
DOMESTIC ABUSE POLICY

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| Title: | Domestic Abuse Policy |
| Purpose of Procedure: | To assist and support customers suffering from or threatened with domestic abuse. |
| Section: | Housing Management and Maintenance |
| Date: | November 2024 |
| Review Date: | November 2025 |
| Charter Standards: | The customer/landlord relationship 1. Equalities 6. Estate Management, anti-social behaviour, neighbour nuisance and tenancy disputes. 7,8,9 Access to housing and housing support. 11 Tenancy sustainment |

BLAIRTUMMOCK HOUSING ASSOCIATION

DOMESTIC ABUSE

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1.0 INTRODUCTION

1.1 Blairtummock Housing Association takes recognition of Scottish Housing Regulator's Housing Charter Standards 1,6,7,8,9 & 11 which state:

1. Equalities

Social landlords perform all aspects of their housing services so that:

- Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services

6. Estate Management, anti-social behaviour, neighbour nuisance and tenancy disputes

Social landlords, working in partnership with other agencies, help to ensure as far as reasonable possible that:

- Tenants and other customers live in well maintained neighbourhoods where they feel safe.

7,8,9 Housing Options

Social landlords work together to ensure that:

- People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them.
- Tenants and people on housing lists can review their housing options.
- Social landlords ensure that people at risk of losing their homes get advice on preventing homelessness.

11. Tenancy Sustainment

Social landlords ensure that:

- Tenants get the information they need on how to obtain support to remain in their homes and ensure suitable support is available, including services provided directly by the landlord and other organisations.

1.2 Legislation

The following legislation is relevant to this policy;

- Domestic Abuse (Scotland) Act 2018
- Domestic Abuse (Scotland) Act 2011
- Adult Support and Protection (Scotland) Act 2007
- Children (Scotland) Act 1995
- Children's Hearing (Scotland) Act 2011
- Forced Marriage etc (Protection and Jurisdiction (Scotland)) Act 2001
- Protection from Abuse (Scotland) Act 2001
- Housing (Scotland) Act 1987
- Homelessness etc. (Scotland) Act 2003

1.3 Overview

This Policy sets out how Blairtummock Housing Association will take steps to assist and support any persons experiencing or threatened with domestic abuse or violence. The policy applies to all customers to the Association.

BHA will use the Scottish Government definition of domestic abuse, which is:

Domestic Abuse, as gender based violence, can be perpetrated by partners or ex-partners and can include physical abuse (assault and physical attack involving a range of behaviour), sexual abuse (acts which degrade and humiliate women and are perpetrated against their will, including rape) and mental and emotional abuse (such as threats, verbal abuse, racial abuse, withholding money and other types of controlling behaviour such as isolation from family and friends). It can be characterised by a pattern of coercive control often escalating in frequency and severity over time.

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 capabilities for personal gain.
- Depriving them of the means needed for independence, resistance and escape and
- Regulating their behaviour.

Coercive behaviour is an act or patterns of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten the victim.

1.4 Aims of the policy

BHA have pledged to 'Make A Stand' against domestic abuse. Our Commitment is to:

- Make new tenants aware of BHA's policies relating to rehousing, relationship breakdown and where applicable the implications of joint tenancies.
- Publicise this policy to all tenants and employees, highlighting the consequences for perpetrators.
- Provide advice and information within the office and make information about national and local domestic abuse support services available on our website.
- Appoint Senior Housing Officer as the lead staff member for our activities associated with domestic abuse.

By adopting this policy, BHA aims to:

- Improve overall safety and wellbeing by recognising that domestic abuse is a serious crime which has an adverse impact on the health and wellbeing of individuals, families and communities.
- Increase awareness and understanding of this issue amongst residents and employees.
- Encourage residents and employees to report domestic abuse.
- Facilitate early identification of domestic abuse and offer support and effective intervention to reduce the risk of harm.

- Improve the safety and welfare of adults and children affected by domestic abuse and prevent further incidents by responding rapidly, effectively and consistently to all reports.
- Empower victims by providing information on the options available to them.
- Improve the response to victims through effective engagement of appropriate external enforcement and support agencies.
- Create a consistent approach for recording and monitoring incidents of domestic abuse.
- Inform colleagues of best practice when responding to domestic abuse.

2.0 Responding To A Report Of Domestic Abuse

We will adopt a survivor centred approach in dealing with domestic abuse whereby:

- If a person feels they are experiencing domestic abuse we will deal with it under this policy.
- We will not require victims to contact the Police or to take legal action before we will provide assistance.
- Where a person is identified as the victim of domestic abuse, any interaction with them will be guided by best practice guidelines.

