

# Housing Domestic Abuse Policy

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## 1. Scope

The Crime Survey for England and Wales estimated that 2.3 million people aged 16 years and over (1.6 million women and 712,000 men) experienced domestic abuse in year ending (YE) March 2024.

The Metropolitan Police Crime Data states that between March 2024 and March 2025 in Ealing there were 3757 domestic abuse cases reported with an increase in cases over this period of 8.9%.

Ealing Council is committed to ensuring that any council residents who are victims/survivors of domestic abuse are able to access information on the support available to them, and that the housing service works in partnership with community safety and other key partners, including external agencies, to support victims/survivors and their household, and to tackle perpetrators.

This policy is aligned with Ealing Council's strategy to tackle male violence against women and girls (MVAWG) 2023-27.

## **2. Aims and objectives**

The main aims of this policy:

- to ensure that in relation to council residents, we use our communications with residents to raise awareness of domestic abuse
- to ensure that we provide information to our residents about support that is available from the council and through our partners
- to ensure that we clearly communicate to residents a process for reporting any issues relating to abuse
- to ensure that our housing staff are trained to understand domestic abuse and the support that should be provided to residents
- to ensure that our housing staff respond to reports from residents relating to abuse with empathy and sensitivity
- to ensure that the housing management service works in partnership with key council services including community safety, adults social care, children's services and external partners to support council residents
- to ensure that as a council, we are following the Domestic Abuse Statutory Guidance provided by the Home Office.

- to work with residents with lived experience of domestic abuse to ensure their voices are heard and influence the support services we provide
- to ensure that we have a robust process in place for supporting council residents who urgently need to flee their council home due to abuse

### **3. Legislative and regulatory context**

Ealing Council is committed to meeting the requirements of the Regulator of Social Housing in relation to the Neighbourhood and Community Standard. In relation to domestic abuse, the Regulator sets out specific requirements including:

- registered providers must work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice
- registered providers must have a policy for how they recognise and effectively respond to cases of domestic abuse
- registered providers must co-operate with appropriate local authority departments to support the local authority in meeting its duty to develop a strategy and commission services for victims of domestic abuse and their children within safe accommodation

This policy takes account of all of the council's statutory requirements as at the date of implementation including:

- Domestic Abuse Act 2021

The Domestic Abuse Act (2021) created a statutory definition of domestic abuse to ensure that "domestic abuse is properly understood, considered unacceptable and actively challenged across statutory agencies and in public attitudes."

The Act created a new Domestic Abuse Protection Order ('DAPO') and Notice ('DAPN') with the aim of offering "maximum protection to all victims" of domestic abuse in the UK and to prevent violence and abuse from recurring in the home.

These are the key changes the Act has provided as set out by Women's Aid:

- a legal definition of domestic abuse which recognises children as victims in their own right
- a Domestic Abuse Commissioner to stand up for survivors and life-saving domestic abuse services
- a legal duty on councils to fund support for survivors in 'safe accommodation'
- protections in the family and civil courts for survivors – including a ban on abusers from cross-examining their victims, and a guarantee that survivors can access special measures (including separate waiting rooms, entrances and exits and screens)
- new criminal offences – including post-separation coercive control, non-fatal strangulation, threats to disclose private sexual images
- a ban on abusers using a defence of 'rough sex'
- a guarantee that all survivors will be in priority need for housing, and will keep a secure tenancy in social housing if they need to escape an abuser
- a ban on GPs for charging for medical evidence of domestic abuse, including for legal aid
- a duty on the government to issue a code of practice on how data is shared between the public services survivors' report to (such as the police) and immigration enforcement.

This policy takes account of the Home Office Statutory Guidance (July 2022) [Domestic Abuse Statutory Guidance](#)

This statutory guidance is issued under section 84 of the Domestic Abuse Act 2021. It is intended to increase awareness and inform the response to domestic abuse. It also conveys standards and promotes best practice.

## 4. Ealing Council Strategy

### **4.1 Ealing Council Plan 2022-26**

One of the key strategic aims of the Council Plan 2022-26 is to tackle inequality and crime. The plan states that we will maintain our focus on reducing antisocial behaviour (ASB) and crime and continue to work with the police and other partners on all aspects of crime and community safety.

We will continue to take tough action to prevent violence against women and girls, end female genital mutilation (FGM), and extend support through the Women's Wellness Zone network established in the borough.

We will invest £13m in fighting ASB, burglary, violent crime, and violence against women, ensuring a greater uniformed presence on our streets, and that community safety remains central to what we do.

### **4.2 Ealing's strategy to tackle male violence against women and girls (MVAWG) 2023-27**

The Safer Ealing Partnership (SEP) is the community safety partnership (CSP) for Ealing. The group meets quarterly and coordinates and monitors the combined actions of all agencies in tackling both the causes and impact of crime and ASB.

