



# Housing Domestic Abuse Policy

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# 1. Introduction

Lambeth Council has zero tolerance for violence and abuse. This policy will set out how the Housing department will tackle domestic abuse, support victims and survivors<sup>1</sup> of domestic abuse and hold perpetrators to account.

Domestic abuse has a devastating impact on victims and survivors, their families and the wider community. It can happen to anyone, in any type of relationship including ex-partners, family members or those who have or had parental responsibility for a child. We know domestic abuse is rarely confined to a single incident, may not involve physical abuse, and typically forms a pattern of coercive or controlling behaviour. We support the VAWG Strategy's recognition that the majority of victims and survivors are women<sup>2</sup>, and the majority of perpetrators are men<sup>3</sup>.

This policy augments the vision for the Violence Against Women and Girls (VAWG) Strategy – 'Lambeth is a borough where everyone is safe'.

This policy also supports the Domestic Abuse Housing Alliance's<sup>4</sup> (DAHA's) mission to improve the housing sector's response to domestic abuse through policy and strategy development and providing training for housing staff that work with victims, survivors and perpetrators.

We understand the serious and enduring impact which can be caused by domestic abuse. Therefore, identifying domestic abuse early and providing support to victims and survivors is a key priority for Housing. This will support us to prevent homelessness and improve the safety and wellbeing of residents.

The Housing Domestic Abuse Policy will be supported by the Housing Domestic Abuse Procedure which provides detail on how the policy will be practically applied.

## 2. Aims of Policy

The aims of the policy are identified below:

- Protecting victims and survivors of domestic abuse and preventing homelessness by providing safe and secure accommodation to Lambeth tenants and those who approach the borough for housing assistance;
- Intervene early to tackle domestic abuse and prevent further abuse and facilitate the necessary help and support for victims and survivors and their children<sup>5</sup>;
- Hold perpetrators to account for their actions in a way that is prompt, decisive and proportionate, with a focus on rehabilitation and maintaining the safety of the victim and survivor and their children;
- Support the delivery of the priorities within Lambeth's VAWG Strategy;
- Support the delivery and embedment of DAHA's aims;

## 3. Who is this Policy for?

This document is for staff in the Housing department and front-line council staff who may deal with cases of domestic abuse or facilitate disclosures of domestic abuse. This policy is also for anyone – tenants, non-

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<sup>1</sup> Lambeth Council, VAWG Strategy 2021 – 2027. The term 'victim and survivor' is used instead of 'victim' or 'survivor' in recognition that some do not survive abuse and in recognition of the strength and resilience of survivors.

<sup>2</sup> [ONS. Domestic Abuse in England and Wales Overview: November 2019.](#)

<sup>3</sup> [ONS. Domestic Abuse in England and Wales Overview: November 2019.](#)

<sup>4</sup> [Domestic Abuse Housing Alliance.](#)

<sup>5</sup> The Domestic Abuse Act 2021 has extended the definition of domestic abuse to include children as victims and survivors.

tenants and residents of or outside of the London Borough of Lambeth – who are experiencing, have experienced, or are at risk of experiencing domestic abuse, as well as perpetrators of domestic abuse.

## 4. Policy Statements

### 4.1. The Definition of “Domestic Abuse”

Lambeth Housing department adopts the Government’s definition of domestic abuse in the [Domestic Abuse Act \(2021\)](#).

### 4.2. Violence Against Women and Girls Strategy 2021-2027

This policy will align with the VAWG Strategy but will also build on the strategy by outlining the housing-specific policy approach for tackling domestic violence and abuse and support victims and survivors, while holding perpetrators to account.

The priorities of the strategy are as follows:

- **Priority one: specialist support;**
- **Priority two: working together;**
- **Priority three: community response;**
- **Priority four: children and young people;**
- **Priority five: reducing harm from perpetrators.**

### 4.3. Identifying Cases of Domestic Abuse

Domestic abuse may come to the attention of staff through direct disclosures and by way of potential indicators such as a higher-than-average number of repairs, presenting as homeless or at risk of homelessness due to domestic abuse, abandoned properties, anti-social behaviour complaints and noise nuisance. Housing staff are well placed to recognise domestic abuse as abuse often takes place in the home environment. Housing staff should therefore be alert to recognise the signs and respond appropriately if someone experiencing abuse asks for advice and support.

