


# Domestic Abuse

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<b>Glen Oaks</b> HOUSING ASSOCIATION 	<b>Policy number:</b>	
	<b>Policy approved:</b>	2023
	<b>Due for review:</b>	2026

## **Our Vision, Mission Statement and Values**

Glen Oaks' vision statement '**Where Communities Thrive**' and our mission statement '**Our aim is to provide good quality affordable housing and an excellent service. We will encourage resident participation and work with other agencies to regenerate our community**' provide the foundation for Glen Oaks Housing Association's commitment to its residents and the communities they live in.

This commitment is also demonstrated in the Association's values which were agreed following discussions with the Board and staff. Glen Oaks' values are fundamental to how we carry out our day-to-day activities.

Our values are:

### **respectful**

*we trust and respect our customers and each other*

### **dedicated**

*we will give 100% commitment to our work*

### **transparent**

*we will be open and honest about what we do*

### **aspirational**

*we will strive to achieve the best we can for our communities*

## **Equality & Diversity Statement**

The Association is intent on ensuring people or communities do not face discrimination or social exclusion due to any of the following protected characteristics: age; disability; sex; marriage & civil partnership; race; religion or belief; sexual orientation; gender reassignment; pregnancy & maternity.

This document complies with the Association's Equality & Diversity policy.

The Association will regularly review this document for equal opportunities implications and take the necessary action to address any inequalities that result from the implementation of the policy.

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## 1.0 Introduction

- 1.1 Millions of people experience domestic abuse every year, and two women are killed by their partner or ex-partner every week. Housing organisations house and employ millions of people across the UK, meaning we come into contact with thousands of people affected by domestic abuse. We believe that the housing sector must do more on this issue.
- 1.2 Glen Oaks Housing Association (GOHA) recognises that domestic abuse is a crime that has a devastating impact on the quality of life of victims and their family and friends, as well as impacting on a person's home.
- 1.3 As a housing provider, GOHA staff are well placed to recognise the signs of domestic abuse. We are proud to have signed the **CIH - Make a Stand** pledge to support people experiencing domestic abuse and will work positively with the survivor to offer support and advice.
- 1.4 This policy sets out how GOHA defines domestic abuse and how we will take steps to assist and support any person experiencing, or being threatened with, domestic abuse.

## 2.0 Definition of Domestic Abuse

- 2.1 For the purposes of this policy, we will use the Scottish Government's definition of domestic abuse, which is:

*Domestic abuse (as gender-based abuse), 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, withholding money and other types of controlling behaviour such as isolation from family or 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.

2.2 This is further defined by the Domestic Abuse (Scotland) Act 2018 which recognises controlling behaviour and emotional abuse as a criminal offence and includes;

**Controlling Behaviour** is a range of acts designed to make a person reliant and/or dependent by:

- isolating them from sources of support;
- exploiting their resources and capacity 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 a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten the victim.

2.3 Domestic violence and abuse can manifest itself through the actions of immediate and extended family members via unlawful activities, such as forced marriage, so called 'honour' based violence and female genital mutilation (FGM). Extended family members may condone or even share in the pattern of abuse. Any such actions are **not acceptable**, whatever form they take.

2.4 It should be noted that children who live with domestic abuse are themselves experiencing abuse.

Throughout this policy, we will use the term 'perpetrator' to describe the individual carrying out the abuse and 'survivor' to describe the person experiencing the abuse.

### 3.0 Our Commitment

3.1 Our domestic abuse policy aims to prevent and respond to domestic abuse. By implementing this policy, GOHA is committed to:

- Attempting to identify domestic abuse at the earliest possible stage and recognising it as a serious crime which has an adverse impact on the health of individuals, families, and communities.

- Publicising our approach, both in print and digitally, to raise awareness internally and externally with the aim of increasing reports of domestic abuse.
- Encouraging tenants to report domestic abuse to us in different ways, including in person, in writing, by telephone, online, or via a third party such as a police officer or local authority or other partner organisations.
- Sharing information with other appropriate agencies and authorities or where there are child protection concerns, GOHA has a legal duty to share information with agencies. In cases where the threshold is not met, with the agreement of the survivor, GOHA will make referrals for support to other relevant agencies, e.g., Police Scotland, Women’s Aid or Victim Support.
- Sharing information with Multi-Agency Risk Assessment Conferences (MARAC) and complying with our Safeguarding Policy to protect victims of Domestic Abuse and their children.
- Ensuring that domestic abuse training is available for all frontline staff and that policy is implemented where appropriate.

#### **4.0 Compliance with Legislation and Good Practice**

4.1 In developing this Policy Glen Oaks Housing Association has taken into consideration:

- CIH Scotland and Scottish Women’s Aid - Policies Not Promises (April 2023)

4.2 The legislative framework affecting the Domestic Abuse Policy namely:

- Domestic Abuse (Scotland) Act 2018
- Adult Support and Protection (Scotland) Act 2007
- Protection of Children (Scotland) Act 2003
- Data Protection Act 2018
- Equality Act 2010

## **5.0 Policy Framework**

### **5.1 Our Approach**

- 5.1.1 GOHA 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 on their own challenges in a non-judgemental manner, in confidence, and with sensitivity.
- 5.1.2 GOHA will apply a 'survivor-centred' approach to dealing with reports of domestic abuse, i.e., if a person feels they are experiencing domestic abuse, we will deal with it under this policy.
- 5.1.3 We will not require survivors to provide evidence, take legal action or to contact the Police before we provide assistance.
- 5.1.4 GOHA will take a proactive and sympathetic approach in assisting survivors of domestic abuse to reach a decision which they believe best secures their safety by:
- Reviewing the safety of their current accommodation and providing housing options/emergency accommodation advice and assistance/contacting the relevant departments and/or authorities.
  - Secure their current accommodation by providing emergency repairs and lock changes (where appropriate); and
  - Actively engage in good practice when dealing with domestic abuse, such as making referrals, attending meetings, and following any recommendations or action plans that may arise from them.

