

# London Borough of Hillingdon

## Domestic Abuse Policy for Council Tenants & Leaseholders



**HILLINGDON**  
LONDON

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## 1. Introduction and Scope

Hillingdon Council Landlord Service believes that nobody should live in fear of violence or abuse. This policy sets out Hillingdon Council's approach and duties as a registered housing provider in relation to Council Housing, Temporary Accommodation and nominations to the Housing Register, in assisting and responding appropriately to the needs of any tenants / leaseholders / service users experiencing or perpetrating domestic abuse, in line with the legal framework in which the Council must operate.

The policy explains how we provide support tailored to the needs of the individual, working in partnership with specialised agencies to provide a coordinated community response.

We take a zero-tolerance approach to domestic abuse and will hold perpetrators of abuse to account, without jeopardising the victim/survivor's safety. Our survivor-centred approach means that we will prioritise victim/survivor's safety, well-being, needs and we will consider their wishes when deciding the most appropriate course of action.

Our aim is to contribute to the reduction of harm and to help prevent further abuse by promoting early intervention through a multi-agency response.

This policy applies to all Hillingdon Council tenants and leaseholders, including our residents in temporary accommodation. We have a separate Domestic Abuse Support Policy for our employees experiencing domestic abuse.

## 2. Definition of Domestic Abuse

This policy adopts the domestic abuse definition provided in the [Domestic Abuse Act 2021](#):

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 (partners, ex-partners, family members), 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;
- 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 definition 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). The legal definition of domestic abuse recognises children as victims of domestic abuse whenever they see, hear or experience otherwise the effect of the abuse, and either the victim/survivor and/or the perpetrator are their parents, have parental responsibility towards them, or are their relatives.

Domestic abuse includes intergenerational domestic abuse, where “people concerned are each aged 16 or over” and are “personally connected to each other” as a consequence of being family members rather than intimate (ex)partners. This includes, for example, abuse perpetrated by adult children against their parents.

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 and intimidation or other abuse that is used to harm, punish, or frighten their victim.

The definition of domestic abuse also includes other forms of violence and abuse such as female genital mutilation, forced marriage, and “so called” honour based violence. Honour based violence is a form of abuse which is motivated by the abuser’s perception that a person has brought or may bring ‘dishonour’ or ‘shame’ to themselves, their family or the community. It can take many forms, and can be complex to identify, but centres around the idea of controlling individuals to make them behave in certain ways or subscribe to certain beliefs.<sup>1</sup>

### **3. Dealing with reports of domestic abuse**

Hillingdon Council Landlord Service takes all reports of domestic abuse seriously. We are committed to treat people experiencing abuse in a sympathetic, supportive and non-judgemental way.

We will ensure that our frontline housing staff receive training on how they can assist those experiencing domestic abuse, including how to spot the signs of abuse, understanding intersectionality and barriers experienced by some groups, and how to identify and respond to identified risk.

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<sup>1</sup> Karma Nirvana website: <https://karmanirvana.org.uk/get-help/what-is-honour-based-abuse/>

You can report domestic abuse to us through any contact you have with us, for example, by telephone 01895 556666 by email [asbriskmanagement@hillington.gov.uk](mailto:asbriskmanagement@hillington.gov.uk), in person or in writing. If you are in an emergency, you should always call the Police on 999. If English is not your first language, we will provide interpreters and translating information into other languages or formats, as needed.

We will agree the method of contact you wish us to use when communicating with you. This includes talking to us over the phone, through an online video call, or in person at our offices, or another safe venue.

## **4. Taking Action**

Where domestic abuse has been identified, we will discuss with the victim/survivor support options, including referrals to the specialist domestic abuse support services provided in the Borough, as well as to other appropriate services, according to their needs.

We recognise that housing is one of the main factors why victim/survivors don't leave their abusive relationship. We will therefore help you consider your housing options, which could include accessing a refuge or a temporary accommodation if you need to leave in an emergency, or a permanent transfer or other housing moving schemes, if there is no prospect of a safe return. If you need to move home, we will work with you to identify areas that will minimise the risk of future abuse.

