



Domestic Abuse Policy (Tenants) March 2019

Policy Review Date: March 2021



Make a Stand Pledge

The **Make a Stand** pledge has been developed by the Chartered Institute of Housing in partnership with Women's Aid and the Domestic Abuse Housing Alliance. It has been created to encourage housing organisations to make a commitment to support people experiencing domestic abuse.

WSHA and its subsidiary organisation Willowacre Trust signed up to the Make a Stand Pledge in late 2018. Our commitment is to update our policies and procedures to ensure that we are offering appropriate support to both tenants and staff that are experienced domestic abuse.

Policy Statement

West of Scotland Housing Association acknowledges Domestic Abuse to be a crime. Domestic abuse impacts on the quality of life of victims, their family and their friends as well as impacting on a person's home.

Relevant Legislation

- 1) Housing (Scotland) Act 2001
- 2) Housing (Scotland) Act 2014
- 3) Domestic Abuse (Scotland) Act 2011
- 4) Domestic Abuse (Scotland) Act 2018 Part1 & Part 2

Policy Context

The levels of domestic abuse recorded by Police Scotland have remained consistent since 2011-12, with 58,000 to 60,000 incidents record per year. The police recorded 59,541 incidents of domestic abuse in Scotland during 2017-18, which is an increase of 1% compared to the previous year.

In 2017-18, 44% of incidents of domestic abuse recorded by Police Scotland included the recording of at least one crime or offence.

4 in 5 (82%) victims of domestic abuse in 2017-2018 were women. 88% of Domestic abuse incidents occurred within someone's home.

The crime or offence that was most frequently recorded as part of a domestic abuse incident in 2017-18 was Common assault (accounting for 37% of all crimes and offences recorded). This was followed by Breach of the peace etc. which accounted for 31% of crimes and offences.

Overview

This policy sets out how West of Scotland Housing Association will take steps to assist and support any person suffering from or threatened with domestic violence or abuse, it applies to all tenants, non-tenants living with our tenants.

Nationally, the definition of domestic abuse and violence came into effect from 31 March 2013. The definition is that Domestic Abuse or Violence is: *Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.*

This can encompass, but is not limited to, the following types of abuse:

- **Emotional**
- **Physical**
- **Sexual**
- **Financial**
- **Psychological**

Controlling Behaviour:

This includes a range of behaviour which makes a person reliant and/or dependent on another person by isolating them from sources of support, exploiting their resources and capacity for personal gain, depriving them of the means need for independence, resistance and escape and regulating their everyday behaviour.

Coercive Behaviour:

An act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim. This includes forced marriage and so-called 'honour violence'.

WSHA believes that its tenants and other householders should not live in fear of violence or abuse. WSHA takes domestic abuse very seriously and is committed to providing a sensitive and confidential response to anyone approaching the organisation for assistance in cases of domestic abuse.

West of Scotland Housing Association's Make a Stand Pledge is to:

- a)** Identifying domestic abuse at the earliest stages of a tenancy including tenancy sign up and sensitively ask about any history of domestic abuse. If a history is disclosed additional security measures will be considered.

- b)** Enabling tenants to report domestic abuse to the organisation 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 .

- c)** Ensure that tenants know that they can meet any member of staff in confidence at the WSHA offices or at an agreed choice of safe venue. Tenants will also be offered the option of a female staff member

- d)** Carry out a risk assessment by using the Domestic Abuse, Stalking and 'Honour'-based violence Safe Lives Risk Identification Checklist (DASH) the checklist can be found at www.safelives.org.uk Safely planning to provide support for the tenant and their children where present.

- e)** Share information with Multi Agency Risk Assessment Conferences (MARAC). For cases which meet the MARAC risk rating threshold or if there is a child protection concerns, WSHA has a legal duty to share information with agencies. In cases where the threshold is not met, with the agreement of the victim, WSHA will make referrals to other support from relevant agencies (Police Scotland, Women's Aid or Victim support etc).

- f)** WSHA will agree to support any action plan implemented with the tenant, monitor the situation and review at a frequency agreed with them.

- g)** Provide improved security to a victim's home (e.g. security lights, window locks) where a need is identified.

- h)** Ensure that tenants experiencing domestic abuse access appropriate services as early as possible and are given advice to allow them to make informed choices about what to do next.

- i)** Offer support to the tenant where appropriate to rebuild their lives by working in partnership with them and other support agencies.

- j)** Ensure that where children and young people are affected by domestic abuse, they too have access to services as early as possible.