### **5.2 Confidentiality**

- 5.2.1 GOHA will only take action with the survivor's consent\*.
- 5.2.2 Relevant, front-line GOHA staff will be updated only on a "*need to know*" basis to ensure compliance with this policy. Although we will not share a disclosure without consent\*, we will encourage survivors to report incidents to other agencies, such as the Police and Women's Aid, as this will broaden their options of support in terms of civil and

criminal action.

*\*The only exceptions to these general rules is where we consider a child to be at risk, or where there is a high risk of serious harm to anyone involved. In such situations, we will follow our Safeguarding policy.*

### **5.3 Options for Action**

- 5.3.1 Anyone approaching our service for help will be provided with a safe, confidential space to discuss their situation. Our staff will take a non-judgemental approach to support and promote the safety and welfare of the person making the report.
- 5.3.2 Trained staff will adopt a person-centred approach based on the individual circumstances and will offer advice tailored to the needs of the survivor.

### **5.4 Rehousing**

- 5.4.1 GOHA cannot provide emergency rehousing therefore, where a tenant reporting domestic abuse needs emergency accommodation, we will provide advice and assistance on accessing such accommodation which can be provided by Glasgow City Council or by an appropriate refuge. We will provide a referral letter where appropriate and advocate on our tenant's behalf.
- 5.4.2 Where the tenant requests alternative accommodation within the area, GOHA will assist them to complete an application for rehousing in accordance with our Allocations policy ensuring discussions surrounding safety, turnover and likelihood of rehousing within a specified timeframe.

Housing Options advice surrounding access to other appropriate accommodation with other registered Social Landlords will be given.



## **5.5 Remaining at home**

5.5.1 We recognise that remaining in the home is often the preferred outcome for people experiencing domestic abuse as this may minimise the impact on the survivor and other family members therefore GOHA will support tenants experiencing domestic abuse to remain in their home, should they wish to do so.

5.5.2 If the tenant experiencing domestic abuse is named on the tenancy agreement, we will aim to support them to transfer the tenancy agreement solely into their name, although this will depend on a number of factors, including:

- The legal status of the relationship
- Whose name is on the tenancy agreement

Where this is not possible, we will use our Allocations policy flexibly, with a view to supporting victims to move to more suitable accommodation.

5.5.3 If the tenant is married or has a registered civil partnership, under the Matrimonial Homes (Family Protection) (Scotland) Act 1981, the perpetrator will have a right to live with the tenant in the family home, even if their name is not on the tenancy agreement. The survivor will need to apply to the court for an exclusion order to suspend the rights of the partner to live in the home. The court will grant an exclusion order when it can be shown that it is necessary for a tenant's own protection or the protection of their children.

## **5.6 Damage to and Security of Property**

5.6.1 In the cases where there has been damage to a property that affects its security, GOHA will arrange for the emergency repair to be carried out within 24 hours.

5.6.2 In cases where 'other' damage has been caused to the property by the perpetrator, that does not affect its security, repairs will be carried out by the Association in line with the relevant policy. A crime reference number will usually be required to allow the Association to set costs

against its insurance cover.

5.6.3 Where the Police wish to install additional security, permission will be given immediately.

## 6.0 Our Responsibilities

<b>Glen Oaks' Board will:</b>	<ul style="list-style-type: none"><li>• Ensure that GOHA has approved and implemented a policy on domestic violence or abuse that complies with current regulations and guidance.</li><li>• Monitor compliance with the policy, through receipt of relevant reports.</li></ul>
<b>Our Chief Executive will:</b>	<ul style="list-style-type: none"><li>• Ensure all employees and Board members are aware of the policy and their responsibilities under it.</li></ul>
<b>The Housing Services Director will:</b>	<ul style="list-style-type: none"><li>• Ensure the policy and any associated procedures are reviewed regularly.</li></ul>
<b>The Housing Services Director and/or Housing Services Manger will:</b>	<ul style="list-style-type: none"><li>• Ensure that employees are fully aware of their responsibilities under the policy, in particular the importance of reporting any incidents, or pattern of incidents, they become aware of.</li><li>• Ensure that training has been provided to the relevant staff, enabling them to fulfil their responsibilities under this policy.</li></ul>
<b>All Staff will:</b>	<ul style="list-style-type: none"><li>• Ensure that staff aware of their responsibilities under this policy, and that they implement the policy and relevant procedures when appropriate.</li></ul>

## **7.0 Review**

7.1 This Policy will be reviewed every 3 years but can be brought forward to reflect any changes, guidance or recommendations following internal audit reviews or similar.

## **8.0 Complaints**

8.1 We accept that despite our best efforts, problems arise from time to time.

8.2 Should you have a complaint about how this Policy, or the related Procedure has been handled or any other issue in respect of its implementation then you should use our Complaints Procedure.

8.3 This is a separate document and can be obtained from the Association's website or from the Association's office.

8.4 If you require the Complaints procedure on tape, in Braille, in large print or in translation please tell us when you contact us.

## **9.0 Links with Other Policies**

9.1 The Domestic Abuse policy is related to the following policies:

- Safeguarding
- Allocations
- Data Protection
- Complaints
- Equality & Diversity
- Openness and Confidentiality
- Customer Service
- Unacceptable Behaviour
- Risk Management Strategy