



Domestic Abuse Policy

Contents

Introduction	3
Defining Domestic Abuse	3
Aims of this policy	4
Responsibilities	5
Procedure	5
Survivor Centred Approach	5
Confidentiality.....	6
Options for Action	6
Assistance for victims.....	7
Remaining In the Property	7
Emergency & Permanent Rehousing.....	7
Multi-Agency Approach	7
Policy Review	8
Procedure for Domestic Abuse Reports	9
Recognising the signs	10
If you witness an incident.....	10
If actual or potential abuse is disclosed to you.....	10
Action to be taken.....	11
Action Plan	12

Introduction

- 1.1 This policy sets out how Yorkhill Housing Association 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 Yorkhill Housing Association believes strongly in the safety and security of our tenants, and with the consent of the victim, will take the strongest possible action available under our legislative powers against the perpetrators of such behaviour.
- 1.3 Applying a 'survivor centred' approach we will assist the victim to reach a decision which they feel best secures their safety by taking such actions as may include:
 - reviewing their accommodation
 - enabling the level of assistance they want, and/or
 - taking action against the perpetrator which the victim and we feel is most appropriate.

Defining Domestic Abuse

- 2.1 The Association accepts the Scottish Government's 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."*¹

- 2.2 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, and

¹ Source: National Strategy to Address Domestic Abuse in Scotland (<https://womensaidorkney.org.uk/wp-content/uploads/2014/08/The-National-Strategy-to-Address-Domestic-Abuse.pdf>)

- regulating their everyday behaviour.
- 2.3 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.
- 2.4 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.

Aims of this policy

- 3.1 By adopting this policy, the 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;
 - 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.

Responsibilities

4.1 The Association's staff and management committee have varying responsibilities to achieving the aims of this policy:

- **Management Committee Members** ensure that the Association has met its legal obligations by approving a Domestic Abuse Policy.
- **The Chief Executive** must ensure that all members of staff, and the Management Committee, are aware of its responsibilities under this policy.
- **The Senior Management Team** must ensure that employees are aware of this policy and undertake any training identified through the appraisal process.
- **Employees** must ensure they are aware of this policy, and are able to implement it as and when required.

Procedure

5.1 The Association 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.

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

- make all new tenants aware policies relating to rehousing, 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.

Survivor Centred Approach

5.3 We 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.

5.4 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.

5.5 We 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

- 5.6 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.
- 5.7 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. The Chief Executive or Deputy Chief Executive must approve any disclosure that does not have the victim's consent.
- 5.8 Information will be shared with staff on a strictly 'need to know' basis. We will adhere to all current data protection requirements.

Options for Action

- 5.9 The Association 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;
 - reporting incidents to the Police, which may result in criminal action against the perpetrator;
 - where appropriate, legal action against the perpetrator by the Association.
- 5.10 The safety of the victim and their dependents will be our priority. Any actions will be agreed with the victim, and we will regularly contact the victim and keep them updated with progress.

Assistance for victims

- 6.1 The Association 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 Senior Management Team.

Remaining In the Property

- 6.2 The Association may assist victims with extra security measures such as additional locks, door chains, peep-holes, or other measures as required to ensure their safety.
- 6.3 We 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 & Permanent Rehousing

- 6.4 Where a resident reporting domestic abuse needs emergency accommodation we will provide advice and assistance on accessing such accommodation provided by Glasgow City Council or by a women's refuge. We can provide information known to the Association to the Council to assist with any assistance enquiries.
- 6.5 Where a resident reporting domestic abuse requests permanent rehousing, we will prioritise their application with "Critical Need" points under our Allocations Policy. We may, if appropriate, assist with a 'management transfer' under our Exceptional Circumstances process, however the Association's low stock, condensed in a very small geographical area, may mean this has a limited impact. We may, if appropriate, contact other Registered Social Landlords (RSLs) to enquire if there are any immediate transfers available.

Multi-Agency Approach

- 6.6 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.
- 6.7 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 due to domestic abuse.
- 6.8 Subject to data protection requirements, we will share information with other relevant agencies so that serial perpetrators are identified and dealt with appropriately.

Policy Review

- 7.1 This policy will be reviewed by Yorkhill Housing Association's management Committee every three years, unless legislative compliance requires earlier amendments.

Procedure for Domestic Abuse Reports

- 1.1 This procedure supports our Domestic Abuse Policy and details how we will deal with reports and actual incidents of domestic abuse, as defined in the policy.
- 1.2 In implementing this procedure the key principle guiding our actions will be that safeguarding is about preventing harm or abuse and making a timely and appropriate response if it occurs, as we all have a duty to protect vulnerable tenants.
- 1.3 We expect anyone working for or on behalf of Yorkhill Housing Association – Board Members, employees and contractors' employees - to be aware of the possibility of domestic abuse affecting tenants and/or members of their household, and where this is suspected or observed, to report the circumstances to the Senior Management Team of Yorkhill Housing Association.
- 1.4 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.”