In 2022, over 3000 women and girls took part in the Safer Ealing for Women listening exercise, sharing their thoughts and experiences of living in Ealing. The findings of this exercise fed into the creation of the MVAWG Strategy.

90% of women did not know where to get help in response to unacceptable attitudes or unwanted sexual behaviour.

Ealing's strategy to tackle Male Violence Against Women and Girls (MVAWG) 2023-2027 was developed by the council's community safety service through the engagement of partners across the SEP. The strategy encompasses the council's response to the challenge set out in the government's Tackling Violence Against Women and

Girls Strategy and is informed by the Mayor of London's Violence against Women and Girls (VAWG) Strategy, the work of the Mayor's Office for Policing and Crime (MOPAC) and the Domestic Abuse Act (2021).

The purpose of this strategy is to set out a comprehensive, partnership focussed approach to reducing the prevalence and impact of violence against women and girls.

## 5. Definition of domestic abuse

Sections 1 to 3 of the Domestic Abuse Act 2021 provide a statutory definition of domestic abuse.

### **Domestic Abuse**

Behaviour of a person ("A") towards another person ("B") is "domestic abuse" if -

- (a) A and B are each aged 16 or over and are "personally connected" to each other, and
- (b) the behaviour is abusive.

Behaviour is "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 and it does not matter whether the behaviour consists of a single incident or a course of conduct.

Definition of "personally connected"

Two people are "personally connected" to each other if any of the following applies:

- (a) they are, or have been, married to each other
- (b) they are, or have been, civil partners of each other
- (c) they have agreed to marry one another (whether or not the agreement has been terminated)

- (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated)
- (e) they are, or have been, in an intimate personal relationship with each other
- (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child
- (g) they are relatives.

### **Children as victims of domestic abuse**

A “child” means a person under the age of 18 years. Victims of domestic abuse include children who –

- (a) see or hear, or experiences the effect of, the abuse, and
- (b) is related to A or B.

A child is related to a person if –

- (a) the person is a parent of, or has parental responsibility for, the child, or
- (b) the child and the person are relatives.

## **6. Forms of abuse**

Domestic abuse takes many forms, some of which may be more immediately identifiable to a victim or someone affected.

**Physical abuse** is when someone harms the other person’s body, causing them to experience pain or suffer physical injuries.

Physical abuse includes slapping, beating, hitting, kicking, punching, pinching, biting, strangling, pushing, grabbing, shaking, or burning another person.

**Sexual abuse** includes any form of touching or sexual contact without the other person’s explicit consent. Sexual abuse also includes any form of sexual contact between an adult and a person below the age of 18.

**Emotional or psychological abuse** includes shouting, cursing, name-calling, bullying, coercing, humiliating, gaslighting,

harassing, infantilizing, threatening, frightening, isolating, manipulating, or otherwise controlling another person. Emotional and psychological abuse can be just as harmful as sexual or physical abuse.

**Neglect** involves failing to provide a child or a dependent adult with necessities such as food, water, clothing, shelter, medical care, or supervision. Neglect can also be emotional, which involves failing to provide love, care, and emotional support to a family member.

**Financial abuse** involves taking control of an individual's finances by controlling their income, restricting their ability to work, or accumulating debts in their name.

**Cultural identity abuse** which involves using aspects of a person's cultural identity to cause pain. This might involve threatening to out a person as LGBTQ+, using racial or ethnic slurs, or not permitting the person to practice traditions and customs of their faith.

**Technological abuse** involves using technology as a means to threaten, stalk, harass, and abuse the other person. Examples of this form of abuse include using tracking devices to monitor someone's movements or online activities and demanding to have access to the person's social media or email accounts.

**Immigration abuse** involves inflicting harm on a person by using their immigration status to threaten or restrict aspects of their life. Examples of this might involve threatening the individual's family members, destroying or hiding their immigration papers, and threatening to have them deported.

**Coercive control** is the act or a pattern of acts such as assault, threat's, humiliation intimidation or other abuse that is used to harm, punish or frighten their victim. This controlling behaviour is designed to make a person dependent by isolating them from support exploiting them, depriving them of independence and regulating their everyday behaviour.



## **7. Support for victims/survivors**

We are committed to supporting all victims/survivors when they approach our service or disclose abuse at any time.

We will run a communication campaign for council residents using a range of methods of communication to raise awareness of domestic abuse and how victims/survivors can access support. This will include articles in Housing News, electronic notice boards, posters and leaflets.

We will ensure that we promote to residents how they can safely disclose abuse to housing officers and sheltered housing officers.

We will ensure that we provide links to domestic abuse support pages within the housing section of the council website, and we will ensure that information about domestic abuse support and reporting is provided in our tenant's handbook.

We will explain on the council website what support we can provide should a council resident need to flee a council property as a result of abuse or the threat of abuse.