If you wish to remain safely in your own home, we can explore with you increased security via the Sanctuary Scheme / target hardening measures installed in your property.

We will utilise the Hillingdon Domestic Abuse Advocacy Service (HDAAS) to consult on domestic abuse cases to identify risk and promote appropriate intervention, including completing SafeLives risk assessment with survivors, discussing safety plans, engaging with the wider professional network to address the safety of survivors.

We will advise about possible courses of action, both to respond to the immediate situation and to deal with it longer term, and we won't pressure you to take legal action, but will offer advice if it is something you wish to pursue. This may include helping you get legal advice about a Non-molestation Order, or an Occupation Order.

Domestic abuse victim/survivors can request to:

- be interviewed by someone of the same sex or gender
- be provided with confidential translation services including various languages or British Sign Language (BSL)
- be contacted via a safe telephone, email or address that does not increase the risk of domestic abuse and specific to their individual needs
- be interviewed in a private safe space where they feel safe
- have a friend / support worker present to provide emotional support in the interviews.

## **5. Working in partnership**

When responding to domestic abuse we will work in collaboration with internal and external partners, taking into account each person's circumstances and specific needs, and we will

continue to participate in relevant multidisciplinary strategic and operational groups. These include Multi Agency Risk Assessment Conference (MARAC), Multi Agency Public Protection Arrangements (MAPPA), daily high-risk meetings, Domestic Abuse Steering Executive (DASE), Hillingdon Domestic Abuse Operational Group.

We are a core member at MARAC and we will ensure that representatives from appropriate teams will attend every conference held. Aim of MARAC is to coordinate the risk management intervention where the victim/survivor is at high risk of serious injury or homicide. We will ensure any identified victim/survivor at high risk of serious harm is promptly referred to MARAC.

## **6. Equality and Diversity**

Hillingdon Council Landlord Service, while offering a service to all regardless of sex and gender, adopts a gendered analysis of domestic abuse and recognises that women are more likely to be victims. We also recognise that certain individuals may face multiple and intersecting forms of discrimination that may have an impact on their ability to disclose domestic abuse and access support. We will therefore consider the individual needs of each victim when tailoring our approach and ensure that our services are accessible and inclusive.

We are committed to promoting equality for all and to eliminating discrimination by adopting inclusive practice and in the context of this policy we will:

- support all individuals experiencing domestic abuse regardless of their age, gender, gender identity, sexual orientation, race, religion, disability, marriage or civil partnership, pregnancy or maternity, and other protected characteristics.
- acknowledge the multitude of barriers experienced by survivors when seeking support and provide a helpful, non-judgemental and enabling environment to encourage people to report domestic abuse.
- acknowledge that some groups including, but not limited to, Black/Global Majority, LGBTQ+ communities, older people and disabled people may have additional barriers to make a disclosure because of, for instance, language barriers, fear of rejection by their community, cultural expectations, reliance on the abuser for care and support.

## **7. Raising Awareness**

We will continue to carry out a rolling programme of employee training to make sure domestic abuse is understood and that our staff are able to spot its signs and know how to identify and appropriately respond to identified risk. We will continue to train 'champions', who will be confident in advising both colleagues and customers on domestic abuse issues and who will be located across relevant housing teams.

We will also continue to raise awareness about domestic abuse, providing information about the support available when tenants move into their home, and by joining national campaigns and events, such as the White Ribbon Campaign and the 16 Days of Activism against gender-based violence.

## **8. Confidentiality and Safeguarding Responsibilities**

We will comply with our obligations under relevant data protection legislation and regulations, including the Data Protection Act 1998 and the General Data Protection Regulation (GDPR) 2018.

We will process and store personal information securely and we will treat any domestic abuse disclosures in the strictest confidence, unless there is a safeguarding concern that has to be reported to statutory services. Where safeguarding concerns have been identified, we will disclose concerns to the relevant teams in accordance with relevant statutory guidance, making referrals as appropriate.