- k)** Consider the use of civil laws to offer maximum protection to all victims to stop the abuse reoccurring.

- l)** Follow the relevant child protection procedures if WSHA believes a child is at risk due to domestic abuse

m) In support of the implementation of this policy WSHA will ensure that domestic abuse training available for all frontline staff.

n) Not tolerate domestic abuse from our employees.

o) Publicise our approach, both in print and digitally, to raise awareness both internally and externally with the aim of increasing reports of domestic abuse.

Domestic abuse can leave a tenant with little confidence that they can do anything to change the situation.

Examples are:

Creating isolation e.g. not allowing them to see family members or friends, preventing them from making their own friendships, not allowing them to go anywhere on their own, causing them to be depressed and then using this against them

Use of threats e.g. threats to kill their family, children, friends, pets; to throw them out and keep the children; to find them if they ever leave; to have them locked up; to tell everyone they are mad

Putting them down – humiliating and undermining them in front of others or in front of their children; telling them they are stupid, hopeless, unlovable, that no one would believe them, or that they are a bad parent.

Definitions of Domestic Abuse

Physical Abuse
This could include: hitting, punching, kicking, slapping, hitting with objects, pulling hair, pushing or shoving, cutting or stabbing, restraining, strangulation, choking, murder
Sexual Abuse
This could include: rape and coerced sex, forcing a survivor to take part in unwanted sexual acts, refusal to practice safe sex or use contraception, threatened or actual sexual abuse of children and the use of digital imagery.
Financial Abuse
This could include: controlling money and bank accounts, making a person account for all their expenditure, running up debts in a person's name, allowing no say on how monies are spent, refusing to allow them to study or work and depriving them of essentials.
Psychological and Emotional Violence and Abuse
Psychological and emotional abuse has a profound impact upon victims and children.

WSHA's Approach

Responding to a Report of Domestic Abuse

On receiving a report of domestic abuse directly from a tenant, **if it's safe to do so** a face to face meeting with the named tenant will be offered within 24 hours (same-sex meetings will be facilitated where requested). Where this is not possible due to the weekend, or a bank holiday, the person will be referred to a relevant support agency or a meeting will be arranged on the next available working day. Where requested by the tenant a discussion will be carried out over the telephone.

Where a report of domestic abuse is received via a professional third party e.g. a police officer we will seek to establish from the third party what details have been taken from the tenant, what support is in place and what is required from us. Where required we will then contact the tenant directly and offer a meeting with them as above. All meetings will be recorded using the Streetwise anti-social behaviour recording system and this will act as extra guidance to officers.

Carrying Out Initial Discussion with a Tenant / Good Practice Guidelines

1. Confidentiality is paramount unless there are concerns about a child, young person or vulnerable adult – this must be explained to tenants in terms of safeguarding.
2. A tenant experiencing domestic abuse will often expect to receive a negative response to their situation – don't make assumptions about them.
3. Listen, believe, reassure and take what is said seriously
4. Provide information about options but never make choices for people – they will know the level of danger better than you.
5. Use non-threatening, open questions.
6. Obtain permission to share information or approach other agencies unless there are concerns in relation to a child's safety.
7. Establish safe contact telephone numbers/addresses.
8. Never give out details to anyone else without the tenant's permission.
9. Never act as a go-between, between a tenant experiencing domestic abuse and the perpetrator.
10. Always allow time for the tenant to talk and express their feelings.

Face to face meetings will be carried out in a sensitive and supportive manner and immediate housing options and tenancy rights will be discussed. Contact with the police will be discussed

A Safe Lives Risk Identification Checklist (DASH) will be completed (Refer to appendix A). A referral to MARAC will be made if the threshold is met Advice or support available (Domestic Violence, Women's Aid, Citizens Advice Bureau etc) will be given. At the end of the meeting, the Officer should agree with the tenant what action will be taken. The tenant will then be written to (or contacted by other preferred means) within five days with the agreed action plan. The Officer will ensure that contact is maintained with the tenant until they feel that support is no longer necessary.

Further contact with the tenant may need to include discussion on issues such as:

- Contacting the police if not already done so
- Longer term housing options
- Advice on welfare benefits
- Legal action to be taken against the perpetrator
- Re-housing options
- Additional security for the home
- Referral to Domestic Violence support Services
- Advice on how to self-refer to for Domestic Violence Support
- A referral to social work services when there is a child in the household

Where possible, WSHA will assist and support a tenant to enable them to remain in their home. (This could include a referral to suitable local agency). In some cases however, the tenant may feel unable to return to their home, either in the immediate or longer term - for example if the perpetrator of the domestic abuse remains in the property or in the locality of the property.