2.1 Multi Agency Approach

BHA will adopt a multi-agency approach in dealing with victims and perpetrators of domestic abuse, to ensure the safety of the victims, meet their needs, access specialist services and share best practice.

2.2 Confidentiality

Victims will be encouraged to allow BHA to share information with other agencies, including Police and Local Authority departments, to ensure that the full range of civil and criminal action can be pursued and the appropriate assistance provided. However, all information provided will be treated with the utmost confidence and only passed to external agencies with their proper, informed consent.

The exceptions to this will be:

- Where there is a child within the household
- If there is a high risk of serious harm to anyone involved, or
- If we are obliged by law to disclose information.

The Housing Services Manager or Senior Housing Officer must approve any disclosure that does not have the victim's consent.

Information will be shared with work colleagues on a 'strictly need to know basis'. We will adhere to all current data protection requirements.

2.3 Tenancies

If the individual experiencing domestic abuse is named on the tenancy agreement, they may be able to transfer the tenancy solely into their name.

This will depend on:

- The legal status of the relationship
- Whose name is on the tenancy agreement

If the tenant is married or has a registered civil partnership, the partner will have a right to live with the tenant within the family home, even if their name is not on the tenancy agreement. The tenant will need to apply to the court for an exclusion order to suspend the perpetrators rights to live in your home. The court will grant an exclusion order when it can be shown that it is necessary for a tenants own protection or the protection of their children.

As part of a tenancy agreement, tenants, those living with them and any visitors to a property must not harass or assault any person in the house or neighbourhood for any reason.

As BHA's area of operation is small, discussions around a suitable location for rehousing may be required with the victim and decisions may be informed by external agencies. Our approach will be driven by the victim's choice, we will seek to prevent homelessness and move the perpetrator. If this is not possible, we will use the allocations process to prioritise the victim (group 4 serious housing need) for a new home. However, the default position is to sustain the tenancy and rehouse the perpetrator.

We recognise that every case is different and our response will be tailored to the individual circumstances and needs for the victim. Including:

- Making arrangements for their immediate safety
- Reviewing where possible improving the safety and security of their existing home to enable them to remain there safely
- BHA will not recharge for lock changes and damages due to domestic abuse
- Reporting incidents to the Police, which may result in criminal action against the perpetrator
- Where appropriate, we will work with the Police and other external agencies to seek legal action against the perpetrator, which may include recovery of

possession where other members of the household have left the property due to domestic abuse

- When the victim requires emergency rehousing, BHA will provide advice and assistance on accessing emergency accommodation from Glasgow City Council or Women's Aid

3.0 DIRECTORY OF SERVICES

A directory of services which offers support in relation to domestic abuse can be found in the Appendix of this Policy. Information is also detailed on the Association's website.

4.0 COMPLAINTS

We have a separate Complaints Policy & Procedure. Leaflets and copies of the policy are available from the Association's office and on our website.

5.0 GDPR

The organisation will treat personal data in line with our obligations under the current data protection regulations and our own GDPR Policy. Information regarding how data will be used and the basis for processing data is provided in Blairtummock HA's privacy notice.

6.0 REVIEW

This Policy will be reviewed every three years, or sooner, in response to any change in legislation.

7.0 APPENDIX

Further information and Support

Support for Women Experiencing Domestic Abuse

Glasgow Women's Aid

The organisation provides information, support and refuge accommodation to women, children and young people who are experiencing domestic abuse.

Telephone: **0141 553 2022**

Glasgow East Women's Aid

Provides support for women, children and young people who are affected by domestic abuse.

Telephone: **0141 781 0230**

Crisis Line: **0141 773 3533**

Email: collective@gewa.org.uk

Scottish Domestic Abuse and Forced Marriage Helpline

Free 24-hour helpline on **0800 027 1234** and website offering straightforward advice and information for people facing domestic abuse.

Scottish Women's Rights Centre

The Scottish Women's Rights Centre helps women aged 16 and over affected by violence and abuse by providing free legal information and advice.

Freephone: **08088 010 789**

Tuesdays: 6-9pm; Wednesdays: 1.30 – 4.30pm; Fridays: 10.00am – 1.00pm

Rape Crisis Scotland

Free, confidential information and support for girls and women who have undergone sexual abuse at any time in their lives.

Telephone: **08088 010 302**

SAY Women

SAY Women is a voluntary organisation which offers safe and secure accommodation for young women who are survivors of childhood sexual abuse, rape or sexual assault and who are homeless or threatened with homelessness.

