

Domestic Abuse Policy

(Customers)



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| Review lead / author name and job title | Senior Housing Manager | | |
| Consultation process | Tenant Committee | Distribution and training | Website |
| Last reviewed | November 2025 | Next planned review | November 2028 |
| Approved by and date | Customer & Home Committee 5 th November 2025 | | |
| Change record | | | |
| Version no | Nature of change | Last approved | Approval |
| 1 | Text amendment | February 2026 | Director of Homes |
| 2 | | | |
| 3 | | | |
| 4 | | | |



1. Introduction and Scope

- 1.1. We are opposed to all forms of domestic abuse. We will support customers who disclose experiences of domestic abuse and foster an environment that is open and supportive of anyone living with domestic abuse. We will seek to ensure that victims and survivors of abuse are not only listened to but also feel heard in our response.
- 1.2. We recognise that domestic abuse can happen in any household or intimate relationship, on any income level and in any tenure. It occurs in all communities regardless of age, disability, sex, gender reassignment, race religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity. We know that domestic abuse is widespread, under-reported and disproportionately affects women.
- 1.3 Abuse has a negative impact on mental and/or physical well-being and affects the emotional and social well-being of children, and any other dependents including pets, in the household. Children and dependents in families where there is domestic abuse are also at risk of abuse themselves.
- 1.4 We recognise that domestic abuse is rarely a one-off incident and should be seen as a pattern of abusive and controlling behaviour through which the perpetrator seeks power over the other person.
- 1.5 This policy is supported by the **CHS Domestic Abuse Toolkit** (our guidance and procedures for staff to use) which sets out in more detail the ways in which we support survivors and the resources available to us.
- 1.6 This Policy is linked to other CHS policies, a list of which can be found in Appendix 3.

Scope

- 1.7 This policy applies to all CHS tenants and leaseholders. We have a separate Domestic Abuse Policy for employees experiencing domestic abuse.
- 1.8 If a disclosure is made to us about abuse by a carer, then we will consider that under our Safeguarding Policy.
- 1.9 This policy should be considered in conjunction with our procedures that support our approach to domestic abuse.

2. Policy Aims

- To enable people to fulfil their aspirations and feel empowered to make informed decisions.
- To promote the welfare of all victims/survivors of domestic abuse who come into contact with us

- To raise awareness and understanding around domestic abuse and address negative attitudes and stereotypes

- To make sure victims/survivors feel safe to approach us and are listened to with belief and without judgment
- To provide timely and effective guidance by working in partnership with relevant agencies as part of a coordinated community response
- To make sure information about choices and options is easily available
- To make sure staff are well trained and have clear, practical guidance on how to support and protect survivors of abuse, making sure information about choices and options are readily available
- To provide a framework for responding to customers who are identified as perpetrators of domestic abuse
- To recognise that parts of a person's identity are connected, don't exist in isolation, and that different types of inequality (like those based on gender, race, disability, or gender identity) often happen at the same time and affect each other.

2.1 This policy links with other CHS policies including safeguarding, lettings, repairs, rent arrears, housing management, anti-social behaviour and harassment, which all take into account our commitment to supporting victims and survivors of domestic abuse.

3. Definition of Domestic Abuse

3.1 The Domestic Abuse Act 2021 created a statutory definition of domestic abuse, which is set out in full in the Appendix to this policy. We have summarised it here:

- Physical or sexual abuse
- Violent or threatening behaviour
- Controlling or coercive behaviour
- Economic abuse
- Psychological, emotional or other abuse
- Online and digital abuse

3.2 Those involved will be personally connected with each other, e.g. by marriage, civil partnership, current or former intimate personal relationship, being relatives, and it may be a single incident or a pattern of behaviour. Children are also recognised as victims of domestic abuse if they witness. The most prevalent type of domestic abuse is partner abuse or abuse by a family member. The definition also covers abuse such as adolescent to parent violence and abuse. Detailed [Home Office Statutory Guidance \(July 2022\)](#) is available.

Physical abuse includes slapping, burning, beating, kicking, biting, pinching, stabbing and other violent behaviours; these can lead to permanent injuries or death.

