

## **POLICY**

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### **Vulnerable Tenants - Domestic Abuse**

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# **Wellhouse - The Place to Be**

Date of Last Review: October 2019

Reviewed: December 2022

Date of Next Review: December 2025

Reviewed by: Housing and Customer Service Manager

**We can produce this document in different formats, for instance, in larger print, Braille or audio-format; we can also translate this document into specific languages, as appropriate.**

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### **Linked Policies/Procedures**

1.	Equality and Diversity Policy
2.	Openness and Confidentiality
3.	Allocation Policy
4.	Tenant Participation Strategy and Action Plan
5.	Data Protection

# 1. Vision and Values

## Wellhouse – the Place to Be

Our domestic abuse policy supports our vision of Wellhouse as an attractive place where people feel safe, benefit from having a good home and an attractive environment and feel proud to be part of a vibrant community. It does this by setting out how we will assist vulnerable tenants experiencing domestic abuse, and should be read in conjunction with our allocations policy

The policy is underpinned by our strategic values of Trust, Honesty, Integrity, Excellence, Accountability and Sustainability.

## 2. Governance

Wellhouse HA is a community controlled Registered Social Landlord and is managed by our Management Committee.

Our domestic abuse policy has been approved by the Management Committee. and they will monitor its implementation, to ensure that it delivers against our strategic aims, promotes our strategic values and delivers against our agreed service standards.

## 3. Policy Aims

- 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/survivor by providing information on the options available to them;
- improve the response to victims/survivor 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.

#### **4. Equal Opportunities Statement**

We aim to ensure that all our services provide equality of opportunity.

We will not discriminate against any individual for any reason, including age, disability, gender re-assignment, marriage, civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, or other status.

We will promote equality and diversity throughout our domestic abuse policy and related procedures by:

- providing accurate and clear information to customers about our domestic abuse policy
- using interpreters for people from black and minority ethnic groups, or for disabled people, as appropriate
- working in partnership with the Glasgow City Council to address homelessness and to promote social inclusion
- responding to the different needs and service requirements of individuals (including those with protected characteristics)
- monitoring our domestic abuse advice and services to ensure that they services prevent any form of discrimination, as well as promoting awareness of equal opportunity matters

#### **5. Legislation**

The following legislation is relevant to this policy:

- Domestic Abuse (Scotland) Act 2018
- Domestic Abuse (Scotland Act) 2011
- Adult Support and Protection (Scotland) Act 2007
- Children (Scotland) Act 1995
- Children's Hearing (Scotland) Act 2011
- Forced Marriage etc. (Protection and Jurisdiction (Scotland) Act 2011
- Protection from Abuse (Scotland) Act 2001
- Housing (Scotland) Act 1987
- Homelessness etc. (Scotland) Act 2003

## **6. Scottish Housing Charter**

The Scottish Government's Social Housing Charter came into force in April 2012, was reviewed in 2019 and 2022. The Charter sets out the standards and outcomes that Registered Social Landlords should achieve.

There are 8 outcomes under the Charter that are especially relevant to our Vulnerable Tenants Domestic Abuse Policy. These are:

### **Outcome 1: Equalities**

Social landlords perform all aspects of their housing services so that:

- they support the right to adequate housing
- every tenant and other customer has their individual needs and rights recognised, is treated fairly and with respect, and receives fair access to housing and housing services

### **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

### **Access to Housing and Support Outcome 7, 8 and 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
- tenants and people on housing lists can review their housing options.

Social landlords 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 to remain in their homes and ensure suitable support is available, including services provided directly by the landlord and other organisations.

## 7. The Policy

### Introduction

**7.1** This Policy sets out how Wellhouse Housing Association (WHA) views domestic abuse, and how we will respond to and seek to deal with any reports of abuse affecting tenants or members of their households. The term 'abuse' covers violence as well as verbal or other forms of abuse.

**7.2** WHA believes that domestic abuse presents one of the highest risks to personal safety and is unacceptable. We will therefore take the strongest action possible against perpetrators where we have the power to do so and with consent of the victim. We will deal with all reports of domestic abuse as an emergency and respond to them within 1 working day. 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

WHA will use the Scottish definition of domestic abuse, which is:

"Domestic Abuse, as gender-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 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 and friends. It can be characterised by a pattern of coercive control often escalating in frequency and severity over time".

**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,
- Regulating their 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.

**7.3** 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.

WHA encourages all tenants and household members to report domestic abuse, whether they are victims/survivor of, or witnesses to, such incidents. Similarly WHA employees will be encouraged to do the same. We will deal with all reports of domestic abuse with sensitivity.

**7.4** WHA have pledged to 'Make a stand 'against domestic abuse and we will:

- Make all new tenants aware of WHA'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 the office and make information about national and local domestic abuse support services available on our website.
- Appoint the Housing Manager as the champion who will own the activity that WHA are doing to support victims/survivor.

**7.5** We will adopt a survivor centred approach in dealing with domestic abuse whereby:

- if a person feels they are experiencing domestic abuse we will deal with it under this policy.
- We will not require victims/survivor to contact the Police or to take legal action before we provide assistance.
- 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.

## **7.6 Confidentiality**

Victims/survivor will be encouraged to allow WHA to share information with other agencies, including Police and Local Authority departments, to ensure that the full range of civil and criminal action can be pursued and the 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.

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 Director or Manager must approve any disclosure that does not have the victim's consent.

Information will be shared with work colleagues on a 'strictly need to know' basis. We will adhere to all current data protection requirements

**7.7** Our approach will be one driven by the victim's choice and where appropriate, and with consent, we will seek to prevent homelessness and move the perpetrator. If this is not possible, we will use the allocations process to prioritise the victim and their

family to a new home by means of management transfer. However, the default position is to sustain the tenancy and rehouse the perpetrator.

We recognise that every case will be different and our response will be tailored to the individual circumstances and needs of the victim. When a tenant reports domestic abuse all available options will be discussed and considered with including:

- Making arrangements for their immediate personal safety;
- Reviewing and where possible improving the safety and security of their existing home to enable them to remain there safely;
- WHA will not recharge for lock changes and damages due to domestic abuse.
- Reporting incidents to the Police, which may result in criminal action against the perpetrator
- Where appropriate, we will work with Police and other external agencies to seek legal action against the perpetrator, which may include recovery of possession where other members of the household have left the property due to domestic abuse.
- When the victim requires emergency rehousing, WHA will provide advice and assistance on accessing emergency accommodation from Glasgow City Council.

## **8. Monitoring**

We will report on the progress of the implementation of this policy and our pledge to 'Make a Stand' annually to the Management Committee but we will not name our customers in our reports.

## **9. Consultation**

We aim to deliver excellent services, which respond to local needs and reflect what is most important to our customers.

To do that we need our customers to tell us how well our policy is working and help us to make the changes which will improve it. This is done in line with our Tenant Participation Strategy.

## **10. Complaints**

We have a separate complaints policy and procedure. Leaflets and copies of the complaints procedure are available from the Association's office and on our website. We also provide information on how our customers can make a complaint to the Scottish Public Services Ombudsman, Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS, telephone 0800 377 7300 or 0131 225 5300 and how to contact the Scottish Housing Regulator.

The Ombudsman will not normally deal with complaints unless customers have followed the Association's complaints' procedure.

## **11. Review Timeframe**



The policy will be reviewed every three years, or sooner, in response to a change in legislation or circumstance.

## **12. General Data Protection Regulations - UK**

The organisation will treat personal data in line with our obligations under the current data protection regulations and our own GDPR Policy. Information regarding how data will be used and the basis for processing data is provided in Wellhouse HA's privacy notice.