Telephone: **0141 552 5803**

Support for BME Women Experiencing Domestic Abuse

Hemat Gryffe Women's Aid

Hemat Gryffe Woman's Aid provides support and practical help to Asian, black and ethnic minority women who have experienced mental and physical harassment and abuse either from their partner, ex-partner or within the extended family system. They are based in Glasgow and their services include a drop-in centre and refuge. Hemat Gryffe have a 24-hour emergency helpline.

Telephone: **0141 353 0859**

Amina

The Muslim Women's Resource Centre offers a range of support services. You can call their free helpline and on Fridays there is an Imam you can speak to on the helpline. They have offices in Glasgow and Dundee. The languages spoken are Arabic, Bangla, English, Swahili and Urdu.

Telephone: **0808 801301**

Muslim Community Helpline

The Muslim Community Helpline aims to provide any Muslim girl or woman in crisis with a free, confidential listening service and referral to Islamic consultants, plus practical help and information where required.

Telephone: **0208 904 8193** or **0208 908 6715**

Shakti Women's Aid

This Edinburgh based services run by black women offers advice, information, counselling, support and temporary accommodation for black and minority ethnic women and their children escaping domestic violence. Workers can provide information on housing, benefits, legal issues, immigration, nationality, racial harassment and health. Their support services are available across Edinburgh, the Lothians, Fife, Central Belt and Tayside. Languages spoken include Arabic, Gujarati, Hindi, Punjabi, Singhalese, Swahili and Urdu.

Telephone: **0131 475 2399**

Support for Men Experiencing Domestic Abuse

Men's Advice Line

Support and advice for men experiencing domestic abuse.

Telephone: **0808 801 0327**

Survivors UK

Survivors UK provides support and resources for men who have been sexually abused or raped or experienced any form of sexual violence.

Telephone: **0203 598 3898**

Support for LGBT People Experiencing Domestic Abuse

Broken Rainbow

Support services and advice for lesbian, bisexual, gay and trans women experiencing domestic abuse.

Telephone: **0300 999 5428**

Support for Perpetrators of Domestic Violence

Everyman Project

Counselling project that helps men who are being abusive towards their partners to learn how to control their behaviour.

Telephone: **0207 263 8864**

Support for Young People

The Hideout

Information for children and young people affected by domestic abuse.

Telephone: **0800 1111 - Childline**

8.0 Equality Impact Assessment

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| Name of Policy to be assessed | | Domestic Abuse | |
| New policy or revision of existing? | | Revision of Policy | |
| Person responsible for assessment | | Senior Housing Officer | |
| 1. Briefly describe the aims, objectives and purpose of the policy. | | The Domestic Abuse policy aims to ensure that BHA has an accountable process to identify, record and put in place procedures to deal with those tenants that experience domestic abuse. | |
| 2. Who is intended to benefit from the policy? (eg applicants, tenants, staff, contractors) | | It applies to all customers and staff of the Association. | |
| 3. What outcomes are wanted from this policy? (eg the measurable changes or benefits to members/tenants/staff) | | <p>The outcomes of this policy are:</p> <ul style="list-style-type: none"> • To give clear guidance on the process for dealing with tenants that are experiencing domestic abuse • To improve overall safety and wellbeing of those experiencing domestic abuse • To ensure that any actions taken are dealt with within the existing legal provisions, regulatory requirements and best practice guidance • To have effective engagement with the appropriate external enforcement and support agencies • To ensure that any actions taken are dealt with in accordance with our Equality and Diversity policy | |
| 4. Which groups could be affected by the policy? (note all that apply) | | | |
| Age | ✓ | Disability | ✓ |
| Gender reassignment | ✓ | Marriage and Civil Partnership | ✓ |
| Pregnancy and Maternity | ✓ | Race | ✓ |
| Religion or Belief | ✓ | Sex | ✓ |

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| <p>5. If the policy is not relevant to any of the equality groups listed above, state why and end the process here.</p> | | |
| <p>6. Have those affected by the policy/decision been involved?</p> | <p>Tenants were previously notified of the original policy through newsletters and our website. When the policy is amended in the future, further consultation will be carried out.</p> | |
| <p>7. Describe the likely positive or negative impact(s) that the policy could have on the groups identified above</p> | <p>Positive Impact(s) None</p> | <p>Negative Impact(s) None</p> |
| <p>8. What actions are required to address the impacts arising from this assessment? (This might include: additional data, putting monitoring in place, making adjustments, taking specific actions to mitigate any potentially negative impact(s))</p> | <p>None</p> | |

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| <p>Signed:</p> | <p>Gillian Bell</p> |
| <p>Dated:</p> | <p>05.11.2024</p> |