We will seek consent to make referrals and share information in a proportionate way, however there may be occasions where a referral may be made without consent of the victim/survivor, in order to protect them and/or a third individual (such as the victim/survivor's family member, any child or a vulnerable adult), where there is an immediate or potential risk of serious harm.

We will only hold information for as long as is required by law and to provide the necessary services. Further information on this is available on [Council's privacy notice webpage](#).

## 9. Holding perpetrators to account

Hillingdon Council Landlord Service will hold perpetrators of domestic abuse accountable for their use of violence and abuse. We will never take any action that may jeopardise the victim/survivor's safety and we will discuss any action we may take against the perpetrator with the victim/survivor beforehand.

Whenever possible, we will offer perpetrators of domestic abuse referral to [Respect](#), to help them obtain advice and support to address their abusive behaviour, as well as any support to identify barriers to access behavioural change interventions.

In line with a coordinated community response to domestic abuse, we will manage any actions regarding perpetrators within a multi-agency context, collaborating with partners and safeguarding professionals. In order to reduce the risk of perpetrators returning to victim/survivors' properties, we may decide to offer them housing support to reduce the risk of homelessness.

Depending on the circumstances, we may be able to take actions against a perpetrator, including:

- Taking action to ending of their tenancy (perpetrators of violence and abuse being in breach of tenancy agreement)
- Closure Orders to remove them from property / exclude them from the area
- Domestic Violence Protection Notices (DVPN) and Orders (DVPO) - Where housing are notified, we will carry out checks to see if the perpetrator is a tenant or living at the property. Staff who work in the neighbourhood/area will be notified to report any sightings of the perpetrator taking the responsibility away from the victim/survivor.
- Supporting victim/survivors to apply for Non-Molestation Orders and/or Occupation Orders – this may include supporting in completion of paperwork and providing witness statements/evidence
- Collecting of evidence in relation to criminal prosecution through:
  - Installing CCTV
  - Collecting appropriate pictures of damages to property
  - Third party reports

Where a perpetrator is a Hillingdon Council tenant, we might take action to end their tenancy. In case of joint tenancies, we may allow, depending on the circumstances, the victim/survivor to end the tenancy on behalf of both tenants and then issue a new sole tenancy to the victim.

## **10. Monitoring, Reporting, Reviewing**

A group of Residents reviewed and fed back on this policy, which will be reviewed every three years by the ASB and DA Team Manager, unless there is a change in relevant legislation, or any other issue is raised about the policy by an independent party. Reviews will take into account best practice and feedback obtained from our residents and employees.

We will continue to gather feedback from our tenants on the service they receive from us by asking them to complete online or telephone surveys, or by offering to participate in focus groups or consultations.

In order to ensure we provide a service which is inclusive and accessible to all and to monitor the effectiveness of this policy, we will liaise with various teams and monitor the number of domestic abuse cases and report yearly to the Landlord Board. We will also record the key characteristics of each case, i.e disability, sexuality, ethnicity, risk level and outcomes of the interventions.

## **11. Relevant Legislation and Policies**

List of documents, associated policies and publications:

- Anti Social Behaviour Act (2003)
- Anti-social Crime and Policing Act 2014
- Care Act 2014
- Children's Act (1989 and 2004)
- Clare's Law/Domestic Abuse Offender Disclosure Scheme
- Crime and Disorder Act (1998)
- Domestic Abuse Act 2021
- Domestic Violence Crime and Victims Acts (2004)
- European Convention on Human Rights (1950)
- Family Law Act 1996
- General Data Protection Regulation (2018)
- Hillingdon Employee Domestic Abuse Policy
- Homeless Reduction Act 2017
- Housing Act 1996 (as amended by the Homeless Act 2002)
- Human Rights Act (1998)
- Local Government Act (2000)
- Protection from Harassment Act 1997
- Protection of Freedoms Act 2012
- Serious Crime Act 2015
- The Data Protection Act (1998)
- The Equality Act (2010)
- The Gender Equality Duty (2007)

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