The Housing department will raise awareness amongst staff and improve our ability to identify cases of abuse by:

- Providing training and briefings for all Housing staff on domestic abuse. This includes the mandatory domestic abuse training for all Lambeth Council staff;
- Ensuring all housing staff are aware of local referral pathways for specialist support including the Gaia Centre and what to do in an emergency<sup>6</sup>;
- Ensuring all housing staff are aware of the Housing Domestic Abuse Procedure, including how to refer an incident of domestic abuse to the Tenancy Enforcement team to manage the perpetrator;

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<sup>6</sup> Lambeth residents and staff experiencing gender-based violence including domestic abuse and sexual violence can get practical, and emotional support from the [Gaia Centre](#). In an emergency always call police on 999.

- Ensuring all housing staff are familiar with the correct process for responding to victims and survivors who are at high risk of harm, including making MARAC (Multi-agency Risk Assessment Conference) referrals<sup>7</sup>;
- Ensuring all housing staff are familiar with the correct process for making safeguarding referrals for children and adults at risk where appropriate<sup>8</sup>;
- Repairs administrators reviewing repairs case notes to identify red flag cases (e.g damage to doors / windows and frequent lock changes), which may be potential indicators of domestic abuse or criminal damage. Repairs will alert Neighbourhood Housing to conduct welfare checks on red flag cases;
- In partnership with Repairs, Neighbourhood Housing to identify cases where property adaptations have been completed by the Sanctuary Scheme to identify residents that may be at risk of domestic abuse and conduct welfare checks. Where necessary, Neighbourhood Housing will engage with the Sanctuary Scheme to understand the circumstances surrounding the adaptation works;
- Tenancy Enforcement investigating anti-social behaviour or noise complaints that may indicate domestic abuse and alerting Housing Management;
- Maintenance staff and managers in Repairs to identify households with a higher-than-average number and cost of repairs and alerting Housing Management to conduct welfare checks;
- Creating opportunities to disclose abuse during home visits or assessments either by Neighbourhood Housing or Homeless Prevention. Prompting disclosure will only take place where it is safe to do so (e.g., where the suspected victim and survivor is alone);
- Using the knowledge and expertise of our domestic abuse champions<sup>9</sup> to raise awareness in the department of potential indicators of abuse and increase understanding of how to safely enable the potential victim or survivor to disclose abuse;
- Investigating – through interviewing and asking questions - areas of concern and potential indicators of abuse within cases of people presenting either as homeless or at risk of being homeless (as a result of self-referral or otherwise), to the Homeless Prevention service.

There are multiple and complex barriers that may prevent someone from disclosing their abuse. We will believe all victims and survivors who make a disclosure and therefore will not ask for proof to evidence domestic abuse. However, we will ask questions to support our understanding of the situation, help us determine the most appropriate action to ensure that we provide the right help and support. Lambeth will take a victim and survivor-focussed approach and will provide support in a confidential and non-judgemental manner.

In some instances, it may be the alleged perpetrator that is actually the victim and survivor of domestic abuse. In these circumstances, we have a counter-allegations procedure which will be followed, and this will be detailed in Housing Domestic Abuse Procedure. The alleged perpetrator can also contact the Respect helpline on 0808 802 4040 to seek [advice and guidance](#).

We also recognise that people's understanding of domestic abuse may be influenced by their culture and beliefs and as a result, some people may not recognise themselves as victims or survivors. We will work

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<sup>7</sup> A MARAC is a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs), probation and other specialists from the statutory and voluntary sectors.

After sharing all relevant information, they have about a victim, the representatives discuss options for increasing the safety of the victim and turn these into a co-ordinated action plan. The primary focus of the MARAC is to safeguard the adult victim. The victim/survivor does not attend the meeting but is represented by an Independent Gender Violence Advisors (IGVA) or Independent Domestic Violence Advisors (IDVA) who speaks on their behalf and represents their views and wishes.

<sup>8</sup> [Report a safeguarding concern about an adult](#). [Report a safeguarding concern about a child](#). [MARAC referral](#).

<sup>9</sup> What do Domestic Abuse Champions do? See the [role description](#).

sensitively with those experiencing abuse to promote their safety and wellbeing under the guidance of specialist domestic abuse services.

There are often complex barriers that prevent someone from leaving an abuser. We recognise that people are more often at risk when leaving an abusive person and in the period of time following a separation. Our support offer will not be contingent on victims and survivors leaving their home because where appropriate we can support them to remain in their home.

