



**WILLIAMSBURGH**  
HOUSING ASSOCIATION LTD

## Domestic Abuse Policy

### Revision History

<b>Policy</b>	Domestic Abuse Policy
<b>Reviewer(s)</b>	Louise McDonald
<b>Committee Name</b>	Operations and Performance
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This policy is available in different languages and other formats such as Braille or tape on request.

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## **1. Introduction**

- 1.1 At Williamsburgh Housing Association we understand that anyone can be a victim of domestic abuse. Abusers and victims can be male or female, any race or religion and from all different types of background.
- 1.2 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
- 1.3 Williamsburgh Housing Association believes 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.
- 1.4 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.

## **2. Equal Opportunities**

The Association is committed to the principles of equal opportunities and good practice. In this regard, we acknowledge the Scottish Social Housing Charter (2012): 1 - Equalities, which states:

“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”.

Accordingly, we shall ensure that specifically in regard to Domestic Abuse victims, all tenants, current and former are treated equally, irrespective of their sex or marital status, race, disability, age, sexual orientation, language or social origin, or other social attributes, including beliefs or opinions such as religious beliefs or political opinions.

### 3. Definition

3.1 The definition of domestic abuse used by Police Scotland is:

**'Any form of physical, verbal, sexual, psychological or financial abuse which might amount to criminal conduct and which takes place within the context of a relationship. The relationship will be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners. The abuse can be committed in the home or elsewhere including online'.**

3.2 **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
- regulating their everyday behaviour.

3.3 **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.

3.4 Williamsburgh Housing Association may become aware of domestic abuse through dealing with a complaint of Anti-Social Behaviour. The Association will in these circumstances respond to ensure that a victim enduring any form of abuse, is supported to take appropriate action. While advice and support is being given, it will not be appropriate to follow our procedures relating to the ASB while the victim is being supported. The Association will resume ASB procedures where it is deemed appropriate.

3.5 Where we consider that the tenant has experienced or is experiencing domestic abuse, which explains or partly explains why the rent lawfully due has not been paid. Williamsburgh Housing Association will support the tenant in connection with the rent arrears and will provide the tenant with details of other support that may be available in relation to domestic abuse.

#### **4. Scottish Social Housing Charter and Legal Framework**

The Association, in preparing this policy and the related procedures has given consideration to and sought compliance with, the following:

Scottish Social Housing Charter, as defined by The Scottish Housing Regulator – the regulatory body for housing associations. The relevant Charter Outcome numbers 2, 6, 7, 8, 9 and 11 state:

2: Communication

Social landlords manage their businesses so that:

“tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides”

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 reasonably possible that:

“tenants and other customers live in well-maintained neighbourhoods where they feel safe”

7, 8 and 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 home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations”.

### Legal Framework

This policy has been developed taking into account the legislation and regulations governing Registered Social Landlords (RSLs). Legislation relevant to this Policy includes:

- Housing (Scotland) Act 1987/2001/2010/2014
- Human Rights Act 1998
- Data Protection Act 1998 and 2018
- Domestic Abuse (Scotland) Act 2018
- General Data Protection Regulations 2016 (GDPR)
- Equality Act 2010
- The Scottish Social Housing Charter
- Matrimonial Homes Act 1983

## **5. Aims Of The Policy**

By adopting this policy, Williamsburgh Housing Association aims 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
- create a consistent approach for recording and monitoring incidents of domestic abuse

## **6. Our Approach**

- 6.1 WHA encourages 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.
- 6.2 If a person feels they are experiencing domestic abuse we will deal with it under this policy.
- 6.3 We will deal with all reports in a non-judgemental and non-discriminatory manner and in confidence. We will not require victims to take legal action or to contact the Police before we provide assistance.
- 6.4 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.

## **7. 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 this domestic abuse policy to all tenants and employees, highlighting the consequences for perpetrators
- provide advice and information within our office and on our website
- provide staff training to increase awareness of domestic abuse

## **8. Confidentiality**

8.1 Victims will be encouraged to allow WHA 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.

8.2 The exceptions to this will be:

- where we consider a child is at risk in any situation
- if there is a high risk of serious harm to anyone involved
- if we are obliged by law to disclose information

## **9. Options For Rehousing**

9.1 We recognise that every reported case of domestic abuse will be different. Our response will therefore 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 Renfrewshire Council's Homeless Service
- reporting incidents to the Police, which may result in criminal action against the perpetrator
- where appropriate, legal action against the perpetrator



## 9.2 **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).

Where there are no local authority sanctuary schemes in place we may offer, in emergency situations, assistance by not recharging victims for lock changes and damages due to the domestic abuse. Approvals for lock changes in these circumstances will require to be approved by a member of the Senior Management team and may be limited to one lock change. Where appropriate we will charge such costs to the perpetrator.

Where there are repeated requests for lock changes we will provide advice and encourage, if appropriate a transfer to another tenancy out with the current street.

## 9.3 **Emergency Rehousing**

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

## 9.4 **Permanent Rehousing**

Where a resident reporting domestic abuse requests permanent rehousing, WHA will prioritise their application as a 'management transfer'. 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. Only one offer will be made on this basis.

Where there is no suitable WHA housing available, or the rehousing requires to be out of the area, we will work with Renfrewshire Council to access alternative accommodation.

## 9.5 **Multi-agency Approach**

Williamsburgh Housing Association will, only with the agreement of the victim, adopt a multi-agency approach in dealing with 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.

## **9.6 Action Against Perpetrators**

WHA 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 regulations, we will share information with other relevant agencies so that serial perpetrators are identified and dealt with appropriately.

## **10. Staff Training**

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

## **11. Complaints**

Although we are committed to providing high levels of service, we accept that there may be occasions where you may not be not satisfied with the service you have received from us. We value all complaints and use this information to help us improve our services. Our Complaints Policy describes our complaints procedure and how to make a complaint.

## **12. Data Protection**

The Association will store personal information provided securely on both our computer and filing systems. At all times we will act in compliance with the Data Protection Act 1998 and the EU General Data Protection Regulation (GDPR).

## **13. Review**

This policy will be reviewed by the Committee on a 3 yearly basis, to ensure that it responds to any changing circumstances.