- 1.5 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.
- 1.6 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.
- 1.7 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.

- 1.8 The Senior Management Team will ensure that suitable training has been provided to ensure that staff are able to recognise the signs of domestic abuse, and how to respond to incidents as witnessed or reported.

Recognising the signs

- 1.9 We recognise that there will always be an element of 'subjectivity' in assessing whether there is a situation involving abuse and/or actual harm. As a guide, you should ask yourself:

1) Does the situation look or sound right?

2) Does the situation feel right?

3) What are my instincts telling me?

If the answer to questions 1 or 2 is 'No', or if your instinct is telling you that 'this isn't right', then it probably isn't.

If you witness an incident

- 1.10 If you witness an actual instance of abuse or harm you should immediately alert a member of the Senior Management Team. If someone has been seriously harmed, is in immediate physical danger, and/or a crime has occurred, you should, in addition to any other action you may decide to take, immediately contact the relevant emergency services – e.g. Police, Ambulance. Thereafter you should alert the SMT.

If actual or potential abuse is disclosed to you

- 1.11 If someone advises you that they know of or have seen/experienced harm or abuse, your initial role is to gather what basic facts you can. **It is not your role to investigate** – that is the role of the Police or Social Work staff. The disclosure may be sudden and unexpected, with lots of information provided, or it may simply be a statement 'hinting' at an abusive situation.

- 1.12 The key elements in responding to any disclosure are:

- **Listen**, take what they say seriously.
- **Reassure** the person, tell them that they have done the right thing by telling you.
- **Remain calm** no matter how difficult it is to listen. You have been chosen because the person feels that they can talk to you.
- **Be honest** - tell them that you will need to report the situation. Don't make false promises.
- **Only ask open questions** - to establish the basic facts.
- **Do not investigate** – that is the role of Social Work or the Police.

- **Tell** the person what you are going to do next. Always finish on a positive note.
- **Write down** everything that you have been told, in their own words, as soon as possible after you have spoken with them.
- **Report** what you have heard or seen.
- Keep what you have heard or seen **confidential** between yourself, the person who spoke to you, and the person to whom you have reported your concerns.

1.13 Immediately inform a member of the Senior Management Team:

- Date, time and location of any incident you witnessed, or of any report to you.
- For any incident(s) disclosed to you - date(s) and time(s) – if given.
- Name and contact details of the person reporting to you.
- What happened – use the person's own words – do not 'interpret'.
- Where the abuse/harm happened.
- Who else was involved.
- Name(s) of witness(es) and contact details, if possible.

1.14 If known also include how safe is it to communicate with the person who spoke to you – e.g. is it safe (for them) to phone them? Are there any children in the household? Details of any agencies already involved, if any. Any additional information from your discussion with the person.

Action to be taken

1.15 As stated in the policy, we will normally only take action or pass on information to other agencies with the proper, informed consent of the person deemed to be the 'victim'. The exceptions to this general rule 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.

1.16 The Senior Management Team, in confidential consultation with colleagues as required, will decide on the action to be taken. Depending on the circumstances, this may include:

- making arrangements for their immediate personal safety, such as emergency re-housing (possibly leading to permanent re-housing);
- reviewing and where possible improving the safety and security of their existing accommodation, to enable them to remain there safely;
- referral to Social Work, or voluntary organisations such as Women's Aid;
- where appropriate, reporting incidents to the Police, which may result in criminal action against the perpetrator;
- where appropriate, legal or other action against the perpetrator by Yorkhill Housing Association. 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.

Action Plan

This Action Plan should ideally be filled in with the consent, and involvement, of the person subjected to harm. They should be asked to sign the agreement at Section 5 of this form, however as detailed in this procedure the Association is required to take action in certain circumstances even without consent.

1) Details of the person subject to alleged or actual abuse or harm	
Full Name	
Address	
Contact Details <i>(include any special considerations on how to contact to ensure their safety)</i>	
Any children in the household	If yes, give details as known

2) Details of incident(s) – witnessed or reported
Date(s), time(s), location(s), what happened, any witness(es) etc. Use the words of the person reporting – try not to ‘interpret’ in your own words.

3) Other Agencies Involved		
Agency Name	Contact Details	Date Involved

4) Initial Action to be taken (agreed by SMT)**5) Agreement of person subjected to abuse (if possible)**

I confirm that the details recorded in this report are correct.

I agree to the initial action detailed above in Section 4, and if required my details to be shared with organisations as required.

Signed: _____ Date: _____

Print Name: _____

6) For Office Use

Report Received	Date Discussed at SMT	Location of Information Logged