In accordance with the VAWG Strategy, we will support the community response priority by delivering and supporting communications campaigns in the borough. This will support residents to understand how to identify domestic abuse and how access help and support.

#### **4.4. Supporting Council Tenants who are Victims and Survivors of Domestic Abuse**

Housing will work in the best interests of the victim or survivor and under the guidance of specialist domestic abuse agencies to provide safe and suitable accommodation for victims and survivors of domestic abuse and their children. This may include supporting the victim and survivor to stay in their home or supporting them to find accommodation elsewhere. We will seek to ensure that Lambeth Council tenants that need to be rehoused or need to leave their joint tenancy due to domestic abuse will transfer to a secure tenancy.

##### **Help and Support**

Our approach to supporting those affected by domestic abuse will be sensitive to the needs of the individual's circumstances and be victim and survivor focussed. We will adopt a strengths-based approach in our provision to ensure the victim or survivor can get the help and support they need alongside housing assistance and tenancy sustainment support.

If a report of an incident of domestic abuse is received, staff should first and foremost find out if there is an immediate risk of harm to the individual. The police should be called on 999 if necessary.

Where there is no immediate risk of harm, we will contact the tenant within **one working day** of receiving the report to discuss the options available to the tenant.

In accordance with the specialist support priority of the VAWG Strategy, with their consent, we will refer all victims and survivors into specialist domestic abuse support agencies in the borough such as the Gaia Centre. The Gaia Centre can be contacted on 020 7733 8724. If they do not consent to a referral, we will provide them with relevant information so that they may self-refer.

Housing will work in the best interests of the victim or survivor and under the guidance of specialist domestic abuse agencies to provide safe and suitable accommodation for people experiencing abuse.

The Housing Domestic Abuse Procedure provides further practical guidance for staff supporting victims and survivors.

##### **Supporting Victims and Survivors to Remain in their Homes**

As a social housing provider, we recognise that housing can be used by the perpetrator to exert control over the victim or survivor, for example by threatening to end a joint tenancy or by accumulating rent arrears. We will disrupt the perpetrator's behaviour by addressing the housing issue through this policy, by delivering our statutory responsibilities and by utilising and requesting approval to utilise the legal powers (E.G Domestic Abuse Protection Notice, Domestic Abuse Protection Order and Civil Injunction etc.) available to prevent the perpetrators from accessing the home and committing further abuse. This will support the victim and survivor to sustain their tenancy while being safe.

When a victim and survivor wishes to end their joint tenancy with the perpetrator, but would like to remain in their home, it is their Neighbourhood Housing Officer that is the first point of contact. The Neighbourhood Housing Officer will be able to provide the victim and survivor with advice and guidance in relation to tenancy sustainment options. In the interim, this may include temporary accommodation and support to access refuge. Neighbourhood Housing will advise them on their right to end the tenancy by serving a Notice to Quit and that the council can retain their tenant status so that they can remain in their current home. In accordance with the Domestic Abuse Act 2021, where a new council tenancy is granted to someone whose former secure tenancy ended for reasons connected with domestic abuse, this new

tenancy will be a secure tenancy<sup>10</sup>. A joint tenancy may also be ended by a court order; and in some cases, no notice is needed where we already have a court order in place.

Neighbourhood Housing will also inform them of the legal and civil remedies available to them to prevent the perpetrator's access to the property and will signpost to sources of legal advice where requested. Any repairs for damage that may leave victims and survivors at risk, such as unsecured entry, will be categorised with a dedicated code as emergency repairs to ensure that the works are carried out within 24 hours of a report.

Property adaptations to improve security where the perpetrator is no longer living at the property will also be categorised as an emergency. Such adaptations will be carried out by Gaia under Sanctuary Scheme, unless the adaptations are in communal areas or are repair works, in which case this would be carried out by Lambeth Council<sup>11</sup>. The security measures available under the scheme are as follows:

- Change of locks and/or additional locks;
- Door Chain;
- Window Alarms;
- Window restraining straps;
- Secure broken windows;
- Spy hole;
- Install smoke alarms and/or check existing smoke alarms;
- Fireproof letterbox if there is a threat/risk of arson;
- Bolt to back garden gate.

Victims and survivors will also be eligible for assistance from general floating support (including housing and domestic abuse-related support) to encourage them to regain their confidence and skills to live independently.

