



Drumchapel Housing

Co-operative Limited

Domestic Abuse Policy

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Contents

	Item	Page No.
1.	Introduction	3
2.	Policy Objectives	4
3.	Equality and Human Rights	4-5
4.	Legal and Regulatory Framework	5-6
5.	Responsibility and Delegated Authority	6
6.	Managing Cases of Domestic Abuse	7-9
	6.1 Prevention	
	6.2 Reporting	
	6.3 Victim centred approach	
	6.4 Confidentiality	
	6.5 Options for Action	
	6.6 Assistance for victims	
	6.7 Remaining in the property	
	6.8 Emergency housing	
	6.9 Permanent housing	
	6.10 Multi-agency approach	
	6.11 Action against perpetrators	
7.	Victim Responsibilities	9
8.	Co-operation with Other Agencies	9
9.	Complaints	10
10.	Staff Training	10
11.	Policy Review	10
12.	Further Information and Support	10
13.	GDPR	11

1. Introduction

- 1.1 This policy will set out Drumchapel Housing Co-operative's approach to domestic abuse. The Co-operative fully recognises the detrimental effect that domestic abuse can have on tenants, their families and the community.
- 1.2 The Co-operative believes that our tenants, their families, applicants, staff and the Management Board should not live in fear of violence or abuse. We take domestic abuse seriously and are committed to providing a sensitive and confidential response to anyone approaching us for assistance in cases of domestic abuse.
- 1.3 We believe that domestic abuse presents one of the highest risks to personal safety and is unacceptable.
- 1.4 We recognise that our staff may be well placed to identify abusive relationships, in terms of how we communicate with our tenant for reporting of repairs in terms of type and frequency and reports of neighbour issues. We also recognise that staff and our Management Board members may experience domestic abuse. In all instances our training and procedures will contribute to supporting staff and the Board who may be experiencing domestic abuse. Any member of staff or Management Board member affected can speak to the Director, the Finance and Corporate Services Manager or a line manager.
- 1.5 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'. (Scottish Government, 2021).
- 1.6 In accepting this definition it must be recognised that children are witness to, and may be subject to, the abuse. Also, that there is some correlation between domestic abuse and the mental, physical and sexual abuse of children. It must also be recognised that, particularly among minority ethnic communities, other family members may be involved in, or may participate in, the abuse.
- 1.7 Abuse covers any incident of threatening behaviour, violence or abuse between adults who are or have been intimate partners or family members, regardless of gender or sexuality.
- 1.8 This can encompass, but is not limited to, the following types of abuse:
 - Emotional
 - Physical
 - Sexual
 - Financial
 - Psychological
 - Controlling or coercive behaviour
 - Verbal

2. Policy Objectives

2.1 The key objectives of this policy are 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.
- Acknowledge and recognise that domestic abuse is not perpetrated exclusively by men within heterosexual relationships, but that woman can also be perpetrators and it can occur in same sex relationships.
- Help with early identification of domestic abuse and enable effective signposting to specialist support and advice services for all victims of domestic abuse and their families.
- Raise awareness and understanding of domestic abuse among tenants, residents, staff and Management Board members.
- Encourage victims to report domestic abuse to Police and other relevant agencies.
- Empower victims by providing information on the options available to them, including information on external support agencies and their legal rights and responsibilities so that they can make informed choices of what to do next.
- Tenants and applicants suffering from domestic abuse will have this taken into consideration through our allocation policy.
- Adopt a victim centred approach to ensure that when we are dealing with reports of domestic violence incidents that the needs, views and support of the victims are at the forefront of our management of the case.
- Ensure that our services in respect of dealing with domestic abuse are equally available to all sections of the community, recognising differences in language, culture, religion, race, age and sex.
- Create a consistent approach for recording and monitoring incidents of domestic abuse.
- Train and support staff to recognise, report and deal with domestic abuse effectively.

3. Equality and Human Rights

3.1 The Co-operative's Equality and Human Rights Policy outlines our commitment to promote a zero tolerance to unfair treatment or discrimination to any person or group

of persons, particularly on the basis of any of the protected characteristics¹. This includes ensuring that everyone has equal access to information and services, and, to this end, the Co-operative will make available a copy of this document in a range of alternative formats including large print, translated into another language or transcription services.

- 3.2 We are also aware of the potential for policies to inadvertently discriminate against an individual or group of individuals. To help tackle this and ensure that it does not occur, best practice suggests that organisations carry out Equality Impact Assessments to help identify any part of a policy that may be discriminatory so that this can be addressed (please see the Equality and Human Rights policy for more information).
- 3.3 The Co-operative has carried out an Equality Impact Assessment on this policy and no remedial action was identified as necessary. The full assessment is appended at the end of this policy.

