

## 1.0 INTRODUCTION

- 1.1 Along with 350 housing associations across the country, GWHA has signed up to the Chartered Institute of Housing (CIH) Make a Stand campaign which was launched in June 2018 and has directed movement within the sector to tackle domestic abuse.
- 1.2 GWHA recognises that we are ideally placed to identify instances of domestic abuse as a first point of contact for many of our tenants.

## 2.0 AIMS

- 2.1 To ensure that domestic abuse is approached/managed by GWHA as a serious crime, which adversely impacts on the lives of individuals, families and communities.
- 2.2 To set out measures that demonstrate how GWHA will encourage and support residents to report domestic abuse.
- 2.3 To empower those experiencing domestic abuse by providing information and encouraging engagement with support agencies.
- 2.4 To create a consistent approach for recording and monitoring incidents of domestic abuse.
- 2.5 To comply with relevant legislation, best practice and guiding standards.
- 2.6 To mitigate risk.

## 3.0 CONTEXT

- 3.1 In 2017-18<sup>1</sup> 59,541 incidents of domestic abuse were reported in Scotland. This is a 1% increase on the previous year, with 88% of all incidents occurring in the home.
- 3.2 Research indicates that 32% of homeless women reported that domestic violence contributed to their homelessness, and over half (52%) need support to help them stay in their own homes or move to new accommodation<sup>2</sup>. Women are also more likely to experience domestic abuse, more serious injury and ongoing assaults than men, although it is acknowledged that men can experience domestic abuse from their female partner and that domestic abuse also occurs in same-sex relationships.

## 4.0 DEFINITIONS

- 4.1 For the purposes of this policy, GWHA will adopt the Scottish Government definition of domestic abuse:

*'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'<sup>3</sup>.*

- 4.2 Domestic abuse can manifest itself as:

- Psychological and/or emotional abuse
- Physical or sexual abuse
- Financial or economic abuse, including restricting access to money, food, clothing or transport.
- Harassment and stalking
- Online or digital abuse
- Forced marriage
- Honour based abuse
- Female Genital Mutilation
- Coercive control

- 4.3 Coercive control describes a range or pattern of behaviours than enable a perpetrator to maintain or regain control of a partner, ex-partner or family member. Examples of coercive control may include but are not limited to:

- Controlling or observing victim's daily activities
- Using children to control their partner
- Damage to property

<sup>1</sup> Domestic Abuse in Scotland: 2017-2018 as published by the Scottish Government on [www.gov.scot](http://www.gov.scot). These are the most up to date statistics available

<sup>2</sup> Safelives Ending Domestic Abuse [www.safelives.org.uk/spotlight-5-homelessness-and-domestic-abuse](http://www.safelives.org.uk/spotlight-5-homelessness-and-domestic-abuse)

<sup>3</sup> National Strategy to Address Domestic Abuse in Scotland, Scottish Partnership on Domestic Abuse, Edinburgh, November 2000

- Isolating the victim from family and friends; intercepting messages or phone calls
- Extreme dominance

## 5.0 POLICY

### 5.1 General

- 5.1.1 GWHA will deal with all reports of domestic violence in a non-judgemental manner and in confidence. Those experiencing domestic abuse will not be required to take legal action or to contact the Police as a condition to our provision of assistance.
- 5.1.2 GWHA will only take action with the victim's consent. The exception to this general rule is where we consider a member of the household, including any children, is at risk in any situation or if there is a high risk of serious harm to anyone involved. In this case we would report concerns to the Health and Social Care Partnership (HSCP), with any proposed course of action signed off in advance by the Tenancy Services Manager following review of the available information.
- 5.1.3 Those reporting domestic abuse will be encouraged to consent to GWHA sharing information with other agencies, including Police Scotland and the Local Authority to ensure that the full range of civil and criminal action can be pursued and appropriate assistance provided.