## **8. Partnership working**

The housing management team is committed to working in partnership with the council's safer communities team (who investigate ASB and wider community safety issues) and with partners including other council services (including children's services, adult social care and housing solutions), support services (including West London NHS), and independent domestic violence advocacy (IDVA) services, including the services commissioned by Ealing Council (Advance, Southall Black Sisters) as well as police, to support victims/survivors and to support action against those responsible.

Through the safer communities team, the housing management service has agreed pathways for information sharing with police

under the local partnership information sharing arrangements, including the provisions of Section 115 of the Crime and Disorder Act (1998), and information obtained by the service via this pathway is used to inform risk assessment and safety plans.

Reporting of domestic abuse incidents and investigation of domestic abuse is undertaken primarily by police, but the housing management and safer communities service will work closely with police to support and inform their investigations.

Housing management and safer communities will refer to and provide information into Ealing's DA MARAC and will attend conferences where appropriate or required.

Tenants and leaseholders of the council who report domestic abuse via the housing contact points can be sign-posted to and referred into support services. Information requests can also be made to police in order to inform risk assessments and safety plans for tenants who are victims/survivors of domestic abuse.

## **9. Domestic Abuse MARAC**

The Domestic Abuse Multi Agency Risk Assessment Conference convenes every weekday to review all incidents of domestic abuse in which the victim/survivor or vulnerable family members may be at risk of murder or serious harm. The confidential conference includes representatives from IDVA agencies, police, children's services, public health and other partners to discuss the victim, the victim/survivor's family, and the perpetrator, to share information and agree actions to protect the victim/survivor.

The safer communities team reviews and returns information requests from the DA MARAC on a daily basis, returning to the DA MARAC any information relating to housing, ASB or noise and nuisance cases/intelligence reports that may inform the risk assessment and safety planning for a victim/survivor.

### **10. Enhanced support**

As a tenant of the council, there are additional measures the council can take in its capacity as landlord to support tenants who are victims/survivors of domestic abuse, including third party reporting and referrals into support services via the housing contact points (housing hub offices and the safer communities team) and advice on tenancy sustainment and relocation options for those seeking to move from their property on a temporary or permanent basis.

Housing management will provide guidance and advice in relation to rent payments and housing benefit (including dual housing benefit) claims to support victim/survivors in sustaining tenancies safely and navigating housing processes in relation to temporary relocations. In cases where a move from the property may be necessary, as well as supporting victim/survivors in longer term, housing relocations via referrals into the council's social welfare panel and other local and national mechanisms are considered.

Officers from the housing management and safer communities service areas will attend refresher training on domestic abuse related matters, including emerging themes and practice in relation to less well understood aspects of domestic abuse, such as coercive or controlling behaviours, financial abuse and immigration abuse.

The council can also consider tenancy enforcement action against a tenant who has perpetrated domestic abuse or gender-based violence in their property.

### **11. Tackling perpetrators**

Ealing's Tenancy Agreement specifically provides for action to be taken against the perpetrators of domestic abuse. Specifically, Paragraph 5.15 states:

*You must not cause or tolerate other members of the household to use or threaten to use violence against anyone else living in the property. Domestic violence includes, but is not limited to, physical, sexual, emotional and financial abuse and the imposition of social isolation. If you cause or permit domestic violence the landlord may take legal action to evict you.*

In cases of domestic abuse in which the perpetrator is a tenant of the council, action against the perpetrator will be considered and assessed in the context of any broader risk or potential prejudice to the victim/survivor. Any enforcement action that targets the suspect/perpetrator in a domestic abuse case or incident must be risk-assessed against any risk posed to the victim/survivor and considered alongside appropriate safety planning and safeguarding work related to any children or other vulnerable adults living in or connected to the household.

While housing-specific and ASB enforcement tools (for example, an injunction or a community protection warning) may be considered in cases of domestic abuse reported into the housing management and safer communities services, it is likely such measures will almost always be unsuited to managing the nature of risk associated with domestic abuse, and it is therefore unlikely such measures would be approved by the managers responsible for signing off on such action in line with the council's ASB enforcement policy. Instead, providing proactive and speedy support and information into partnership safety planning (for which the lead agency will normally be social care), and supporting police and IDVA-led enforcement action (such as DVPO and non-molestation orders) are likely to be the most appropriate actions in managing risk to victim/survivors.

A pathway exists between the council's DA MARAC and Community MARAC to allow for repeat perpetrators of domestic abuse to be considered for additional civil enforcement action to supplement any broader criminal enforcement action (for example through the use of injunctions or possession orders to robustly manage any council tenant who has perpetrated domestic abuse).

## **12. Monitoring, compliance and review**

This policy will be reviewed annually or sooner if there are changes to legislation, best practice or internal arrangements which mean it may no longer be valid, or in the event of a relevant major incident.

## **13. Implementation**

This policy will be implemented in conjunction with the policies and strategies that relate to the safety of tenants' leaseholders and other occupiers. This includes:

- ASB Policy and Procedure
- Ealing's strategy to tackle male violence against women and girls (MVAWG) 2023-27