4. Legislative and Regulatory Framework

- 4.1 The following legislation relevant to domestic abuse has been taken into consideration in the development of this policy:

- Matrimonial Homes (Family Protection) (Scotland) Act 1981
- Family Law (Scotland) Act 1985
- Protection from Harassment Act 1997
- Family Law (Scotland) Act 2006
- Protection from Abuse (Scotland) Act 2001
- Adult Support and Protection (Scotland) Act 2007
- Criminal Justice and Licensing (Scotland) Act 2010
- Domestic Abuse (Scotland) Act 2011
- Domestic Abuse (Scotland) Act 2018
- Domestic Abuse (Protection) (Scotland) Act 2021
- Abusive Behaviour and Sexual Harm (Scotland) Act 2016
- Antisocial Behaviour etc. (Scotland) Act 2004
- The Data Protection Act 2018
- UK General Data Protection Regulation (GDPR) 2018
- Housing (Scotland) Act 2001 and 2014
- Equalities Act 2010

¹ The Equality Act 2010 identifies the “protected characteristics” as age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, gender reassignment and sexual orientation.

4.2 We also operate this policy taking account of the Scottish Social Housing Charter, in particular the following outcomes: -

- **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.
- **Outcome 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.
- **Outcomes 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. Tenant and people on housing lists can review their housing options. Social landlords have a role to prevent homelessness and should ensure that people at risk of losing their homes get advice on preventing homelessness.
- **Outcome 11 – Tenancy Sustainment**
Social landlords ensure that tenants get the information they need on how to obtain support and remain in their home; and ensure suitable support is available, including services provided directly with their landlord and by other organisations.

5. **Responsibility and Delegated Authority**

The Management Board will ensure that the Co-operative has approved and implemented a domestic abuse policy that complies with current legislation and guidance.

The Director has a responsibility to ensure all staff and Board members are aware of the policy and their responsibilities under it. The Director will also ensure appropriate training is provided to staff to enable them to recognise and respond to incidents of domestic abuse or violence. Staff will be aware of their responsibilities under this policy and implement the policy as appropriate.

6. Managing cases of domestic abuse

6.1 Prevention

We will endeavour to: -

- make sure all new tenants of Drumchapel Housing Co-operative are aware of the policy on rehousing, relationship breakdown and possible implications of joint tenancies.
- Publicise the domestic abuse policy in both print and digitally to raise awareness among staff and residents, with the aim of increasing reports of domestic abuse and highlighting the consequences for perpetrators.
- Provide advice and assistance to include signposting to specialist agencies who assist in giving advice and supporting domestic abuse victims.

6.2 Reporting

We will 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.

6.3 Victim centred approach

We will adopt a victim centred approach when dealing with domestic abuse. Every effort will be made to support the victim and ensure they are aware of any action they can take, and also are comfortable with this action.

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

We will make every effort to ensure we offer the most suitable interview provisions in terms of accessible venue, same sex interviews and translation service, if required.

6.4 Confidentiality

Information given by victims in relation to this policy will be treated as strictly confidential. We will ensure we only involve other agencies and share information with the consent of the person concerned, unless:

- The information is necessary for the protection of children.
- If we are obliged by law to disclose information, for example the Co-operative cannot withhold information if being questioned by Police Scotland during a criminal investigation.

A member of the senior management team must approve any disclosure that does not have consent of the victim.

We will comply with the requirements of the Data Protection Act and the General Data Protection (2018) Regulations.

6.5 Options for Action

We recognise that every reported case of domestic abuse will be different so our response will be tailored to the individual needs of the victim.

Our Choice Based Lettings Allocations Policy outlines how we will assist with cases where domestic abuse results in the current property being unsuitable.

When a tenant or household member reports domestic abuse all available options will be discussed and considered with them, including: -

- reviewing and where possible improving the safety and security of their existing accommodation, to enable them to remain safely there
- reporting incidents of domestic abuse to Police Scotland, which may result in criminal activity against the perpetrator
- where appropriate, legal action against the perpetrator being taken by the Co-operative

The safety of the victim and any of their dependents will be our priority. We will provide referrals to support agencies and further information to enable the victim to make informed decisions.

6.6 Assistance for victims

We 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 Housing Officer with the support of the Senior Housing Officer.

6.7 Remaining in the property

We will advise victims who wish to remain in their own homes of advice they can get from Police Scotland, victim support and any other external agency that provides advisory services in the area.

We will help those experiencing domestic abuse by not recharging them for lock changes and damages due to domestic abuse. Where appropriate, we will charge such costs to the perpetrator.

Where Police Scotland wish to install additional security, permission will be given subject to agreement on who will maintain such items.