### **Supporting Victims and Survivors to Move into Other Accommodation**

Where victims and survivors wish to permanently move into other accommodation, a referral must be made to the Homeless Prevention service. The Homeless Prevention service will provide advice and guidance where sought by victims and survivors who are at risk of being homeless due to the need to flee their households due to domestic abuse, including circumstances where they are in joint tenancies with the perpetrator. This will include checking that their Neighbourhood Housing Officer has been engaged regarding options to remain in the home and tenancy-related matters, as well as referring them to independent legal advice about their tenancy. Where an applicant is assessed as Eligible, Homeless and in Priority Need, the Homelessness Prevention Team will provide support to access safe interim accommodation and refuge.

Where victims and survivors wish to remain in the borough and it is deemed safe to do so, they will be put on the transfer list to move into secure council accommodation. In accordance with the Domestic Abuse Act 2021, when managing a planned move into new accommodation and where a tenancy has been ended for reasons connected to domestic abuse, we will grant a new secure tenancy to the victim and survivor that previously had a secure tenancy but were forced to flee due to abuse. We will prioritise the safety and security of the victim and survivor when managing a planned move into longer term accommodation, although, transferring to council accommodation may not always be possible, and we will therefore look at alternative safe accommodation including in the private sector.

In some circumstances, tenants who are affected by domestic abuse may wish to move to other London boroughs, and we have the Pan-London Reciprocal Agreement to facilitate this. We may also utilise Housing Moves, HomeSwapper and Mutual Exchange. On the rare occasion, we may be able to utilise borough-to-borough reciprocal agreements; however, use of this of these agreements will be assessed on a case-by-case basis and is dependent on the cooperation of other boroughs.

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<sup>10</sup> [Home Office, Domestic Abuse Act 2021: Overarching Factsheet.](#)

<sup>11</sup> Ministry of Housing, Communities and Local Government, [Sanctuary Schemes for households at risk of domestic violence: guide for agencies.](#) The Gaia Centre offers a Sanctuary Scheme to improve home safety.

Tenants fleeing abuse will also have access to specialist accommodation and support through the Revive project, which supports victims and survivors to relocate to different parts of the country in partnership with other local authorities. Victims and survivors who are referred into the project will be supported to identify potential areas for relocation based on their needs and will be able to bid directly for properties specifically allocated for victims and survivors who are fleeing abuse.

We will refer tenants who remain in the borough to specialist domestic abuse support services including the Gaia Centre and victims and survivors will be encouraged to access assistance to help them understand their options for legal protections and encourage them to regain their confidence and skills to live independently.

#### **4.5. Support for Victims and Survivors who are not Council Tenants**

Non-council tenants approaching the council for housing assistance due to domestic abuse are referred into the Homeless Prevention Team (in Housing Needs) which will be able to assist where the applicant is:

- Eligible – eligibility for homelessness assistance depends on immigration and residence status<sup>12</sup>.
- Homeless or Threatened with Homelessness within 56 days<sup>13</sup>

Following the introduction of the Domestic Abuse Act 2021, if an applicant is assessed as Eligible and Homeless as a result of domestic abuse, they will have Priority Need and will be owed a duty to secure temporary accommodation. Offers of accommodation must be safe, suitable and affordable.

All applicants who are Eligible and Homeless/Threatened with homelessness will be provided with a Housing Advisor who will draw up a Personalised Housing Plan and will take reasonable steps<sup>14</sup> to prevent or relieve homelessness. Under the Homelessness legislation, applicants that are accepted as having a full Homelessness Duty are required to remain in temporary accommodation until Lambeth secures suitable private rented accommodation or a home is secured through the Housing Register. As all social housing is within the London Borough of Lambeth, the victim and survivor should be supported by independent advocates to consider whether it is safe for them to remain in the borough or whether a homeless application should be made to another Authority, in an area that they will be safe. Lambeth Council cannot refer someone who is homeless due to domestic abuse to another Local Authority, the victim and survivor must directly apply to the Local Authority.

As part of the Personal Housing Plan, the victim and survivor may be referred into specialist domestic abuse agencies, supported to secure emergency accommodation, given advice on sanctuary schemes and/or be signposted to legal advice.

