

Policy Name	Domestic Abuse & Violence Against Women & Girls (VAWG) Policy
Policy Category	Customer Services
Policy Number	TM009
Officer Responsible	Head of Housing and Corporate Services
Application	Lochaber Housing Association
Date to the Board of Management	November 2020
Date to Your Voice Partnership	October 2020
Next Review Date	November 2025



MAKE A STAND
Our homes, our people, our problem.

We've signed the **Make a Stand** pledge to support people experiencing domestic abuse, have you?

women's aid
until women & children are safe

 Chartered Institute of Housing

 daha
Domestic Abuse Housing Alliance

#makeastand
cih.org/makeastand

The Make A Stand Pledge

Lochaber Housing Association has signed the 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 was created to encourage housing organisations to make a commitment to support people experiencing domestic abuse. ¹

The Association is committed to taking action to support people experiencing domestic abuse. By signing, we pledge that we will implement a domestic abuse policy to support tenants and staff and we will raise awareness of national and local domestic abuse support services so that they are easily accessible.

1. Introduction

1.1 The definition of domestic abuse, a form of gender-based violence (GBV) used by Police Scotland is:

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

¹ <http://www.cih.org/makeastand>

partnership or otherwise) or ex-partners. The abuse can be committed in the home or elsewhere including online'.²

1.2 Abusers and victims can be male or female, any race or religion and from all different types of background. It does not matter how old someone is, what race or ethnicity they are, what class they are, whether they are disabled, whether they have children - anyone can experience domestic abuse.

1.3 Abusive behaviour includes but is not limited to:

- Violence (including physical violence such as hitting, punching, kicking and sexual violence such as rape, coerced sex).
- Threats or intimidation.
- Abusive behaviour directed to a child under 18 years of age.
- Behaviour that creates dependency such as financial abuse.
- Controlling behaviour such as isolation from friends, relatives, or other sources of support.
- Coercive behaviour such as causing fear, humiliating, degrading, or punishing behaviour.

1.4 The Scottish Government domestic abuse report in 2018-19 reported that 88% of all domestic abuse incidents occurred in a home or dwelling.³

1.5 Domestic abuse is a crime in Scotland.

2. Overview

2.1 This policy sets out how the Association will take steps to assist and support any person suffering from or a survivor of domestic abuse. It applies to all tenants, potential tenants, and members of and visitors to their households.

2.2 The Association believes that members of the communities in which we operate should not live in fear of abuse. We take domestic abuse seriously, and are committed to providing a sensitive, confidential and supportive response to any incidents disclosed to us; and to working with others to prevent, control and alleviate incidents of abuse that occur within our communities.

² <https://www.gov.scot/publications/domestic-abuse-scotland-2018-2019-statistics/>

³ <https://www.gov.scot/publications/domestic-abuse-scotland-2018-2019-statistics/pages/2/>

3. Aims

3.1 By having a written policy for responding to incidences of domestic abuse, the Association can ensure that:

- Our staff and communities know that domestic abuse is not tolerated in any form.
- Staff can identify domestic abuse at the earliest stages of a tenancy including tenancy sign-up.
- Victims of domestic abuse are offered sensitive, confidential, and appropriate advice and support services.
- Children and young people affected by domestic abuse also have access to services as early as possible.
- We assist people experiencing domestic abuse to live safely and securely.
- We develop and deliver our services appropriately.
- We work in partnership with other agencies to meet the needs of people suffering domestic abuse and take steps to prevent future domestic abuse.
- Perpetrators are challenged about their behaviour and where and safe to do so, holding perpetrators to account where we have the power to do so.

4. Prevention

4.1 The Association will work with others to assist in the prevention of domestic abuse. This will include but not be restricted to the following:

Organisational Culture

- Speak out openly against domestic abuse and challenge the perceptions, behaviours and attitudes in society that directly or indirectly support it.
- Promote an open, approachable, confidential, and non-judgemental culture across all areas of business.
- Offer a safe environment for victims to disclose abuse without pressure or moral judgements being made.

Policy and Practice

- Have up to date policies and practices that reduce the impact of domestic abuse on families; help victims to find sustainable housing solutions, and to prevent further danger.

- Publicise our Domestic Abuse Policy to all tenants and employees.
- Make all new tenants aware of Lochaber Housing Association's policies relating to re-housing: relationship breakdown and where applicable the implications of joint tenancies.
- Enforce a strict confidentiality policy, making any exceptions clear and transparent (for example disclosures or evidence of criminal activity, child protection concerns, and matters relevant to agreed information sharing protocols with statutory organisations).

Informed and Competent Staff

- All staff dealing with the public will receive training and guidance on levels and patterns of domestic abuse, the impact on victims, the warning signs of abuse, and how to respond appropriately.
- Staff will have regular access to the appropriate level of training and guidance on legal frameworks; appropriate advice and information on tenancy and property rights and be able to signpost to appropriate financial and legal advice when required.
- The Association will ensure a list of local agencies able to offer advice or support to victims of domestic abuse is kept up to date and is readily available to all staff dealing with members of the public.

