

## Domestic Abuse Policy

H.14

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This policy document can be produced in various formats, for instance, in larger print or audio-format; and it can also be translated into other languages, as appropriate.

Our equality and diversity policy statement describes our key equality commitments that we use to develop all organisational services; this includes employment services and services to tenants and other customers.

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## 1. INTRODUCTION

- 1.1 This policy sets out how Pineview Housing Association Limited 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 Association also recognises that domestic abuse can affect our staff and governing body members and will deal with such matters through other staff or committee support or code of conduct arrangements as may be deemed appropriate. Any member of staff or governing body member affected should speak with the Housing Services Manager (HSM) or Director.
- 1.2 We believe that domestic abuse presents one of the highest risks to personal safety and is never acceptable. We will therefore take the strongest action appropriate against perpetrators of domestic abuse where it has the power to do so and with the consent of the victim.
- 1.3 This policy applies to all our tenants and members of their households who experience domestic abuse, irrespective of age, gender, sexuality, disability ethnicity, religion, social background or any other protected characteristic identified in the Equality Act.
- 1.3 We will deal with all reports of domestic abuse as an emergency and respond to them within 24 hours. We will work with the person reporting domestic abuse 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 we feel is most appropriate, having regard to the views and wishes of the person experiencing domestic abuse.

## 2. Definition

- 2.1 We will use the Police Scotland and Crown Office and Procurator Fiscal Service (OPFS) definition of domestic abuse as follows::

"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."

Domestic Abuse (Scotland) Act 2018

2.2 The Domestic Abuse (Scotland) Act 2018 came into force on 1<sup>st</sup> April 2019 and recognises controlling behaviour and emotional abuse as a criminal offence – domestic abuse does not need to be physical to fall within the scope of the Act

2.3 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 everyday behaviour.

2.4 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.

2.5 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.

### **3. Aims of the policy**

3.1 By adopting this policy, Pineview Housing Association. aims to:

- improve overall safety and wellbeing by recognising that domestic abuse is a serious matter which can have 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 those experiencing domestic abuse 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.

### **4. RESPONSIBILITIES**

#### **4.1 Committee of Management**

- To ensure that PHA Ltd. has approved and implemented a policy on domestic abuse.

#### **4.2 Staff**

- Director: To ensure all employees and Committee Members are aware of the policy and their responsibilities under it.
- Housing Services Manager (HSM):
  - To ensure the policy and any associated procedures are reviewed regularly.
  - To co-ordinate the provision of any training required to enable employees to recognise and respond to incidents of domestic violence or abuse.
  - To ensure that relevant employees are fully aware of their responsibilities under the policy, in particular of the importance of reporting any incidents or pattern they become aware of.
- All staff: To ensure they are aware of their responsibilities under this policy, and that they implement the policy and any associated procedure when appropriate.

## **5. POLICY FRAMEWORK**

5.1 We encourage all tenants and household members to report domestic abuse, whether they are experiencing, or witnesses to, such incidents. We will deal with all reports of domestic abuse with sensitivity.

### **5.2 Prevention**

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

- make all new tenants aware of PHA Ltd.'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 PHA Ltd.'s office.

### **5.3 Survivor-centred approach**

5.3.1 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.

5.3.2 We will deal with all reports in a non-judgemental manner and in confidence. We will not require victims to provide evidence, take legal action or to contact the Police before we provide assistance.

5.3.3 We will only take action with the consent of the person experiencing the abuse. 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 experiencing domestic abuse, any interaction with them will be guided by best practice guidelines.

### **5.4 Confidentiality**

5.4.1 Persons reporting domestic abuse 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 will be treated with the utmost confidence and only passed to external agencies with their proper, informed consent.

5.4.2 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.

Pineview's Housing Services Manager and/or Data Protection Officer (DPO) must approve any disclosure that does not have the victim's consent.

5.4.3 Information will be shared with work colleagues on a strictly 'need to know' basis. We will adhere to all current data protection requirements (see Section 4.2 of the Records Management Policy and our Data Protection Policy)

## **5.5 Options for action**

5.5.1 We recognise that every reported case of domestic abuse will be different. Our response will therefore be tailored to the individual circumstances and needs of the person experiencing the abuse. 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;
- referral to our in-house domestic abuse advocate (HSM);
- reporting incidents to the Police, which may result in criminal action against the perpetrator;
- where appropriate, legal action against the perpetrator by PHA Ltd.

5.5.2 The safety of the person experiencing abuse and their dependents will be our priority. An Action Plan setting out further actions will be agreed with the person, and we will regularly contact them and keep them updated with progress.

## **5.6 Assistance for those reporting domestic abuse**

5.6.1 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 Services Manager.

## **5.7 Remaining in the property**

5.7.1 We will advise those who wish to remain in their own homes of any local 'sanctuary' schemes (i.e. funds available to improve the security of their existing accommodation). We will assist to gain access to such funds for our tenants, to assist them in rebuilding their lives and homes. We may also consider funding such improvements where there are no local authority sanctuary schemes in place.

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

## **5.8 Emergency rehousing**

5.8.1 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 an appropriate refuge. We will provide a referral letter where appropriate and advocate on our tenants behalf.

## **5.9 Permanent rehousing**

5.9.1 Where a resident reporting domestic abuse requests permanent rehousing, we may prioritise their application. In such cases the suspension policy may not be applicable and we will review and determine the action to be taken on a case by case basis. There will normally be a limit on the number of occasions we will offer this, typically it will only be offered once.

## **5.10 Multi-agency approach**

5.10.1 We will adopt a multi-agency approach in dealing with those experiencing abuse 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.

## **5.11 Action against perpetrators**

5.11.1 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.

5.11.2 Subject to data protection requirements, we will share information with other relevant agencies so that serial perpetrators are identified and dealt with appropriately and also take part in multi-agency safeguarding meetings when invited to do so.

## **6. TRAINING AND DEVELOPMENT**

6.1 The training requirements of Management Committee and staff will be regularly assessed to ensure that they have the necessary skills to effectively implement and monitor this Domestic Abuse Policy.

## **7. EQUALITY AND DIVERSITY**

7.1 Our core values include providing a fair and equal service for all people and this is detailed in our Equality and Diversity Policy. Our approach to dealing with reports of domestic abuse will reflect this commitment.

## **8. COMPLAINTS / Appeals**

8.1 If anyone is not happy /satisfied with the service they have received as a result of this policy has a right to complain. Please see the Association's Complaints Policy for details on hoe to do this.

## **9. REVIEW /CONSULTATION**

9.1 This policy will be reviewed every 3 years unless amendment is prompted by a change in legislation or monitoring / reporting reveals that a change in policy is required sooner.

9.2 Procedures and working methods may be altered more frequently where this is needed.

9.3 Policy review will involve consultation with our tenants, our Customer Forum and any other relevant stakeholders.

9.4 We will take account of any views or representations in revising our policy and service provision to assist in the development of effective service delivery.