Some non-tenants may have insecure immigration status and may have been granted limited leave to remain in the United Kingdom. Where their immigration status means that they have no recourse to public funds or entitlement to housing benefits, victims and survivors fleeing abuse will be encouraged to seek immigration advice from a specialist solicitor and referred into specialist domestic abuse services who will be able to advocate on their behalf and discuss the options available to them. The Homeless Prevention service can only assist victims and survivors that are Eligible for housing assistance. However, those with No Recourse to Public Funds that are either an adult with needs or those that have children will be eligible for support from the Supported Housing team.

In circumstances where the victim and survivor are presenting as homeless after fleeing a home managed by a Registered Provider, as part of the applicant's personal housing plan, the Homeless Prevention Team will work with the Registered Provider. The Homelessness Prevention Team will liaise with an applicant's social landlord to ensure tenancies are safeguarded where this is appropriate.

#### **4.6. Holding Perpetrators to Account and Rehabilitating Perpetrators**

The Tenancy Enforcement team will only act when domestic abuse has occurred in relation to Lambeth Council's housing management functions (i.e in relation to the council's housing stock and its estates).

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<sup>12</sup> <https://www.legislation.gov.uk/ukpga/1996/52/part/VII>

<sup>13</sup> <https://www.legislation.gov.uk/ukpga/1996/52/part/VII>

<sup>14</sup> [Homelessness Reduction Act 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2017/12/section/1)

Perpetrating domestic abuse can be a form of anti-social behaviour<sup>15</sup> and a breach of the tenancy agreement and will therefore be taken extremely seriously. In these circumstances, victims and survivors will not be considered to have committed anti-social behaviour.

Our general approach to dealing with the perpetrator will be in accordance with DAHA's Perpetrator Management Toolkit<sup>16</sup>. The safety of victims and survivors and their children will be central to our approach to holding the perpetrator to account.

Staff should not contact perpetrators to discuss the abuse, nor should staff inform the perpetrator that they are being discussed at the MARAC and divulge details of that discussion. Under no circumstances should information about the victim and survivor be disclosed to the perpetrator because if details are shared then this may put the victim and survivor at risk. Victims and survivors may request that staff speak to the perpetrator in the hope that this intervention may stop the abuse. However, staff should not act as go-between or attempt to facilitate discussion between the parties as this could put them and the victim or survivor at further risk of harm. In accordance with the VAWG Strategy, perpetrators are encouraged to access support to recognise, address and stop their abusive behaviour at the earliest opportunity<sup>17</sup>. If a perpetrator refuses to engage with help and support, but continues to commit abusive behaviour, we will escalate our early intervention or legal response which we will consider to be proportionate even if the perpetrator has a vulnerability which increases the risk they pose.

In circumstances where there are tenancy matters to resolve with the perpetrator, contact should only be made after safety issues for the victim or survivor have been resolved.

We will recharge perpetrators for the cost of any damage to the property resulting from their violence and will use legal measures – in partnership with the Metropolitan Police – against perpetrators where appropriate. Our recharge process will be included in the Housing Domestic Abuse Procedure. In accordance with the VAWG Strategy, we will disrupt the perpetration of abuse by utilising all the enforcement options (I.E civil and criminal powers) available to prosecute the perpetrators and protect the victims and survivors. Guidance will be taken from specialist domestic abuse services including Respect and Gaia Centre and from Legal services to determine the most appropriate legal measure.

We may also utilise the council's powers to evict the perpetrator, where it is safe and proportionate to do so in accordance with Article 8 of the Human Rights Act<sup>18</sup>. The process for making a referral to Tenancy Enforcement to evict the perpetrator and requesting possession of the property will be included in the Housing Domestic Abuse Procedure. Such action will only be taken where the victim or survivor and their dependents are no longer in the accommodation. This will also only be done as a last resort and in accordance with the statutory guidelines for mandatory possession (ground 7a); the discretionary ground for possession – domestic violence (ground 14a); and the discretionary ground for possession – anti-social behaviour (ground 14)<sup>19</sup>. Where possession has been granted by the court, the perpetrator will be deemed to be intentionally homeless.

The Tenancy Enforcement team will consult specialist agencies including the council's social services before taking punitive action against the perpetrator to minimise any additional risk to the victim and survivor and any children.

If a perpetrator approaches staff for help to access guidance to stop to stop their abusive behaviour, staff should refer them to the Respect Phoneline for advice and guidance.

The Housing Domestic Abuse Procedure provides further practical guidance for holding perpetrators to account and behaviour change support.