6.8 Emergency rehousing

Where a resident reporting domestic abuse needs emergency accommodation, the Co-operative will provide advice and assistance on accessing such accommodation provided by Glasgow City Council or by a women's refuge.

6.9 Permanent rehousing

Where a tenant reports domestic abuse and is seeking to be re-housed, we will assess their application as appropriate using our Choice Based Lettings Allocations

Policy. The applicant will be awarded the appropriate priority ticket for domestic abuse.

Where an applicant is made an offer of rehousing due to domestic abuse, we will take a sensitive approach to ensure affordability in relation to the cost of a house move is not a barrier to securing alternative accommodation. If an applicant cannot make the required payment of rent in advance on sign up, we will consider an agreeable payment arrangement which will be authorised by a member of the management team.

6.10 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, meet their needs, co-ordinate available resources, access specialist services, take action against perpetrators and share best practice.

6.11 Action against perpetrators

We will work with Police Scotland 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.

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

7. Victim Responsibilities

- 7.1 The Co-operative will provide support and assistance to victims as described within this policy. The Co-operative acknowledges that tenants who have experienced domestic abuse are often coerced, frightened, and bullied into going back to the perpetrator. The impact of experiencing domestic abuse can result in the victim being unable to leave the relationship. While recognising that the coercive and controlling nature of domestic abuse can result in difficulties for the victim, the support that we can offer will depend on the engagement of tenants. Where tenants fail to engage and show no signs of a willingness to engage, and where the behaviour is having an impact on neighbours, the Co-operative may consider addressing the behaviour under via our Neighbour Disputes and Anti-social Behaviour Policy.

8. Co-operation with other Agencies

- 8.1 Managing reports of domestic abuse requires a multi-agency approach. We will ensure victims are placed in contact with appropriate agencies for specialist advice and support with their consent. We do not provide legal advice or counselling services but can refer to the specific agencies when required.

9. Complaints Procedure

- 9.1 If a tenant or service user is dissatisfied with the level of service they have received in relation to this policy, a complaint should be made to the Co-operative who will respond in accordance with their complaints policy and procedures. Should the tenant or service user remain dissatisfied having exhausted the organisation's internal complaints procedures, they can raise a complaint to the Scottish Public Services Ombudsman (SPSO).

10. Staff Training

- 10.1 We recognise that it is extremely important that the resourcing and training of staff is adequate to meet all the needs of its tenants. The Co-operative is committed to undertaking training relating to identifying domestic abuse and will take actions in line with guidance. Training should be updated as appropriate. Staff will be encouraged to network with other RSLs in order to share best practice in dealing with domestic abuse.

11. Policy Review

- 11.1 The Co-operative will review this policy every three years unless amendment is required sooner due a change in statutory, regulatory or best practice guidance.

12. Further Information and Support

- Police Scotland on 101 or 999 in an emergency
- Victim Support on 0800 160 1985 or www.victimsupport.scot
- Female victims – Clydebank Women's Aid - 0141 952 8118
www.clydebankwomensaid.co.uk or Glasgow Women's Aid on 0800 027 1234
www.glasgowwomensaid.org.uk
- Scottish Women's Aid - www.womensaid.scot
- Scottish Domestic Abuse and Forced Marriage Helpline: 08088 027 1234 or
www.sdafmh.org.uk Confidential translation service available.
- Scottish Women's Rights Centre (free legal advice) 08088 010 789
www.scottishwomensrightscentre.org.uk
- Assist – Court Advocacy Service: 0141 276 7710 www.assistscotland.org.uk
- Hamat Gryffee Women's Aid – Support for Women from BME Communities: 0141 353 0859 or www.hematgryffe.org.uk
- AMIS – Support for men and LGBT people 03300 949 395 or
www.abusedmeninScotland.org
- RESPECT Men's Advice Line – 0808 801 0327 www.mensadvice.org.uk
- For information and advice for children and young people, please visit the Childline www.childline.org.uk or telephone Childline free on 0800 11 11
- Lesbian, gay, bisexual and transgender (LGBT) victims – Galop www.galop.org.uk and telephone number is 0800 999 5428
- LGBT Youth Scotland – 0131 555 3940 www.lgbtdomesticabuse.org.uk
- FearFree – support for victims of domestic abuse who identify as male or from the LGBT+ Community – 0131 624 7270 www.fearfree.scot

13. GDPR

The Co-operative will gather and use certain information about individuals in accordance with UK GDPR and DPA 2018. Staff members have a responsibility to ensure compliance with the terms of the privacy policy and to collect, handle and store personal information in accordance with relevant legislation. The Fair Processing Notice (FPN) details how personal data is held and processed.

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