

November 2023

Supporting residents experiencing domestic abuse



NORWICH
City Council

1. Introduction

Norwich City Council is committed to ensuring that all residents experiencing domestic abuse are responded to in an appropriate and sensitive manner and that staff act in a believing, non-judgemental way. This policy sets out the level of service we aim to provide. At all times it is the organisation's intention to increase victim safety, housing security and hold perpetrators to account for their harm.

For the purposes of this policy, the statutory definition of abuse applies and incorporates behaviours of violence as well as other forms of abuse, including economic abuse and coercive control.

The council has signed an agreement with Norfolk County Council to work within their Adult Safeguarding policy guidelines and procedures. More information can be read at the Norfolk County Council website.

This Domestic Abuse policy should be read in conjunction with our Safeguarding Children and Adults at Risk of Harm Policy which provides an overarching approach to the council's response to all safeguarding matters. In addition, the housing department's Anti-Social Behaviour Policy and the Norfolk Safeguarding Adults Board Multi-Agency Safeguarding Policy are related policies. How we respond to domestic abuse is set out within these documents.

The council also has a policy ([under review](#)) for any staff members that may be experiencing domestic abuse, which can be found by staff on our intranet.

2. What is domestic abuse?

Relevant legislation

The following legislation is relevant to this policy:

- 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)

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.

Who can experience domestic abuse?

Domestic abuse can affect anyone, regardless of age, disability, gender, race, religion or belief, sex, or sexual orientation. Domestic abuse can also manifest itself in specific ways within different communities.

Women are disproportionately more often the victim of domestic abuse and men are disproportionately more often the perpetrators in police recorded crime and Crime Survey of England and Wales data. Female victims and survivors are more likely to be identified as high-risk or repeat victims.

Many men in Norfolk experience domestic abuse and when they do, they experience similar consequences to women. Further, there is stigma for men related to the societal assumption that domestic abuse victimisation is gendered, which can act as a barrier to male victims and survivors reporting incidents.

It is important to remember the experiences of children and young people who are living with domestic abuse and their needs in any decisions made about the adult victim and survivors. Witnessing domestic abuse is one of ten Adverse Childhood Experiences (ACEs) and the 2021 Domestic Abuse Act identifies children as victims of domestic abuse if they see, hear, or otherwise experience domestic abuse between two people where the child is related to at least one of them.

As part of our responsibility to safeguard children, Norwich City Council has made a FLOURISH pledge to prioritise the safety and welfare of children and young people whenever we are aware of domestic abuse and work closely with other agencies enabling children to access early support.

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://www.legislation.gov.uk)

Honour based abuse is a form of domestic abuse. There is currently no statutory definition of Honour Based Abuse in England and Wales, but a common definition has been adopted across government and criminal justice agencies: ‘A crime or incident which has, or may have been, committed to protect or defend the honour of the family and / or community’.

Honour Based Abuse can take many forms, including child marriage, virginity testing, enforced abortion, forced marriage, female genital mutilation, as well as physical, sexual and economic abuse and coercive control.

3. Support

We will treat all reports of domestic abuse with respect, empathy and confidentiality and we will listen to the needs and wishes of the survivor in agreeing a course of action.

By working in collaboration with survivors of abuse, housing professionals/services, will empower survivors to take back control over their lives and increase their space for action. Staff will take a believing, non-judgemental and needs-led approach. Recognising that survivors are the experts of their own experience and understand what they need to achieve safety and housing security.

We take a person-centred approach to those experiencing domestic abuse and will always make the safety, dignity and well-being of the person the priority.

All reports of domestic abuse will be investigated in accordance with Norwich City Council's Adult Safeguarding policy guidelines and procedures, our Anti-Social Behaviour Policy and our Safeguarding Children and Adults at Risk of Harm Policy.

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).

We can refer the person to other agencies that provide specialist support and guidance.

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.

We are part of the 'Norfolk DA Partnership Board', which consists of other key agencies in the area to offer support, services and information to survivors of domestic abuse.