#### **4.7. Working in collaboration with our partners**

Lambeth Council is committed to working constructively with our partners to prevent and tackle domestic abuse while ensuring the safety of the victim and survivor and their children. Partnership working is one of our key principles for delivering an effective service. This means developing a coordinated approach to domestic abuse working with residents including victims and survivors, specialist agencies including the

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<sup>15</sup> [Anti-social Behaviour, Crime and Policing Act. Part 1. Section 2 – Meaning of “Anti-social Behaviour”](#)

<sup>16</sup> [DAHA: Perpetrator Management Toolkit](#)

<sup>17</sup> [Respect.](#)

<sup>18</sup> [Guide on Article 8 of the European Convention of Human Rights: Right to Respect for Private and Family Life, Home and Correspondence](#)

<sup>19</sup> [Anti-social Behaviour, Crime and Policing Act 2014 Guidance: Part 2. 2.7 - Absolute Grounds for Possession](#)

Gaia Centre, Registered Providers and other charities, Metropolitan Police, and practitioners in the borough. In accordance with the VAWG Strategy, partnership working will underpin the following:

- Identification of abuse and identification of the different types of abuse;
- Understanding the impact of abuse;
- Understanding the risk factors and potential indicators of abuse;
- Understanding the inequality that victims' and survivors' may face and the additional risks that this may pose;
- Understanding what support is available in the borough, as well as ensuring that help and support is accessible to victims' and survivors';
- Prioritising the safety and safeguarding of victims' and survivors and their children';
- Sharing and promoting good practice for the purposes of learning and improving;
- Where appropriate in accordance with legislation, sharing information.

Our partnership approach will also include supporting the delivery of the Lambeth Made Safer Strategy (LMSS), which is a co-ordinated whole system, multi-agency approach to preventing serious youth violence. Through the LMSS commitments (intervene early and prevent, disrupt, and deter, educate, and train, respond and support, engage and involve, safe spaces) we will work with our partners to ensure domestic abuse is prevented by addressing domestic abuse as a risk factor for serious youth violence.

#### **4.8. Equality and Diversity**

Lambeth will work seek to tackle inequality, disproportionality and discrimination against the nine protected characteristics in the Equality and Diversity Act - race, age, religion or belief, sexual orientation, disability, gender reassignment, pregnancy, sex and marriage and civil partnership. We will ensure that service delivery is compliant with policies surrounding equality and diversity including the Public Sector Equality Duty (Section 149 Equality and Diversity Act). We are committed to embedding an anti-racist approach and building equity across all communities. We will work against cycles of disproportionality and systemic racism.

Domestic violence can affect anyone. However, experiences of discrimination can have an impact on victims and survivors experience of violence. In accordance with the VAWG Strategy, we recognise the link between VAWG and forms of discrimination and inequalities, which cause additional risk factors and could impact on the victims' and survivors' ability to speak out and access support services. Equally, inequalities may lead to some perpetrators being reported or subject to enforcement disproportionately. Through community engagement, and listening to victims and survivors of domestic abuse, we will consider the lived experiences of Lambeth's diverse population and design and deliver our services to ensure they are accessible, meet the diverse needs of our community and make it easier for people to speak out about abuse. Services will ensure that victims and survivors feel safe and supported to disclose abuse and seek help in their own languages. We will also ensure that promotional materials to access help and support is accessible in a range of formats and languages. In circumstances where victims and survivors have care needs, we will engage the Pathways team to identify the most appropriate pathway for the person to access the right help and support or enable the person to prompt disclosure in a safe environment.

We will ensure that our interventions to hold the perpetrator to account for their actions considers any vulnerabilities that the perpetrator might have that increase the risk they pose so that they may be offered help and support. This means assessing the potential impact of the various legal measures available to avoid discriminating against the perpetrator before we identify the preferred measure. We will ensure that

whatever measure we use will be proportionate and reasonable for tackling the abuse and will never be used as a result of a protected characteristic<sup>20</sup>.

We remain clear that violence and abuse are always a choice made by the perpetrator and whilst we will always avoid discriminatory intervention towards the perpetrator, we will ensure we maintain the safety of the victim and survivor.