5. Our Approach

- 5.1 The Association will take a victim and survivor-centred approach in responding to disclosures of domestic abuse. We recognise that evidence may not always be available, and in such circumstances will accept the victim's account.
- 5.2 The Association recognises that our staff may be the first point of contact for a victim of domestic abuse. We will therefore work to ensure that relevant officers have the skills and knowledge to effectively manage reports and disclosures, and to recognise signs that a resident may be suffering from abuse.
- 5.3 Wherever possible, a victim will be offered an interview with an officer of the same sex. The victim's preferred means of ongoing contact will be established. Where appropriate the officer will contact other agencies. This will only be with the victim's permission unless there is a professional duty to do so.
- 5.4 The Association will be guided by the victim in determining the most appropriate course of action to take. Staff will advise the victim of the range of options available, both to respond to the immediate situation and to deal with the longer term. A flexible approach will be maintained to take account of the individual and varying circumstances of victims. Advice will include housing options, occupancy rights, potential legal remedies, and sources of specialist advice and information.

- 5.5 To prevent possible repercussions, strict confidentiality will be maintained, and the perpetrator will not be contacted by the Association unless necessary, (to resolve occupancy rights, for example) and only with advance notification to the victim.
- 5.6 Responding quickly to support people who are or who have experienced abuse to feel safe at home through the provision of small but practical adaptations within the home to enable victims to remain in a familiar environment.
- 5.7 If the victim is unable to return home, the officer will liaise with the local authority or Women's Aid group, subject to the wishes of the victim, to obtain temporary accommodation, unless the victim prefers to make other arrangements (for example to stay with friends or relatives).
- 5.8 Where the victim wishes to move away, assistance and advice will be provided on available housing options. This may include a reciprocal arrangement with another local authority or registered social landlord where a solution cannot be achieved within the Association's own housing stock. Policy restrictions that may otherwise prevent a move (for example rent or other tenancy debts, outstanding tenant repairs, or a history of anti-social behaviour within the property) will be waived or alternative arrangements agreed at the discretion of the Housing Services Co-ordinator where the safety of the tenant or a member of their household is of greater importance.
- 5.9 Referring and signposting to ensure that people experiencing domestic abuse can access appropriate services as early as possible and receive advice and support to allow them to make choices about what to do next.

6. Holding Perpetrators Accountable

- 6.1 The Association will work with The Highland Council, Police Scotland, and other external agencies to hold perpetrators of domestic abuse accountable for their actions. The approach taken against perpetrators will depend on individual circumstances. This may range from support to access specialised help to stop the behaviour, to housing options advice and support, to move away from the tenancy, to legal action for recovery and possession against the perpetrator and re-charging them directly for any damage in the property.
- 6.2 An interdict or other order to prevent the perpetrator being allowed in the vicinity of the Association's property may be considered where there is a high risk of damage to property. Interdicts, ASBOs or other orders on behalf of the victim will normally only be applied for by the Association in exceptional circumstances.
- 6.3 Where a property has been damaged by a perpetrator, repairs will be carried out in accordance with our Repairs policy. A requirement for a crime reference number may be waived at the discretion of the appropriate officer. Damage will be photographed and recorded, and where appropriate the Association may act against the perpetrator to report criminal damage and/or recharge the cost of repairs to the perpetrator.

6.4 Subject to General Data Protection Regulations (GDPR) the Association will share information with other relevant agencies so that serial perpetrators are dealt with appropriately.

7. Partnership Working

7.1 Managing reports of domestic abuse will often require a multi-agency approach. The Association will ensure that people experiencing or have experienced domestic abuse are placed in contact with the appropriate agencies for specialist advice and support with their consent.

7.2 A Multi Agency Risk Assessment Conference (MARAC)⁴ is a victim focused information sharing and risk management meeting attended by all key agencies, where high risk cases are discussed. The role of the MARAC is to facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety. In a single meeting, MARAC combines up to date risk information with a timely assessment of a victim's needs and links those directly to the provision of appropriate services for all those involved in a domestic abuse case: victim, children and perpetrator.

7.3 Referrals can be made to a MARAC group. However other agencies will only be involved, and information shared with the consent of the victim unless:

- the information is necessary for the protection of children or vulnerable adults.
- the information is required as part of a criminal investigation.

7.4 We will ensure the appropriate employees attend and contribute to the MARAC process.

7.5 The Association will work with local statutory agencies and other organisations and will participate in local forums to develop appropriate strategies and approaches for responding to the needs of those experiencing domestic abuse.

7.6 The Association will view sympathetically any requests to provide supported or secure accommodation for victims of domestic abuse in partnership with specialist advice providers, subject to available resources.

7.7 The Association will collaborate with partners to provide a co-ordinated response.

8. Equalities

8.1 The Association recognises that data consistently supports the fact that domestic abuse is mostly perpetrated by men against women, Scottish Government domestic abuse statistics 2018 – 2019 show that where gender information was

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<https://safelives.org.uk/sites/default/files/resources/SafeLives%27%20Marac%20overview%20Scotland.pdf>

recorded, around four out of every five incidents of domestic abuse had a female victim and a male accused. However, this policy applies equally to men who have been subjected to domestic abuse, in 2018-19, 16% of domestic abuse incidents involved a male victim and a female accused.⁵

- 8.2 We are committed to promoting an environment of respect, understanding, encouraging diversity, and eliminating discrimination by providing equality of opportunity for all. This is reflected in our Equality & Diversity Policy.