Sexual abuse or assault is when someone intentionally touches another person in a sexual manner, without that person's consent.

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is an act, or a pattern of acts of, assault, threats, humiliation, intimidation, gaslighting, pressure tactics or other abuse that is used to harm, punish, or frighten the other person.

Economic abuse means any behaviour that has a substantial adverse effect on someone's ability to acquire, use or maintain money or other property, or obtain goods or services.

Psychological abuse, including emotional abuse, may take the form of intimidation, coercion, threats, harassment, humiliation, bullying, swearing, or shouting. It could also be enforced social isolation (for example, preventing someone from accessing a service or seeing friends), failure to respect privacy/dignity or online bullying.

This includes **so called 'honour' based violence**, female genital mutilation (FGM) and forced marriage, and victims are not confined to one gender, sexual orientation or ethnic group. There may be multiple perpetrators, usually family members, whether directly related, in-laws or stepfamily.

Online & digital abuse includes checking emails, text messages, location information, social media posts also abuse over emails, social media, sharing intimate photos or videos without consent (image based sexual abuse commonly known as revenge porn).

4. Our Offer to You

- 4.1 We believe you should not live in fear of violence or abuse from a partner, former partner or any other member of their household. We put victims/survivors at the heart of our response. We understand how traumatic and overwhelming these experiences can be, and we will respond with care, compassion, and belief.
- 4.2 Many of our staff are regularly in contact with you, so we make sure everyone receives training on domestic abuse that's right for their role. This policy is easily available to staff on our internal database, training on how to use this is part of our induction process for new staff and existing staff receive regular reminders and refreshers through one-to-ones,

team meetings, our staff newsletter plus other events/presentations. If you come to us for help, you can expect to be listened to with empathy, and supported in a non-judgmental way that feels safe and respectful.

- 4.3 We also provide support and guidance to employees experiencing domestic abuse (please see our separate policy). We know that well-being at work is very important, especially for staff who support people through difficult experiences, and we have resources in place to help.
- 4.4 We recognise that experiencing trauma like abuse, violence, or neglect can deeply affect how someone feels, behaves, or responds. That's why we take time to understand, show patience, and treat everyone with respect. We're careful not to make things harder for anyone who may already be feeling vulnerable.
- 4.5 We're committed to clear communication and raising awareness, so you know what support is available and what you can expect from us. You can find more information and resources on our website.

If you report domestic abuse to us, we will respond to you as a high priority and we will:

- Offer you the chance to speak with a trained member of staff and, wherever possible, we'll take your situation and preferences into account e.g. we can arrange for you to meet with someone of a specific gender if that helps you feel safer
- Treat what you tell us with confidentiality - see section 8 of this policy for information about the limited times when we might have to share details with other agencies. We will not share anything you say with the perpetrator
- Look at your specific situation carefully and make sure our response is based on the level of risk in your personal circumstances
- Agree with you on how you would prefer to communicate, by phone, video call, in writing, at our offices, or in another safe place that works for you
- Offer advice on the options available to you, whether you need help right away or support over the longer term
- Complete a DASH (Domestic Abuse, Stalking and Honour Based Violence) risk assessment with you, this is a recognised UK-wide tool that helps us understand the level of risk and plan the right support for you and any children involved
- With your agreement, use the outcome of the DASH to support referrals to other organisations that can help e.g. the local MARAC (Multi Agency Risk Assessment Conference) or Independent Domestic Violence Advisor service
- Keep you informed of our response and discuss any actions, including referrals to specialist support, community-based support, target hardening support, and offers of accommodation

- Follow the guidance set out in our **Domestic Abuse Toolkit** including about:
 - Ways we can help to increase your safety e.g. making changes to your tenancy or helping you to move – to another property or to a refuge
 - Repairing without charge of any damage caused to your property by a perpetrator
 - Arranging extra security measures to increase your safety (target hardening')
 - Being understanding when financial abuse leads to rent arrears e.g. arrears due to abuse will not prevent us offering you a move if that is what you need.
- Hold perpetrators to account, for example pursuing prosecution for criminal damage, taking action to evict. But we will always take your wishes into account before taking these types of actions
- Follow safeguarding and child protection procedures if we believe a child is at risk due to an abusive relationship, in line with our Safeguarding Policy
- Follow safeguarding adult procedures if we believe an adult with care and support needs is at risk due to an abusive relationship. In line with our Safeguarding Policy
- Continue our offer of support to you until you are satisfied that the situation has been resolved
- Support our network of Domestic Abuse Champions who try to make sure our service is always improving.

