



## VULNERABLE TENANTS - DOMESTIC ABUSE POLICY

### 1.0 INTRODUCTION

- 1.1 This policy sets out how Almond Housing Association Limited (AHA Ltd.) views domestic abuse, and how we will respond to and seek to deal with any reports of such abuse affecting tenants or members of their households. The term 'abuse' covers violence as well as verbal or other forms of abuse. The policy is supported by detailed procedures.
- 1.2 AHA Ltd. believes that domestic abuse presents one of the highest risks to personal safety and is unacceptable. AHA Ltd. will therefore take the strongest action possible against perpetrators of domestic abuse where it has the power to do so and with the consent of the victim.
- 1.3 AHA Ltd. will deal with all reports of domestic abuse as an emergency and respond to them within 24 hours. Applying a 'survivor centred' approach 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.

### Definition

- 1.4 AHA Ltd. will 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.

- 1.5 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.

### **Aim of the policy**

- 1.6 By adopting this policy, AHA Ltd. 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;
- facilitate early identification of domestic abuse and offer supportive 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;
- ensure that all sections are clear regarding their roles in tackling and responding to issues around domestic abuse.

### **Equality & diversity**

- 1.7 AHA Ltd. will ensure that any action taken under this policy complies with our Equality & Diversity policy.

## **2.0 RESPONSIBILITIES**

### **2.1 Board of Management**

- To ensure that AHA Ltd. has approved and implemented a policy on domestic violence and abuse that complies with current regulations and guidance.
- To monitor compliance with the policy, through receipt of relevant reports.

### **2.2 Management**

- Chief Executive: To ensure all employees and Board Members are aware of the policy and their responsibilities under it.
- Head of Corporate Services: To co-ordinate the provision of any training required to enable employees to recognise and respond to incidents of domestic violence or abuse.
- All Heads of Section: 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.

## 2.3 Employees

- To ensure they are aware of their responsibilities under this policy, and that they implement the policy and procedure when appropriate.

## 3.0 POLICY FRAMEWORK

3.1 AHA Ltd. 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.

### Prevention

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

- make all new tenants aware of AHA Ltd.'s 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 AHA Ltd.'s office.

### Survivor-centred approach

3.3 AHA Ltd. will adopt a 'survivor-centred' approach in dealing with domestic abuse, i.e. if a person feels they are experiencing domestic abuse we will deal with it under this policy.

3.4 AHA Ltd. 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.

3.5 AHA Ltd. will only take action 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.

### Confidentiality

3.6 Victims will be encouraged to allow AHA Ltd. 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.

3.7 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.

A Manager or Head of Section must approve any disclosure that does not have the victim's consent.

3.8 Information will be shared with work colleagues on a strictly 'need to know' basis. We will adhere to all current data protection requirements (see the Openness & Confidentiality policy).

## **Options for action**

3.9 AHA Ltd. 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:

- 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;
- referral to our in-house domestic abuse advocate (HSM);
- reporting incidents to the Police, which may result in criminal action against the perpetrator;
- where appropriate, legal action against the perpetrator by AHA Ltd.

The safety of the victim and their dependents will be our priority. An Action Plan setting out further actions will be agreed with the victim, and we will regularly contact the victim and keep them updated with progress.

## **Assistance for victims**

3.10 AHA Ltd. will take a proactive and sympathetic approach. Each case will have its own challenges and so the type and level of assistance offered will be finalised by the Head of Housing Management, failing whom the Housing Support Manager.

## **Remaining in the property**

3.11 AHA Ltd. 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 set aside dedicated discretionary funds for victims, to assistance them in rebuilding their lives and homes. We will also consider funding such improvements where there are no local authority sanctuary schemes in place.

3.12 AHA Ltd. will offer assistance to those experiencing domestic abuse by not recharging them for lock changes and damages due to the domestic abuse. Where appropriate we will charge such costs to the perpetrator.

## **Emergency rehousing**

3.13 Where a resident reporting domestic abuse needs emergency accommodation AHA Ltd. will provide advice and assistance on accessing such accommodation provided by West Lothian Council or by a women's refuge. We will provide a referral letter where appropriate and advocate on our tenants behalf.

## **Permanent rehousing**

3.14 Where a resident reporting domestic abuse requests permanent rehousing, AHA Ltd. 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. There will normally be a limit on the number of occasions we will offer this, typically it will only be offered once.

### **Multi-agency approach**

- 3.15 AHA Ltd. 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, co-ordinate available resources, access specialist services, take action against perpetrators and share best practice.

### **Action against perpetrators**

- 3.16 AHA Ltd. 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 due to domestic abuse.
- 3.17 Subject to data protection requirements, we will share information with other relevant agencies so that serial perpetrators are identified and dealt with appropriately.

## **4.0 REVIEW**

- 4.1 The Head of Housing Management will ensure that this policy is reviewed by the Senior Management Team every five years.

<b>FIRST APPROVED IN</b>	<b>DECEMBER 2017</b>
<b>CURRENT VERSION 1.0 APPROVED IN</b>	<b>DECEMBER 2017</b>
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