WSHA will aim to provide appropriate support to tenants of domestic abuse by ensuring that contact is maintained and with the permission of the tenant by ensuring that they are referred to other specialist agencies that can provide support.

Tenancies

If the tenant experiencing domestic abuses is named on the tenancy agreement, they may be able to transfer the tenancy agreement solely into their name.

This will depend on:

- the legal status of the relationship
- whose name is on the tenancy agreement

If the tenant is married or has a registered civil partnership, the partner will have a right to live with the tenant within the family home, even if their name is not on the tenancy agreement. They will need to apply to the court for an exclusion order to suspend their rights to live in your home. The court will grant an exclusion order when it can be shown that it is necessary for a tenants own protection or the protection of their children.

As part of a tenancy agreement Tenants, those living with a tenant and any visitors to a property must not harass or assault any person in the house or neighborhood for any reason.

WSHA will consider arranging and paying for additional security of a property in order that a tenant of domestic abuse feels safe to return. This may include items such as lock changes or additional door or window locks. Senior Managers will approve such measures subject to budget considerations.

Where the police wish to install additional security permission will be given immediately subject to agreement on who will maintain such items.

In cases where the property has been damaged by a perpetrator of domestic abuse, repairs will be carried out by the organisation in line with the relevant policy. Although a crime reference number is usually required, in exceptional circumstances, the appropriate Officer has the authority to waive this condition.

Any damage should be photographed and noted and a recharge raised against the perpetrator. Where appropriate, WSHA may seek to take direct action against the perpetrator and report the damage to the police as a crime.

Multi-Agency Approach

WSHA acknowledges that tackling issues of Domestic Abuse requires a multi-agency approach and will endeavour to work with any useful local agencies in individual cases to ensure cases are dealt with in the most effective and efficient way.

WSHA will actively try to engage in good practice when dealing with Domestic Abuse, such as making referrals to MARACs (Multi Agency Risk Assessment Conferences) and following any recommendations or action plans that may arise from them.

Victim Responsibilities

WSHA will provide support and assistance to victims as described in this policy. The organisation acknowledges that tenants who have experienced domestic abuse are often coerced, frightened and bullied into going back with the perpetrator.

Therefore looking at the impact sometimes means that they are lacking self-esteem and self-confidence, it is not normally an event but a process of leaving. With this in mind tenants are responsible for working with the organisation and support agencies to make the support work. Where tenants fail to engage and show no signs of a willingness to engage, and where the behaviour is having an impact on neighbours, WSHA may consider addressing the behaviour under our Anti-social Behaviour Policy.

Confidentiality/GPDR

WSHA recognises that incidents of Domestic Abuse are extremely sensitive, private incidents for tenants to report and will ensure total confidentiality on any cases that are reported.

WSHA may however share relevant information with local agencies such as the Police Scotland or Social Work Services. This will mean that cases are dealt with more effectively by either gathering extra evidence to carry out enforcement measures against the perpetrator or sharing information in the interests of the tenant and/or their dependants to provide better or more effective support.

Complaints or Appeals

Any complaints about failure to follow this policy or about the way a tenant has been treated in relation to this policy will be dealt with by WSHA's complaints procedure. The procedure can be used by anyone who receives a service from WSHA and is affected by a decision or action taken by us, or anyone who represents such a person.

Monitoring and Evaluation

Cases of domestic abuse will be reviewed on a three monthly basis by the appropriate managers of services.

Cases will also be logged by individual officers on the Streetwise database and monitored.

Appendix A

Appendix A provides the risk assessment known as the Domestic Abuse, Stalking and 'Honour'-based violence Safe Lives Risk Identification Checklist (DASH).

Directory of Services

A directory of services which offer support and accommodation in relation to domestic abuse can be found on page 10, 11 and 12 of this policy.

Appendix A

SafeLives Risk Identification Checklist

Aim of the form

- To help front line practitioners identify high risk cases of domestic abuse, stalking and 'honour'- based violence.
- To decide which cases should be referred to MARAC and what other support might be required. A completed form becomes an active record that can be referred to in future for case management.
- To offer a common tool to agencies that are part of the MARAC process and provide a shared understanding of risk in relation to domestic abuse, stalking and 'honour'-based violence.
- To enable agencies to make defensible decisions based on the evidence from extensive research of cases, including domestic homicides and 'near misses', which underpins most recognised models of risk assessment.