5. Partnership Working

5.1 We are committed to continuing to be an active partner among other local agencies and organisations. We currently take an active role in local partnerships including:

- MARAC (Multi Agency Risk Assessment Conference)
- MAPPA (Multi Agency Public Protection Arrangements)
- Cambridgeshire Domestic Abuse and Sexual Violence Partnership
- Any other local forums
- Any social housing 'reciprocals' scheme to support the options for moves to and from CHS homes
- Taking all opportunities to strengthen our networks with specialist 'by and for' providers.

5.2 We will also make sure that children and young people who are affected by domestic abuse have access to appropriate services as early as possible.

6. Perpetrator Accountability

- 6.1 We are clear that there is no excuse for perpetrating domestic abuse and take a zero-tolerance approach, which means we will focus on the needs of the survivor and take action against the perpetrators of abuse where we have the power to do so, this may include involving the police/taking tenancy action. Because our approach is survivor-centered, we consider the views and ongoing safety of victims/survivors when deciding the most appropriate course of action.
- 6.2 When appropriate, we will encourage perpetrators to address violent and abusive behaviour by working in partnership with appropriate agencies or specialist support services such as Respect. We will support/signpost those perpetrators who recognise and seek to change their behaviour to increase their knowledge, confidence and resilience to combat their abusive behaviour patterns.

7. Equality, Diversity and Intersectionality

- 7.1 We are committed to the principles of equality and diversity throughout our organisation and ensuring that our services are accessible to all our customers. Customers can report domestic abuse to us in a wide variety of ways and our website enables translation into other languages, conversion to large print, and read aloud.
- 7.2 We want to promote safe pathways for every victim/survivor and recognise that some people experience layers of disadvantage and discrimination because of the combined impact of their overlapping identities. Intersectionality recognises that everyone has their own experience of discrimination and oppression, and that it is important to consider everything that can marginalise people – gender, race, class, sexual orientation, physical ability which may overlap. For example, women with disabilities are 2 to 4 times more likely to experience domestic abuse than women without disabilities.
- 7.3 We recognise that domestic abuse is a gendered crime, disproportionately affecting women and being mainly perpetrated by men. The Crime Survey for England and Wales estimate that 2.3 million adults, aged 16 years and over, experienced domestic abuse in the year ending March 2024, the majority of whom were female (7 in 100 women and 3 in 100 men).
- 7.4 To support victims/survivors who disclose domestic abuse, we aim to:
- Understand and respond to cultural implications and barriers around reporting domestic abuse. Meet the needs and choices of people from all backgrounds, and take into consideration age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity
 - Take an intersectional approach to domestic abuse recognising that different people may experience a combination of multiple forms of discrimination or disadvantage;

and that as a result some survivors may be unwilling to seek help from statutory agencies e.g. police, social services

- Ensure through training and guidance that our staff understand and commit to intersectional practice.