#### **4.9. Data Protection and Confidentiality**

Staff must treat all domestic abuse cases as confidential and should reassure the victim or survivor of this. Information will only be shared with other agencies with the consent of the victim or survivor and in accordance with the Data Protection Act (2018)<sup>21</sup>. Housing has a service level agreement with both Children's Services and Adult Social Care that outlines the procedure for information sharing, and staff should refer to this for guidance. Information must never be shared either directly or indirectly with the perpetrator as this may increase risk to the victim or survivor.

Consent to share information is not needed where there is a safeguarding concern because a person is at risk. Housing staff should notify the relevant safeguarding team and MARAC for cases assessed at being high risk of serious harm and homicide. Safeguarding referrals will be managed sensitively and we will consider the implications of further risk, particularly if family are identified as perpetrators.

Detailed records should be kept on all domestic abuse cases, including information on the outcome (including outcome for housing assistance, safeguarding and any other referrals) and reason for closing each case for monitoring purposes. Housing may also be required to share information with partner agencies (in accordance with the data protection and confidentiality policies).

#### **4.10. Support and Training for Staff**

The Council has a duty of care to its employees and will take all reasonable steps to ensure a member of staff's health, safety, and wellbeing. Exposure to abuse and/or violence is not an acceptable part of the working day for any member of staff within the council's workforce. We will take action to prevent and reduce the risk of exposure of these incidents occurring, including using powers under the Anti-social Behaviour, Crime and Policing Act (2014), where appropriate. Support will be provided to any member of staff who is threatened, verbally abused, and physically assaulted in the course of their duties.

We are committed to delivering high-quality services for Lambeth residents, which includes developing robust policy and applying the policy consistently. We recognise that domestic abuse is a complex subject area. To ensure that staff continue to have expertise of the legal and regulatory framework for domestic abuse and have up to date information, we will review opportunities for professional development on an ongoing basis for practitioners to ensure they are in a position to deliver the policy and provide the right support to victims and survivors.

Staff supporting victims and survivors of domestic abuse may find this work difficult and stressful. Training and support for practitioners can be provided by the DAHA, the council's Domestic Abuse Champions, the Women's Housing Navigator and the Lambeth VAWG team who can provide an online programme of free, interactive and webinar-based training on VAWG issues. For further information, the council has a landing page on support and guidance for practitioners in the context of VAWG<sup>22</sup>, as well as general support being offered to staff through the Employee Assistance Programme<sup>23</sup>.

#### **4.11. Guidance for Managers**

Managers should provide an opportunity for staff to debrief after a distressing interview. Managers should also direct staff to online learning modules including relevant training provided by the DAHA on improving wellbeing for frontline staff and improving their awareness of domestic abuse and their ability to respond appropriately.

Managers need to be aware that staff may also personally be affected by domestic abuse and this may impact their ability to support tenants and residents. This may also prompt disclosure by a member of staff that they are a victim and survivor of domestic abuse or have perpetrated abuse. In these circumstances,

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<sup>20</sup> [Equality and Diversity Act 2010. Chapter 2. Section 19 – Discrimination](#)

<sup>21</sup> [Data Protection Act 2018](#)

<sup>22</sup> [Lambeth Council Violence Against Women and Girls webpage.](#)

<sup>23</sup> [Employee Assistance Programme](#)

the manager should follow the council's Employee Domestic Abuse Policy<sup>24</sup> which provides advisory information for managers in such situations.

## 5. Legislation

Housing Services has a legal duty and obligation to support people affected by domestic abuse under the following legislation:

- Housing Act 1996
- Domestic Abuse Act 2021
- Anti-social Behaviour, Crime and Policing Act 2014
- Homelessness Reduction Act 2017
- Equality and Diversity Act 2010
- Human Rights Act 1998
- Data Protection Act 2018

## 6. Other Links

Other council documents of relevance to supporting domestic abuse cases include:

- Violence Against Women and Girls Strategy 2021-2027
- Housing Domestic Abuse Procedure
- [Housing Safeguarding Policy](#)
- Housing Safeguarding Procedure
-  [Anti-social Behaviour Policy](#)
-  [Anti-social Behaviour Procedure](#)
- [Employee Domestic Abuse Policy](#)
- [Lambeth Council Violence Against Women and Girls webpage](#)

## 7. Monitoring and Improvement

This policy will be reviewed every two years, unless legislation, business, sector developments, or wider council strategies and policies (including the VAWG Strategy) require an earlier review. This is to ensure that the policy continues to meet its objectives and takes account of good practice development.

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<sup>24</sup> [Employee Domestic Abuse Policy](#)