4. Multi-agency working

To ensure the Domestic Abuse and Sexual Violence response in Norfolk is as joined up as possible, Norwich City Council are signed up partners of the Norfolk County Community Safety Partnership's (NCCSP), Domestic Abuse and Sexual Violence Delivery Group (DASVG), the Norfolk Safeguarding Adults Board (NSAB) and the Norfolk Safeguarding Children Partnership (NSCP) and have collaborated to create a joined-up strategy, responding to Domestic Abuse and Sexual Violence.

In response to the Domestic Abuse Act 2021 a Norfolk-wide Support in Safe Accommodation Strategy 2021-24 was created by the Norfolk Domestic Abuse Partnership that consists of Norwich City Council, other Norfolk district Councils, Norfolk County Council and other housing and statutory and voluntary partners. The strategy was formulated following an accommodation and support needs assessment that is required to be undertaken every three years.

We recognise that no single organisation will have a complete picture of the life of a family or individual living with domestic abuse but may have insights that are crucial to their support and safety. We recognise the importance of working collaboratively with other agencies to provide support to victims of domestic abuse and to contribute to an effective Co-ordinated Community Response. Examples of other partners include (but are not limited to):

- The police
- Health Providers

- 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

(Further information about information sharing and consent is provided in Section 5).

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.

Members of our Housing Enforcement Team, Housing Advice Team, Environmental Health teams and the Communities team also attend multi-agency working groups and panels on a regular basis as well as sharing information internally between teams. Partnership groups include:

- Norfolk Safeguarding Adults Board
- Norfolk Domestic Abuse Partnership Board
- The Domestic Abuse and Sexual Violence Group (DASVG)
- Multi Agency Public Protection Arrangements (MAPPA) Senior Management Board
- Domestic Abuse Partnership Perpetrator Approach (DAPPA)
- Multi-Agency Risk Assessment Conference (MARAC)

- Norfolk Domestic Homicide reviews
- Norfolk Community Safety Partnership (CSP) Problem Solving Group-Adults

In addition, officers take advantage of opportunities to participate in regional and national discussion forums through attendance at Regional DAHA events and through participation in the National Housing Federation's Domestic Abuse core group.

5. Information sharing and consent

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.

As stated in the Norfolk 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 the council's legal duty to act.

6. Housing options

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 Advice staff receive domestic abuse awareness training and are also trained in completing Domestic Abuse Stalking and Harassment, (DASH) risk assessments.

Staff will interview victims and alleged perpetrators separately. Staff will offer advice and support to assist those experiencing domestic abuse to reduce risk and remain safe. This may include:

- Installation of additional security measures,
- use of emergency accommodation or refuge or
- support to access other services to support the wellbeing and welfare needs of the household occupants.

If people experiencing domestic abuse wish to move within Norwich, the usual Home Options and allocations processes apply and applicants will be banded according to need. Please note that if victims are deemed to be 'suitably housed' in Home Options policy terms, they are likely to be on standard band and a move may take some time to achieve.

If the location of the property is the issue and the risks cannot be reduced, a move to a different area may be appropriate. In this situation, victims would be assessed in accordance with Home Options policy and assisted to expedite a move as quickly as possible. In such circumstances the client would receive only one property offer in an area in which they are assessed as being safe from risk.

Norwich is a relatively small city and if it is assessed that the victim is unsafe in Norwich they would be referred to make a homelessness application to another local authority area.

The Housing Options team hold a Safe at Home budget, which maybe available to provide additional home security to those wishing to remain in their own home. In addition, other financial support (such as access to Rent Deposit and Spend to Save schemes) may be available to people wishing to relocate.

We do not generally encourage victims of domestic abuse to carry out a mutual exchange. Our priority is ensuring people access a safe and secure environment and we do not consider that mutual exchanges usually fulfil these criteria. However, each case will be assessed on an individual basis, including consideration of the risks.

Where appropriate, specialist advice, for example from the Independent Domestic Violence Advisory (IDVA), Service will be sought.

7. Joint tenancies

Where requests are made to add any party as a joint tenant, the council will make all reasonable efforts to assess whether there is coercion and control or any other risk to the tenant from the party wishing to become a joint tenant. The council reserves the right to refuse a joint tenancy request on this basis.