8. Recording & Data Protection

- 8.1 All records regarding domestic abuse are held on our IT system using the 'Domestic Abuse' case classification. All personal data held by us will be held and processed according to the General Data Protection Regulation 2016 and the Data Protection Act 2018.
- 8.2 All disclosures of domestic abuse will be handled sensitively and will also be treated in confidence except in limited circumstances, which include:
- Where individuals, service providers, or colleagues could be at risk of significant harm (General Data Protection Act 2018 enables the lawful sharing of information). Unless there is a risk of immediate or further harm, then we will first seek the person's permission to disclose.
 - Where child or adult protection is a concern, we will keep those concerned informed if we intend to disclose information. We will also give details about why and how this will be shared if information needs to be disclosed, the person must be informed and given details about why and how the information will be shared.
- 8.3 When we are working with a survivor of domestic abuse, a marker will be placed on our housing management system to ensure colleagues take an informed and flexible approach during any day-to-day contact and can also offer appropriate support. Those who are known or suspected to be perpetrators of abuse are also noted on the same system.
- 8.4 We work in partnership with other agencies, for example through (MARAC) and 'flag and tag' where agencies identify that a victim/survivor or perpetrator has moved to their area. We are a signatory to Information Sharing Agreements with these agencies and will hold and manage such data in line with our privacy notices.

9. Monitoring and Review

- 9.1 This policy will be reviewed every 3 years or in line with business needs or changes in regulation and/or legislation. The Domestic Abuse Toolkit for staff will be updated on a more frequent basis to reflect evolving good practice guidance and learning from cases.
- 9.2 Cases will be monitored on a range of Quality Assurance Indicators (QAs) and outcomes which include:
- Number of cases opened

- Involvement of partner agencies and groups, including Multi Agency Risk Assessment Conference (MARAC)
- Evaluation / satisfaction with the service from survivors

Appendix 1

Legal framework

There are a range of civil and criminal actions that can be taken to protect people from domestic abuse. These vary according to the circumstances of individuals. Some are outlined below, although we will always suggest that legal advice is taken.

Sources of legal and other advice/support are set out in our guidance for customers and our website, and our staff will provide guidance/referrals to the most appropriate agencies.

The **Domestic Abuse Act 2021** was seen as a once-in-a-generation opportunity to transform the response to domestic abuse. The Act:

- Creates a statutory definition of domestic abuse
- Establishes the office of Domestic Abuse Commissioner
- Amends the Housing Act 1996 so that a person has priority need if they are homeless as a result of being subject to domestic abuse
- Prohibits offenders from cross-examining their victims in person in the family courts
- Creates a domestic abuse protection notice (DAPN) and domestic abuse protection order (DAPO)
- Provides a statutory basis for the Domestic Violence Disclosure Scheme (Clare’s law) guidance
- Creates a statutory presumption that victims of domestic abuse are eligible for special measures in the criminal courts
- Places a duty on local authorities to give support to victims of domestic abuse and their children in refuges and safe accommodation
- Requires local authorities to grant new secure tenancies to social tenants leaving existing secure tenancies for reasons connected with domestic abuse
- Recognises that children who see, hear, or experience domestic abuse are victims in their own right.

The full **statutory definition of domestic abuse** is:

Section 1: Definition of “domestic abuse”

1. This section defines “domestic abuse” for the purposes of this Act.
2. Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if -
 - 2.1. A and B are each aged 16 or over and are “personally connected” to each other, and
 - 2.2. The behaviour is abusive.
3. Behaviour is “abusive” if it consists of any of the following—
 - 3.1. physical or sexual abuse.

- 3.2. violent or threatening behaviour.
- 3.3. controlling or coercive behaviour.
- 3.4. economic abuse (see subsection (4)).
- 3.5. psychological, emotional or other abuse.

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

- 4. "Economic abuse" means any behaviour that has a substantial adverse effect on B's ability to —
 - 4.1. acquire, use or maintain money or other property, or
 - 4.2. 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).
- 5. References in this Act to being abusive towards another person are to be read in accordance with this section.
- 6. For the meaning of "personally connected", see section 2.

Section 2: Definition of "personally connected"

- 1. Two people are "personally connected" to each other if any of the following applies —
 - 1.1. they are, or have been, married to each other;
 - 1.2. they are, or have been, civil partners of each other;
 - 1.3. they have agreed to marry one another (whether or not the agreement has been terminated);
 - 1.4. they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
 - 1.5. they are, or have been, in an intimate personal relationship with each other;
 - 1.6. 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));
 - 1.7. They are relatives.
- 2. For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if —
 - 2.1. the person is a parent of the child, or
 - 2.2. the person has parental responsibility for the child.
- 3. In this section —
 - 3.1. "child" means a person under the age of 18 years;
 - 3.2. "civil partnership agreement" has the meaning given by section 73 of the Civil Partnership Act 2004;
 - 3.3. "parental responsibility" has the same meaning as in the Children Act 1989;
 - 3.4. "relative" has the meaning given by section 63(1) of the Family Law Act 1996.

