



New Gorbals Housing Association

Domestic abuse policy

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This document can be produced in different formats, for example, in larger print or audio-format, and in other languages, as appropriate.

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Notes

New Gorbals Housing Association is generally referred to as “we” throughout this document.

Section 1: Context

At New Gorbals Housing Association we understand that anyone can be a victim of domestic abuse. Abusers and victims can be any gender, any race or religion and from all different types of background.

Domestic abuse can be carried out by partners or ex partners, extended family, friends or carers. It can be:

- intimidation, degradation, isolation and control, with the use or threat of physical or sexual violence
- emotional or psychological
- physical
- sexual
- financial
- harassment and stalking
- online or digital abuse

We believe that domestic abuse presents a high risk to personal safety and is unacceptable. We will therefore take the strongest action possible against perpetrators of domestic abuse where we have the power to do so and with the consent of the victim.

We will deal with all reports of domestic abuse as a matter of urgency and we will assist the victim to reach a decision which they feel best secures their safety by:

- reviewing their accommodation,
- enabling the level of assistance they want, and
- taking action against the perpetrator which the victim and we feel is most appropriate.

Section 2: Definition

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

“Domestic Abuse, as gendered 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, with-holding 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.”

Source: National Strategy to Address Domestic Abuse in Scotland, Scottish Partnership on Domestic Abuse, Edinburgh, November 2000

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 pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten the victim.

Domestic violence and abuse can manifest itself through the actions of immediate and extended family members via unlawful activities, such as forced marriage, ‘honour based abuse’ and female genital mutilation. Extended family members may condone or even share in the pattern of abuse. Any such actions are not acceptable, whatever form they take.

Section 3: Equality

We are committed to providing fairness and equality of opportunity in order to prevent discrimination. Our domestic abuse policy will try to ensure that no person is discriminated on the grounds outlined in the Equality Act 2010. This includes the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

Our policy and procedure will be flexible and where possible, take into account the individual needs of our tenants and their households. We will ensure that the relevant arrangements are made for communicating with our tenants with particular needs. This may include those with sight, hearing or learning difficulties, or those who find it difficult speaking or understanding English.

Section 4: Legal and regulatory requirements

Our policy has been developed taking into account the legislation and guidance governing Registered Social Landlords (RSLs). Legislation relevant to our policy includes:

- Adult Support and Protection(Scotland) Act 2007
- Children (Scotland) Act 1995
- Data Protection Act 1998 and 2018
- Domestic Abuse (Scotland) Act 2011 and 2018
- Equality Act 2010
- Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011
- Homelessness etc. (Scotland Act) 2003
- Housing (Scotland) Act 1987, 2001, 2010 and 2014
- Matrimonial Homes (Family Protection) (Scotland) Act 1981
- Protection from Abuse (Scotland) Act 2001

Our policy complies with the Scottish Social Housing Charter:

- Outcome 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.”

Our policy was developed taking on board the guidance in the 2019 publication, “Domestic abuse: a good practice guide for social landlords” which is a joint publication of the Association of Local Authority Chief Housing Officers (ALACHO), the Chartered Institute of Housing (CIH), the Scottish Federation of Housing Associations (SFHA), Shelter Scotland and Scottish Women’s Aid. Supported by COSLA.

Section 5: Policy aims and objectives

Our domestic abuse policy aims to prevent and respond to domestic abuse. By adopting our policy, we aim to:

- improve overall safety and wellbeing by recognising that domestic abuse is a serious crime which has an adverse impact on the health of individuals, families and communities;
- increase awareness and understanding of this issue amongst residents and employees;
- encourage residents and employees to report domestic abuse;
- 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;
- take the strongest action possible against perpetrators of domestic abuse where we have the power to do so and with the consent of the victim;
- create a consistent approach for recording and monitoring incidents of domestic abuse;

Section 6: Responsibilities

This section details the different responsibilities across New Gorbals Housing Association for implementing and promoting our policy on domestic abuse.

Management Committee

To ensure that our management committee has approved and implemented a policy on domestic violence and abuse that complies with current regulations and guidance.

Management

- **Director**

To ensure all employees and Committee Members are aware of the policy and their responsibilities under it.

- **Senior Management Team**

To co-ordinate the provision of any training required to enable employees to recognise and respond to incidents of domestic violence or abuse.

- **Section Managers**

To ensure that relevant employees are fully aware of their responsibilities under the policy, in particular of the importance of reporting any incidents or pattern they become aware of.

Employees

To ensure we are aware of our responsibilities under our policy, and that we implement the policy and procedure when appropriate.

Section 7: Our approach

We encourage all tenants and household members to report domestic abuse, whether they are victims of, or witnesses to, such incidents. We will deal with all reports of domestic abuse with sensitivity.

We will adopt a 'survivor-centred' approach in dealing with domestic abuse, that is, if a person feels they are experiencing domestic abuse, we will deal with it under this policy.

We will deal with all reports in a non-judgemental manner and in confidence. We will not require victims to take legal action or to contact the Police before we provide assistance.