The council will interview victims and alleged perpetrators separately and signpost to further support as necessary.

In situations of domestic abuse between joint tenants, the landlord is unable to remove a person's name from the tenancy without their consent. This means that Housing staff are unable to make a decision to assign the tenancy to either party, although we can offer advice.

In these circumstances the victim 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.

If a victim 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.

In the case of Council Tenants, the council is 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).

If a victim 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. 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).

The victim should always seek advice and support to be fully informed of their options and to avoid losing their tenancy.

8. Taking action

We have a duty to work within Norfolk County Council Children and Adult Safeguarding policy guidelines and procedures. More information can be read at the Norfolk County Council website.

We can refer victims to access advice on their options and may be able to provide support when taking legal action against the person committing the domestic abuse.

We can use civil injunctions where appropriate.

9. Security

Where measures to enhance security at a property are identified we will assess the viability of these against the practicalities at the particular address and instruct contractors accordingly. We will always aim to make a property as secure as reasonably possible.

Where repairs are required to increase security or make a property secure, these will be treated as urgent and completed within 24 hours.

10. Perpetrator management

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 Advice 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.

Where it is appropriate for enforcement action to be taken (for example, reporting to the police, action against a tenancy), council staff will do so.

It is also recognised that, from time to time, Housing Advice and Housing Services 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 Option scheme, although the policy does allow exclusions based on behaviour. Any decisions to exclude someone will be on a case by case basis and informed by the level of risk to associated parties if an exclusion was to exist.

11. Prevention and awareness

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.

We will actively seek to raise awareness of domestic abuse and encourage anyone that is experiencing it to engage with support services.

We are committed to achieving Domestic Abuse Housing Alliance (DAHA) accreditation and seek to learn and improve services through the accreditation process.

We will also raise awareness of the topic through articles published on our website, Tenant and Leaseholder newsletters and magazine and share awareness material on our housing Facebook page and with relevant partners and agencies where and when appropriate.

12. Related documents

- Anti-Social Behaviour Policy
- Internal Staff Domestic Abuse Policy (HR)
- Lettings Policy
- Safeguarding children and adults at risk of harm policy
- Norfolk Domestic Abuse Board Multi-Agency Safeguarding Policy
- Norfolk Domestic Abuse Strategy
- Norfolk Sexual Violence Strategy
- The government's Violence Against Women and Girls (VAWG) Strategy
- Norwich City Council's Community Safety Strategy
- Norwich City Council circle of influence.

13. Equality and Diversity

As a council, we are committed to delivering services that narrow the gap in outcomes between disadvantaged groups and the wider community, and to ensuring that protected groups are included and have their voices heard and reduce barriers in accessing services and support.

The council will continue to work within the partnership via the Domestic Abuse and Sexual Violence Group and with the Diverse Communities IDVA to reach into communities where there are likely to be 'hidden victims' who have their own unique

barriers to access Domestic Abuse Support. We are also obliged to comply with the Equality Act 2010 and the Public Sector Equality Duty.

We believe that all people are entitled to be treated with dignity and respect and we are determined to ensure that everyone entitled to use our services receives fair and equitable treatment. One way that we can achieve this is by ensuring that those who do not use English as a first language (including users of British Sign Language) still have equal access to our services through the provision of Interpretation and Translation services.

We are committed to working with our partners and communities to promote good relations and to combat prejudice, discrimination and harassment.

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

14. Complaints

Any complaints should be addressed in line with the Housing Services Comments, Compliments and Complaints Procedure. The responding officer may discuss the complaint with the Domestic Abuse Lead or one of the organisation's Domestic Abuse Support Champions to ensure that matters are viewed through an informed domestic abuse lens.

An overview of the complaints procedure is available on the website.

15. Review

This policy has been reviewed and informed by residents of Norwich who have lived experience of Domestic Abuse.

This policy and its procedures will be reviewed every two years. However, earlier reassessment may be required if there are changes in operations and /or legislation.



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