuse affecting children and young people **A parent discloses domestic abuse and says children have heard threats, witnessed violence or are being used by the perpetrator to pass messages.**	Children distressed or fearful, school concerns, coercive contact arrangements, threats involving children, exposure to violence.	Recognise children as victims in their own right where they see, hear or experience the effects of abuse, follow safeguarding procedures, consider child-focused support and coordinate with appropriate partners.
6. Abuse involving older or disabled residents **A resident depends on a partner, family member or carer who withholds**	Neglect, restricted independence, unexplained injuries, missed care, fear of carer, isolation, financial control.	Consider domestic abuse and safeguarding duties together, assess communication and accessibility needs, involve adult safeguarding where appropriate, arrange safe

Example case	Possible indicators	Good practice response
medication, mobility aids, transport, care, food or money.		support and consider whether alternative accommodation or care arrangements are needed.
7. Honour-based abuse or forced marriage concerns A person fears family members will harm them if they leave a relationship, refuse marriage, disclose abuse or seek help independently.	Multiple alleged perpetrators, fear of family or community reprisals, travel concerns, threats of isolation, pressure to remain silent.	Do not involve family or community members without consent and risk assessment, seek specialist advice, consider safeguarding and police pathways, make safe contact and explore emergency accommodation if required.
8. Child-to-parent abuse - a teenager who threatens a parent with violence, smashes household items during arguments, or physically assaults a parent when they do not get their own way would be considered to be perpetrating child-to-parent abuse.	Parent appears fearful of the child, reports intimidation, threats or violence, property damage, escalating incidents, concerns about the safety of other family members, emotional distress, or reluctance to seek help due to shame or fear of consequences for the child.	Take disclosures seriously and recognise the impact on the parent and wider family. Assess immediate risk and safeguarding concerns, consider the needs of any other children in the household, make appropriate referrals to Children's Services and specialist family support services, liaise with relevant agencies where appropriate, and develop a safety plan with the parent. Record decisions clearly and ensure a trauma-informed and non-judgmental approach.

Appendix C

FURTHER INFORMATION ON SERVICES

Leicestershire Police

Local Leicestershire domestic abuse and sexual violence support

- Freeva local domestic abuse, rape and sexual assault support line for Leicester, Leicestershire and Rutland: 0808 802 0028.
- Living Without Abuse: specialist support for survivors of domestic abuse and/or sexual violence living in Leicestershire, including support for women and men: 01509 550 317.
- Leicestershire LGBT Centre: domestic abuse counselling and one-to-one support for LGBTQ+ people and close allies aged 16 and above: 0116 254 7412.
- Turning Point: specialist support where domestic abuse is linked with substance misuse needs: 0330 303 6000.
- Leicestershire County Council Family Help: support and programmes for children, young people, parents and carers affected by domestic abuse.
    - In an emergency call 999
    - Non-emergency contact number: 101
    - www.leicestershire.police.uk/page/domestic-abuse

Out of Hours Emergency Accommodation for Melton Borough

- 01664 502502

National services

- National Centre for Domestic Violence: free 24hr legal helpline specialising in obtaining injunctions. Call 0800 970 2070 or text 'NCDV' to 60777 for a call back, www.ncdv.org.uk.
- Women's Aid: 24hr helpline on 0808 2000 247 run by Women's Aid and Refuge, or email (with 5 day response time) helpline@womensaid.org.uk. Access 'The Survivor's Handbook' at www.womensaid.org.uk/the-survivors-handbook/.
- Refuge: helpline as above, or email helpline@refuge.org.uk, www.refuge.org.uk.
- Men's Advice Line: for men experiencing domestic abuse. Call 0808 801 0327 (Monday to Friday 9am to 5pm) or email info@mensadviceline.org.uk (two day response time), www.mensadviceline.org.uk.
- ManKind Initiative: helping men escape domestic abuse. Call 01823 334244 (Monday to Friday, 10am to 4pm), www.mankind.org.uk.
- Galop: LGBT+ domestic abuse helpline on 0800 999 5428 or email help@galop.org.uk, chat online at www.galop.org.uk (Monday to Friday 10am to 5pm, Wednesday and Thursday also 5pm to 8pm).
- Karma Nirvana: support for victims of honour-based abuse and forced marriage. Call 0800 5999 247 (Monday to Friday 9am to 5pm) or email info@karmanirvana.org.uk, karmanirvana.org.uk.
- Childline: helpline on 0800 1111, chat online to a counsellor or email via www.childline.org.uk.
- The Hideout: an online space created by Women's Aid for children and young people, thehideout.org.uk.
- Civil Legal Advice (CLA): advice as part of legal aid. Call 0345 345 4345 (Monday to

Friday 9am to 8pm) or text ‘legalaid’ and your name to 80010 for a call back, www.gov.uk/civil-legal-advice.

- Health services

- **Recognising and responding to domestic Abuse**
  https://www.nice.org.uk/Media/Default/About/NICE-Communities/Social-care/quick-guides/recognising-responding-domestic-violence-abuse-quick-guide.pdf

Should you contact any of these services and find they are no longer in existence, or their provision has significantly changed, please contact the Council’s customer services team on 01664 502 502.