We will only act with the victim's consent. The exception to this general rule is where we consider a child is at risk in any situation or if there is a high risk of serious harm to anyone involved. Where a person is identified as the victim of domestic abuse, any interaction with them will be guided by best practice guidelines. We will follow our Child Protection and Safeguarding policies if we believe a child or vulnerable adult is at risk due to an abusive relationship or home environment.

Section 8: Prevention

As part of our arrangements to prevent domestic abuse we will:

- make all new tenants aware of our policies relating to rehousing, relationship breakdown and where applicable the implications of joint tenancies;
- publicise our domestic abuse policy to all tenants and employees, highlighting the consequences for perpetrators;
- provide advice and information within our office.

Section 9: Confidentiality

Victims will be encouraged to allow us to share information with other agencies, including the Police and local authority departments, to ensure that the full range of civil and criminal action can be pursued, and appropriate assistance provided. However, all information provided by the victim 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 we consider a child is at risk in any situation, or
- if there is a high risk of serious harm to anyone involved, or
- if we are obliged by law to disclose information.

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

Section 10: Options for action

We recognise that every reported case of domestic abuse will be different. Therefore, our response will be tailored to the individual circumstances and the needs of the victim. When a tenant or household member reports domestic abuse all available options will be discussed and considered with them, including:

- making arrangements for their immediate personal safety;
- reviewing and where possible improving the safety and security of their existing accommodation, to enable them to remain there safely;
- helping them to access support from local Women's' Aid services
- referral to Glasgow City Council's Homeless Service
- reporting incidents to the Police, which may result in criminal action against the perpetrator;
- where appropriate, we will take legal action against the perpetrator.

The safety of the victim and their dependents will be our priority. We will seek to develop an Action Plan setting out further actions agreed jointly with the victim, and we will regularly contact the victim and keep them updated on progress.

Remaining in the Property

We will advise victims who wish to remain in their own homes of any local 'sanctuary' schemes (i.e. funds available to improve the security of their existing accommodation).

We will offer assistance to those experiencing domestic abuse by not recharging them for lock changes and damages due to the domestic abuse. Where the Police have been involved and there is an incident number and locks are changed, where appropriate, we will charge costs to the perpetrator.

Emergency Rehousing

Where a resident reporting domestic abuse needs emergency accommodation we will provide advice and assistance on accessing accommodation provided by Glasgow City Council or by a women's refuge.

Permanent Rehousing

Where a resident reporting domestic abuse requests permanent rehousing, we will prioritise their application by placing it in our 'Strategic Needs Group', as per our Allocation Policy. In such cases, the suspension policy will not be applicable, and we will review and determine the action to be taken on a case-by-case basis. In line with our Allocation Policy, only one offer of alternative accommodation will be made on this "Strategic Needs" basis.

Where we have no suitable housing available, or the rehousing requires to be out of the area, we will work with Glasgow City Council and, where possible, other Registered Social Landlords to try and access other appropriate alternative accommodation.

Multi-agency Approach

We will adopt a multi-agency approach in dealing with victims and perpetrators of domestic abuse, to ensure the safety of the victims, co-ordinate available resources, access specialist services, and take action against perpetrators and share best practice.

Action against Perpetrators

We will work with the Police and other external agencies in dealing with perpetrators of domestic abuse. Action against perpetrators will depend upon individual circumstances. This may include legal action for recovery of possession against a perpetrator, where other members of the household have left the home because of domestic abuse.

Subject to data protection requirements, we will share information with other relevant agencies so that serial perpetrators are identified and dealt with appropriately.

Section 11: Staff training and awareness

We will ensure that all staff are aware of this policy and receive appropriate training.

Section 12: Links with other policies

Our domestic abuse policy links to the following policies:

- Allocation Policy
- Anti-Social Behaviour Policy
- Complaints Policy
- Equality Policy
- GDPR Privacy Policy

Section 13: Complaints Handling Procedure

We use a Complaints Handling Procedure that was developed for housing associations throughout Scotland. This complaint system was developed by the Scottish Public Services Ombudsman and, in line with housing law, we provide all tenants with detailed information about our Complaints Handling Procedure when they become tenants. We also advise all service users about their right to complain.

A complaint is defined as being:

“An expression of dissatisfaction by one or more members of the public about the housing association’s action or lack of action, or about the standard of service provided by or on behalf of the housing association.”

Our Complaint Handling Procedure, including advice on how to make a complaint, is available from our offices or via our website (www.newgorbalsha.org.uk)

Section 14: Data protection

We will treat all personal data in line with our obligations under the current data protection regulations and our Privacy Policy. Information regarding how all data will be used and the basis for processing your data is provided in our Fair Processing Notice, which is available on our website (www.newgorbalsha.org.uk)

Section 15: Policy Review

We review our organisational policies every five years, or earlier if required. For example, we may review sooner to reflect changes in law or, if guidance changes occur. We may also decide to make changes requested by our tenants.