How to use the form

Recommended referral criteria to MARAC

1. Professional judgement: if a professional has serious concerns about a victim's situation, they should refer the case to MARAC. There will be occasions where the particular context of a case gives rise to serious concerns even if the victim has been unable to disclose the information that might highlight their risk more clearly. ***This could reflect extreme levels of fear, cultural barriers to disclosure, immigration issues or language barriers particularly in cases of 'honour'-based violence.*** This judgement would be based on the professional's experience and/or the victim's perception of their risk even if they do not meet criteria 2 and/or 3 below.

2. 'Visible High Risk': the number of 'ticks' on this checklist. If you have ticked 14 or more 'yes' boxes the case would normally meet the MARAC referral criteria.

3. Potential Escalation: the number of police callouts to the victim as a result of domestic violence in the past 12 months. This criterion can be used to identify cases where there is not a positive identification of a majority of the risk factors on the list, but where abuse appears to be escalating and where it is appropriate to assess the situation more fully by sharing information at MARAC. It is common practice to start with 3 or more police callouts in a 12 month period but **this will need to be reviewed** depending on your local volume and your level of police reporting.

Before completing the form for the first time we recommend that you read the Quick Start Guidance for Domestic Abuse, Stalking and 'Honour'-Based Violence on page 7 of this Toolkit. Full practice guidance and FAQs can also be downloaded here:

http://www.safelives.org.uk/marac/RIC_for_MARAC.html.

Risk is dynamic and can change very quickly. It is good practice to review the checklist after a new incident. Please pay particular attention to a practitioner's professional judgement in all cases. The results from a checklist are not a definitive assessment of risk. They should provide you with a structure to inform your judgement and act as prompts to further questioning, analysis and risk management whether via a MARAC or in another way. **The responsibility for identifying your local referral threshold rests with your local MARAC.**

What this form is not

This form will provide valuable information about the risks that children are living with but it is not a full risk assessment for children. The presence of children increases the wider risks of domestic violence and step children are particularly at risk. If risk towards children is highlighted you should consider what referral you need to make to obtain a full assessment of the children's situation. Once completed, this form should be sent via secure means to the relevant Marac. Please do not send it to SafeLives; to do so would be a breach of the Data Protection Act.© SafeLives 2015. Please acknowledge SafeLives when reprinting. Registered charity number 1106864. referral you need to make to obtain a full assessment of the children's situation

Name of victim: complete	Date:	Restricted when
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Once completed, this form should be sent via secure means to the relevant Marac. Please do not send it to SafeLives; to do so would be a breach of the Data Protection Act.© SafeLives 2015. Please acknowledge SafeLives when reprinting. Registered charity number 1106864.

SafeLives Risk Identification Checklist for use by IDVAs and other non-police agencies¹ for identification of risks when domestic abuse, 'honour'- based violence and/or stalking are disclosed Please explain that the purpose of asking these questions is for the safety and protection of the individual concerned. Tick the box if the factor is present. Please use the comment box at the end of the form to expand on any answer. It is assumed that your main source of information is the victim. If this is not the case, please indicate in the right hand column	YES	NO	DON'T KNOW	State source of info if not the victim (eg police officer)

1. Has the current incident resulted in injury? Please state what and whether this is the first injury.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Are you very frightened? Comment:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. What are you afraid of? Is it further injury or violence? Please give an indication of what you think [name of abuser(s)] might do and to whom, including children. Comment:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Do you feel isolated from family/friends? ie, does [name of abuser(s)] try to stop you from seeing friends/family/doctor or others? Comment:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Are you feeling depressed or having suicidal thoughts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Have you separated or tried to separate from [name of abuser(s)] within the past year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Is there conflict over child contact?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Does [name of abuser(s)] constantly text, call, contact, follow, stalk or harass you? Please expand to identify what and whether you believe that this is done deliberately to intimidate you? Consider the context and behaviour of what is being done.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Are you pregnant or have you recently had a baby (within the last 18 months)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Is the abuse happening more often?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Is the abuse getting worse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>12. Does [name of abuser(s)] try to control everything you do and/or are they excessively jealous? For example: in terms of relationships; who you see; being 'policed' at home; telling you what to wear. Consider 'honour'-based violence (HBV) and specify behaviour.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>13. Has [name of abuser(s)] ever used weapons or objects to hurt you?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>14. Has [name of abuser(s)] ever threatened to kill you or someone else and you believed them? If yes, tick who: You <input type="checkbox"/> Children <input type="checkbox"/> Other (please specify) <input type="checkbox"/></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Further information and Support

