

REPORT TO EXECUTIVE

Date of Meeting: 5 November 2024

REPORT TO COUNCIL

Date of Meeting: 17 December 2024

Report of: Strategic Director People and Communities

Title: Housing Domestic Abuse Policy

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 The report summarises the new Housing Domestic Abuse Policy. It is proposed that the revised Policy 2024-2027 be adopted and implemented. A copy of the Policy document is appended.

2. Recommendations:

2.1 That Executive recommends that Council approve the adoption of the new Housing Domestic Abuse Policy for the period.

3. Reasons for the recommendation:

3.1 The Council is required by the Regulator of Social Housing to provide a housing specific Domestic Abuse Policy which contains details of how reports of domestic abuse will be handled in relation to tenants of Exeter City Council.

4. What are the resource implications including non financial resources

4.1 It is difficult to predict how many of our tenants are experiencing domestic abuse at any one time. We acknowledge that not all of them will turn to us for assistance, but this policy is designed to ensure that everyone who does has an agreed level of service to be followed by our officers. The Housing Officers, often the first point of contact will, as they have been already, undertake this role as part of their day-to-day duties.

5. Section 151 Officer comments:

5.1 There are no additional financial implications for Council to consider.

6. What are the legal aspects?

6.1 Local housing authorities have specific legal obligations to have in place a domestic abuse policy. The Domestic Abuse Act 2021 requires local authorities to assess the need to accommodation-based support for victims of domestic abuse in its area, prepare and

publish a strategy for the provisions of such support, and to monitor and evaluate the effectiveness of the strategy.

6.2 Section 1(1) of the Domestic Abuse Act 2021 defines domestic abuse as follows:

‘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.

6.3 Section 2 of the Act defines the term ‘personally connected’.

6.4 Section 1(3) of the Act goes on to define behaviours 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; and
- e) psychological, emotional, or other abuse.

Such behaviour is defined as ‘abusive’ whether the behaviour consists of a single incident or a course of conduct.

6.5 The Regulator of Social Housing issued new requirements as part of the Neighbourhood and Community Standards that came into force on 1st April 2024.

6.6 These standards require social landlords to have in place a stand-alone Domestic Abuse Policy in respect of their tenants and leaseholders in order to fully comply with these standards. The key issue is that social landlords must have in place a policy for recognising and responding effectively to domestic abuse. The policies should consider how the social landlords:

6.6.1 raise awareness and understanding among relevant staff so they are able to recognise the signs of domestic abuse, particularly those linked to a tenant’s housing circumstances;

6.6.2 make tenants aware of appropriate support and advice available regarding domestic abuse, including from third party organisations;

6.6.3 offer tenants affected by domestic abuse referrals to specialist domestic abuse agencies;

6.6.4 provide staff supporting tenants experiencing domestic abuse with appropriate specialist training; and

6.6.5 offer appropriate staff members to support tenants experiencing domestic abuse.

6.7 The Council’s Housing service will be assessed against these standards when we are inspected by the Regulator of Social Housing.

6.8 A key issue is that the Housing authority works collaboratively with other agencies in order to promote the safety and well-being of its residents.

7. Monitoring Officer's comments:

7.1 Members will note the legal requirements imposed on local housing authorities to have in a place a stand-alone policy in order to address how it will respond to domestic abuse in respect of its tenants and leaseholders.

8. Report details:

8.1 The policy defines what we consider to be domestic abuse, what we will respond to and the timescales for doing so.

8.2 Domestic abuse can encompass, but is not limited to, the following types of abuse:

- Psychological.
- Physical.
- Sexual.
- Financial.
- Emotional.
- Discriminatory

8.3 Domestic abuse is a criminal offence and is also a breach of our tenancy agreements. It impacts on the safety of individuals, their households, and local communities. Domestic abuse often takes place in the home and so we have a role in identifying these issues, supporting the people affected and acting appropriately against perpetrators.

8.4 Concerns about, or reports of, domestic abuse may be reported to any member of our housing services team via any communication channel.

8.5 It is our aim to help people to tell us about the abuse quickly, safely, and confidentially, so that telling us doesn't put them at further risk. We will agree with people how future contact can be made safely.

8.6 We take a risk-based approach to managing any ongoing threat of domestic abuse, including considering the best options to prevent further abuse from happening. We will remain victim centred, taking all protected characteristics into account.

8.7 We will advise people in danger to contact the police and /or emergency services, or we will do this on their behalf.

8.8 We will work as part of a multi-agency partnership to prevent future abuse, including referrals to the local Multi-Agency Risk Assessment Conference (MARAC)

8.9 The policy documents were brought to our Tenants' Voice Group in September 2024. The group's suggestions have been evaluated and some changes have been incorporated into the policy.

8.10 The documents were reported to the Council Housing and Development Advisory Board (CHADAB) in September 2024. Suggestions made by the Board included the addition of environmental damage as ASB and adding in references to the Council's Homelessness and Rough Sleeping Prevention Strategy.

9. How does the decision contribute to the Council's Corporate Plan?

Corporate Plan Priorities include

"Housing and building great neighbourhoods and communities"

Exeter Live Better

"Exeter thrives on community spirit"

Wellbeing Exeter

"Community life and social connections are vital to all our health and wellbeing"

9.1 The delivery of this strategy will contribute to the Council's Corporate Plan, in particular the strategic priority of "housing and building great neighbourhoods".

9.2 The delivery of the objectives within this strategy accord with the principles of being a well-run council as set out in the Corporate Plan.

10. What risks are there and how can they be reduced?

10.1 There are reputational risks in not having an up-to-date Domestic Abuse Policy; with the introduction of more stringent regulation any inspection of the housing service by the Regulator of Social Housing would include a review of our policies and strategies to ensure they are fit for purpose.

10.2 The Social Housing Regulator's Neighbourhood and Community Standard requires registered providers to work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation, and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies, and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage, and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

12.1 No direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

13.1 There are no alternatives to the adoption of this strategy and policy as they are one of the 'required outcomes' within the Neighbourhood and Community Standard (part of the Regulator of Social Housing's Consumer Standards which came into force on 1st April 2024):

'Must work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.'

Social housing landlords must have a policy for how they recognise and effectively respond to cases of domestic abuse.

Landlords 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.'

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Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

[Annex 3: Consumer standards 1 April 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118122/Annex_3_Consumer_standards_1_April_2024.pdf)

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