Ethnic minorities

The Association recognises that victims from black and minority ethnic (BME) communities may face issues, including greater risk of homelessness, cultural barriers, and immigration restrictions. The Association will be sensitive to the needs of BME victims and will obtain specialist advice, translation and interpretation services where required.

Children in households experiencing abuse

The Association recognises that children and young people who experience or witness abuse are at greater risk of becoming victims and of long-term mental health consequences. Any concerns will be reported to a line manager and a report sent to the local child protection team. Every action will be made to involve the child in actions being taken in partnership with specialist agencies wherever feasible.

Older People

The Association recognises that older people may potentially be vulnerable to domestic abuse, the situation often being exacerbated by increased frailty, mobility problems and, on occasion, deteriorating mental capacity. The Association will be sensitive to the needs of older people, and will obtain specialist advice, where necessary, to support and protect individuals at risk.

9. Review and Reporting

- 9.1 This policy will be reviewed no less than every five years. Reports on the outcomes of the policy will be made by the Head of Housing and Corporate Services to the Association's Management Team on an annual basis or as otherwise required.

Legislative context:

Domestic Abuse (Scotland) Act 2018

<https://www.legislation.gov.uk/asp/2018/5/contents/enacted>

⁵ <https://www.gov.scot/publications/domestic-abuse-scotland-2018-2019-statistics/pages/2/>

Domestic Abuse (Scotland) Act 2011

<https://www.legislation.gov.uk/asp/2011/13/contents>

Housing (Scotland) Act 2001

<https://www.legislation.gov.uk/asp/2001/10/contents>

Housing (Scotland) Act 2014

<https://www.legislation.gov.uk/asp/2014/14/contents/enacted>

Equity Act 2010

<https://www.legislation.gov.uk/ukpga/2010/15/contents>

Data Protection Act 2018

<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

10. Directory of Support Services

Women's Aid provide a range of information and support on domestic abuse, including support for people experiencing domestic abuse and people who are concerned that others may be.

Local specialist service: Lochaber Women's Aid

01397 705734

lwa@lochaberwomensaid.org

www.lochaberwomensaid.org

Office hours 9am – 5pm Monday – Friday

Scottish Women's Aid

0131 226 6606 (office hours)

info@womensaid.scot

www.womensaid.scot

The National Domestic Violence Helpline is a free, confidential helpline run by Women's Aid and Refuge for anyone experiencing domestic abuse and it is available 24 hours a day, seven days a week.

www.nationaldomesticviolencehelpline.org.uk

0808 2000 247

RASASH Rape & Sexual Abuse Service Highland

03330 066909

www.rasash.org.uk

Respect is the UK membership organisation for work with domestic violence perpetrators, male victims of domestic violence and young people's violence in close relationships.

Helpline for people concerned about their behaviour – 0808 802 4040

Helpline for men experiencing domestic abuse – 0808 801 0327

<http://respect.uk.net/>

The Highland Council Housing Options

Contact them to arrange an appointment or call into any service point.

01349 886602

Email: housingoptions@highland.gov.uk

https://www.highland.gov.uk/info/997/housing_advice/644/housing_options_-_help_and_advice

The Scottish Citizens Advice Helpline

08000281456

<https://www.cas.org.uk/>

Useful links to other helplines:

<https://www.invernesswa.co.uk/useful-links/>

Support for male victims ⁶

You may find this kind of attack particularly difficult to deal with because domestic abuse is widely, but wrongly, thought of as a crime that only affects women.

It does not just happen to women – men can be victims of domestic abuse too, whether their partner is a man or a woman.

Confidential help and support is available from a range of organisations. They'll listen to you and believe you. They offer emotional support and can advise on many topics you may have questions about, like:

- housing
- legal advice
- safety
- support for your children

Scotland's Domestic Abuse and Forced Marriage Helpline
0800 027 1234 (24 hour service)

Provides confidential information and support to anyone affected by forced marriage or domestic abuse.

AMIS (Abused Men in Scotland)
Phone: 0808 800 0024

Supports men who are experiencing or have experienced domestic abuse. Call the confidential helpline (it's free to call from landlines and most UK mobiles, and does not appear on itemised phone bills)

Victim Support Scotland

Phone: 0800 160 1985 (Monday to Friday, 8am to 8pm)

Provides information and support for victims and witnesses of crime.

Rape Crisis Scotland

Phone: National Helpline on 08088 01 03 02 (6pm to midnight, 7 days a week)

Provides a rape crisis helpline and email support for anyone affected by sexual violence. They can also put you in touch with local rape crisis centres or other services for on-going support.

National LGBT Domestic Abuse Helpline

Phone: 0300 999 5428 or 0800 999 5428

Provides help and support for lesbian, gay, bisexual, and transgender people who are experiencing, or who have experienced, domestic abuse.

⁶ <https://www.mygov.scot/domestic-abuse/support-for-male-victims/>