Support for women experiencing domestic abuse
<p>Glasgow Women's Aid The organisation provides information, support and refuge accommodation to women, children and young people who are experiencing domestic abuse 0141 553 2022</p>
<p>Glasgow East Women's Aid Provides support for women, children and young people who are affected by domestic abuse</p> <p>Telephone: 0141 781 0230 , Crisis Line : 0141 773 3533 Email: collective@gewa.org.uk</p>
<p>North Lanarkshire Women's Aid Provides confidential service offering support and temporary accommodation to women and their children who have experienced domestic abuse Telephone: 01236 730992 or Email: nlwaid@aol.com</p>
<p>South Lanarkshire Women's Aid Provides confidential service offering support and temporary accommodation to women and their children who have experienced domestic abuse.</p> <p>Telephone: 01355 249897</p>
<p>North Ayrshire Women's Aid Provides confidential service offering support and temporary accommodation to women and their children who have experienced domestic abuse.</p> <p>Telephone : 01294 602 424</p>
<p>East Ayrshire Women's Aid The organisation provides information, support and refuge accommodation to women, children and young people who are experiencing domestic abuse, forced marriage and honour based violence</p> <p>Telephone: 01563 536001 or Email: info@eastayrshirewomensaid.org.uk</p>
<p>Scottish Domestic Abuse and Forced Marriage Helpline Free 24-hour helpline on 0800 027 1234 and website offering straightforward advice and information for people facing domestic abuse.</p>
<p>Scottish Women's Rights Centre</p> <p>The Scottish Women's Rights Centre help women aged 16 and over affected by violence and abuse by providing free legal information and advice.</p> <p>Freephone 08088 010 789</p> <p>Tuesdays 6-9pm; Wednesdays 1.30-4.30pm; Fridays 10am-1pm</p>

Rape Crisis Scotland

Free, confidential information and support for girls and women who have undergone sexual abuse at any time in their lives. **08088 01 03 02**

SAY Women

SAY Women is a voluntary organisation which offers safe and secure accommodation for young women who are survivors of childhood sexual abuse, rape or sexual assault and who are homeless or threatened with homelessness. **0141 552 5803**

Support for BME women experiencing domestic abuse

Hemat Gryffe Women's Aid

Hemat Gryffe Women's Aid provides support and practical help to Asian, black and ethnic minority women who have suffered mental and physical harassment and abuse either from the partner, ex-partner or within the extended family system. They are based in Glasgow and their services include a drop-in Centre and refuge. Hemat Gryffe have a 24-hour emergency helpline **0141 353 0859**.

Amina

The Muslim Women's Resource Centre offers a range of support services. You can call their free helpline **0808 801 301** and on Fridays there is an Imam you can speak to on the helpline. They have offices in Glasgow and Dundee. The languages spoken are Arabic, Bangla, English, Swahili and Urdu.

Muslim Community Helpline

The Muslim Community Helpline aims to provide any Muslim girl or woman in a crisis with a free, confidential listening service and referral to Islamic consultants, plus practical help and information where required.

Tel: **020 8904 8193** or **020 8908 6715**.

Shakti Women's Aid

This Edinburgh based service run by black women offers advice, information, counselling, support and temporary accommodation for black and minority ethnic women and their children escaping domestic violence. Workers can provide information on housing, benefits, legal issues, immigration, nationality, racial harassment and health. Their support services are available across Edinburgh, the Lothians, Fife, Central Belt and Tayside. Languages spoken include Arabic, Gujarati, Hindi, Punjabi, Singhalese, Swahili and Urdu. You can contact them on **0131 475 2399**.

Support for men experiencing domestic abuse

Men's Advice Line

Support and advice for men experiencing domestic abuse. **0808 801 0327**

Survivors UK

Survivors UK provides support and resources for men who have been sexually abused or raped or experienced any form of sexual violence. **02035983898**

Support for LGBT people experiencing domestic abuse

Broken Rainbow

Support services and advice for lesbian, bisexual, gay and transsexual people experiencing domestic abuse. **0300 999 5428**

Support for perpetrators of domestic violence

Everyman Project

Counselling project that helps men who are being abusive towards their partners to learn to control their behaviour. **0207 263 8884**

Support for young people

The Hideout

Information for children and young people affected by domestic abuse. **0800 1111**

ChildLine