## 6.0 PROCEDURE

- 6.1 GWHA recognises that every reported case of domestic abuse will be different. Our response will therefore be tailored to the individual circumstances and needs of the victim. When a tenant or household member reports domestic abuse, all available options will be discussed and considered with them, including:
- 6.1.1 Arranging for independent interpreting service if required
  - 6.1.2 Making arrangements for their immediate personal safety through relocation in alternative accommodation, subject to 6.3 below
  - 6.1.3 Informing of the private interview rooms available in the office
  - 6.1.4 Reviewing and, where possible, improving the security of their existing accommodation
  - 6.1.5 Agreeing with the individual a named Tenancy Services Officer will be the main point of contact.
  - 6.1.6 Offering the option of seeing a male or female member of staff
  - 6.1.7 Reporting incidents to the Police, which may result in criminal action against the perpetrator
  - 6.1.8 In extreme cases, and where appropriate: legal action against the perpetrator by GWHA (section 6.5)
- 6.2 GWHA will offer assistance to those experiencing domestic abuse by not recharging for lock changes and damages due to the domestic abuse. This will be determined on a case to case basis.
- 6.3 Where a resident/household member reporting domestic abuse needs emergency accommodation GWHA will provide advice, assistance and support to accessing emergency accommodation through the Local Authority, or via a women's refuge. GWHA will provide a referral letter where appropriate and advocate on the resident/household member's behalf.
- 6.4 Where a resident reporting domestic abuse requests permanent rehousing, GWHA will provide advice and assistance within the scope of the Housing Allocations Policy and within the constraints of our stock profile. In particular:
- (a) Where re-housing is explored by GWHA within our own stock, geographical proximity will be a consideration.
  - (b) GWHA recognises that those who suffer domestic abuse may, in some cases, wish to be rehoused in a different area and will support those wishing to apply to other registered social landlords.

In all instances GWHA will proactively encourage a multi-agency approach in dealing with victims and perpetrators of domestic abuse to ensure the safety of the victims, meet their needs, co-ordinate available resources, access specialist services, take action against perpetrators and share best practice.

### 6.5 Action against Perpetrators

- 6.5.1 GWHA will work with Police Scotland and other external agencies in dealing with perpetrators of domestic abuse. Action against perpetrators will depend on individual circumstances. This may include legal action against the

perpetrator for recovery of possession of the tenancy, where other members of the household have left the home due to domestic abuse.

- 6.5.2 In line with the Housing (Scotland) Act 2014, GWHA reserves the right to end a tenancy by court order following conviction of a crime. Consequently, if a Tenant is found guilty of crimes related to domestic abuse, their tenancy may be at risk.
- 6.5.3 Subject to General Data Protection Regulation (GDPR) requirements, GWHA will share information with other relevant agencies so that serial perpetrators are identified and dealt with appropriately.

## **7.0 FEEDBACK, APPEALS AND COMPLAINTS**

### **7.1 Feedback**

- 7.1.1 GWHA Tenants and other customers may provide feedback about this document by emailing [admin@glasgowwestha.co.uk](mailto:admin@glasgowwestha.co.uk)

### **7.2 Appeals and Complaints**

- 7.2.1 Complaints arising from implementation of the Domestic Abuse Policy will be considered in accordance with GWHA's Comments and Complaints Policy.
- 7.2.2 Once the Association's Comments and Complaint's Policy is exhausted, there is a right of appeal to the Scottish Public Services Ombudsman (SPSO). As the SPSO is unlikely to comment on matters of a legal nature, or matters relating to instances of alleged domestic abuse, a review will focus on the proper application of the Association's policy.

## **8.0 REVIEW**

- 8.1 This policy will be reviewed every 3 years, or sooner, subject to a change in legislation or circumstance.
- 8.2 In the case of conflict between policy and legislation, the latter will always preside.

## **9.0 DELEGATED AUTHORITY**

- 10.1 Delegated authority is granted by the Management Committee to the Chief Executive and Staff to implement this Policy and the associated procedures.
- 10.2 Tenancy Services Manager as lead officer in line with the Make a Stand pledge.