Section 3: Children as victims of domestic abuse

- 1. This section applies where behaviour of a person ("A") towards another person ("B") is domestic abuse.
- 2. Any reference in this Act to a victim of domestic abuse includes a reference to a child who —
 - 2.1. sees or hears, or experiences the effect of, the abuse, and
 - 2.2. is related to A or B.
- 3. A child is related to a person for the purposes of subsection (2) if —

- 3.1. the person is a parent of, or has parental responsibility for, the child, or
- 3.2. the child and the person are relatives.
4. In this section –
 - 4.1. “child” means person under the age of 18 years;
 - 4.2. “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act);
 - 4.3. “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

Part IV of the **Family Law Act 1996** (FLA 1996) provides a civil remedy for molestation, abuse and occupation. The court can grant occupation orders to exclude a perpetrator from the home altogether or prevent them from re-entering the home or coming within a certain area of the home. A non-molestation order is used to restrain someone from causing or threatening abuse to the applicant or any children. Applications can be made on-notice or ex-parte (without notifying the respondent) where there is a risk of harm. A Power of Arrest can be attached to an order, especially where the court finds that there has been abuse or a threat of it. Breach of a Non-Molestation Order is a criminal offence. **The Protection from Harassment Act 1997** contains both criminal and civil remedies for domestic abuse. Its main advantage has been its availability to those who have not lived with their abusive partner or had children with them - however this is improved by the Domestic Abuse Crime and Victims Act 2004 (see below). Civil remedies include injunctions and seeking damages for harassment offences. Breach of an order is a criminal offence.

The **Housing Act 1996** allows CHS as a landlord to apply for a possession order (using Ground 2A for secure tenants or ground 14A for assured tenants) where the tenant has been violent. It depends on the tenant who is experiencing domestic abuse, leaving the property with no intention of returning. It does not enable the survivor of abuse to stay in the property but is a way of regaining possession of the home when the perpetrator remains in occupation.

The **Domestic Abuse Crime and Victims Act 2004** introduced stronger protection for survivors with measures such as making it an arrestable offence to breach a non-molestation order, making common assault an arrestable offence, setting up a register of civil orders, extending protection to same-sex couples and permitting non-molestation orders for couples who have never co-habited.

The **Anti-Social Behaviour, Crime and Policing Act 2014** makes provision for a civil injunction to prevent anti-social behaviour. Part 2 makes provision for an order on conviction to prevent behaviour which causes harassment, alarm or distress. This may be relevant where a domestic abuse perpetrator is causing distress to the wider community and where the victim of domestic abuse feels unable to participate in legal action.

The **Care Act 2014** aims to improve people’s independence and wellbeing. It places a duty on local authorities to prevent, reduce and delay the need for care and support.

The **Serious Crime Act 2015** (Section 76) created a new offence of controlling or coercive behaviour in an intimate or family relationship. The Domestic Abuse Act 2021 amended the Act to include post-separation abuse. Controlling or coercive behaviour towards another can include or be committed in conjunction with a range of other offences. A pattern of controlling or coercive

behaviour can be well established before an incident is reported. Behaviour of the perpetrator can include:

- Isolating a person from their family or friends
- Depriving them of their basic needs
- Monitoring their time
- Monitoring a person via online communication tools or using spyware
- Taking control over aspects of their everyday life, such as where they can go, who they can see, what to wear and when they can sleep
- Depriving them of access to support services, such as specialist support or medical services
- Repeatedly putting them down such as telling them they are worthless
- Enforcing rules and activity which humiliate, degrade or dehumanise the other person
- Forcing the other person to take part in criminal activity such as shoplifting, neglect or abuse of children to encourage self-blame and prevent disclosure to authorities
- Financial abuse including control of finances, such as only allowing a person a punitive amount
- Control ability to go to school or place of study
- Taking wages, benefits or allowances
- Threats to hurt or kill
- Threats to harm a child
- Threats to reveal or publish private information (e.g. threatening to 'out' someone)
- Threats to hurt or physically harming a family pet
- Assault
- Criminal damage (such as destruction of household goods)
- Preventing a person from being able to attend school, college or university
- Family 'dishonour'
- Reputational damage
- Disclosure of sexual orientation
- Disclosure of HIV status or other medical conditions without consent
- Limiting access to family, friends and finances

Clare's Law 2017 (also known as Domestic Violence Disclosure Scheme (DVDS))

gives people the right to ask police if their partner has been violent and if they are at risk.

Homelessness Reduction Act 2017 - includes two new duties to the original statutory rehousing duty:

- Duty to prevent homelessness
- Duty to relieve homelessness

General Data Protection Regulation (2018) expands the rights of individuals to control how their personal **data** is collected and processed, and places a range of new obligations on organisations to be more accountable for **data protection**.

Appendix 2

Recognising domestic abuse (Information from Women's Aid)

Although every situation is unique, there are common factors that link the experience of an abusive relationship. Acknowledging these factors is an important step in preventing and stopping abuse.

This list can help you to recognise if you, or someone you know, are in an abusive relationship.

They include:

- **Destructive criticism and verbal abuse:** shouting/mocking/accusing/name calling/verbally threatening
- **Pressure tactics:** sulking, threatening to withhold money, disconnecting the telephone and internet, taking away or destroying your mobile, tablet or laptop, taking the car away, taking the children away, threatening to report you to the police, social services or mental health team unless you comply with his demands, threatening or attempting self-harm and suicide, withholding or pressuring you to use drugs or other substances, lying to your friends and family about you, telling you that you have no choice in any decisions
- **Disrespect:** persistently putting you down in front of other people, not listening or responding when you talk, interrupting your phone calls, taking money from your purse without asking, refusing to help with childcare or housework
- **Breaking trust:** lying to you, withholding information from you, being jealous, having other relationships, breaking promises and shared agreements
- **Isolation:** monitoring or blocking your phone calls, e-mails and social media accounts, telling you where you can and cannot go, preventing you from seeing friends and relatives, shutting you in the house
- **Harassment:** following you, checking up on you, not allowing you any privacy (for example, opening your mail, going through your laptop, tablet or mobile), repeatedly checking to see who has phoned you, embarrassing you in public accompanying you everywhere you go
- **Threats:** making angry gestures, using physical size to intimidate, shouting you down, destroying your possessions, breaking things, punching walls, wielding a knife or a gun, threatening to kill or harm you and the children, threatening to kill or harm family pets, threats of suicide
- **Sexual violence:** using force, threats or intimidation to make you perform sexual acts, having sex with you when you don't want it, forcing you to look at pornographic material, constant pressure and harassment into having sex when you don't want to, forcing you to have sex with other people; any degrading treatment related to your sexuality or to whether you are lesbian, bisexual or heterosexual
- **Physical violence:** punching, slapping, hitting, biting, pinching, kicking, pulling hair out, pushing, shoving, burning, strangling, pinning you down, holding you by the neck, restraining you

- **Denial:** saying the abuse doesn't happen, saying you caused the abuse, saying you wind him up; saying he can't control his anger, being publicly gentle and patient, crying and begging for forgiveness, saying it will never happen again
- **Coercive control** (a pattern of intimidation, degradation, isolation and control with the use or threat of physical or sexual violence)
- **Psychological and/or emotional abuse**
- **Physical or sexual abuse**
- **Financial or economic abuse**
- **Harassment and stalking**

- **Online or digital abuse**

Appendix 3

Related CHS Policies & Procedures:

- Domestic Abuse Toolkit (Procedure)
- Anti-Social Behaviour and Harassment Policy
- Rent Arrears Procedure
- Lettings Policy
- Adult & Child Safeguarding Policy
- Responsive Repairs Policy
- Repairs Recharges Policy

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