

KNOWES HOUSING ASSOCIATION LTD

Policy Name	Domestic Abuse Policy
Policy Category	Housing Management
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Links to other Policies	Allocations Policy and Procedure ASB Policy and Procedure
Consultation	Internal – Staff and Committee External – Scrutiny Panel, partner agencies, and housing applicants

VULNERABLE TENANTS - DOMESTIC ABUSE POLICY

1.0 INTRODUCTION

1.1 This policy sets out how Knowes Housing Association Limited (KHA) 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 policy is supported by detailed procedures.

1.2 KHA believes that domestic abuse presents one of the highest risks to personal safety and is unacceptable. KHA will therefore take the strongest action possible against perpetrators of domestic abuse where it has the power to do so and with the consent of the victim.

1.3 KHA will deal with all reports of domestic abuse as an emergency and respond to them within 24 hours. By applying a 'victim centred' approach we will assist the victim to reach a decision which they feel best secures their safety by:

- Reviewing the suitability and safety of their current accommodation
- enabling the level of assistance they want, and
- taking action against the perpetrator which the victim and Association feel is most appropriate.

Definition

1.4 KHA will use the Scottish Government 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 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 and 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)

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by:

- isolating them from sources of support such as family, friends, work mates etc.
- exploiting their resources and capacities 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 pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten the victim. This includes financial abuse, such as withholding money and making people account for every penny they spend.

Sexual Abuse where the victim is forced to have sex and threats towards the victim to share photos and videos on-line that are of a sexual nature.

1.5 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.

Aim of the policy

1.6 By adopting this policy, KHA aims to:

- 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 by providing information on the options available to them;
- options on what the Association can do about the perpetrator;
- improve the response to victims through effective engagement of appropriate external enforcement and support agencies;
- inform colleagues of best practice when responding to domestic abuse;
- ensure that all staff are clear regarding their roles in tackling and responding to issues around domestic abuse.

Equality & diversity

1.7 KHA will ensure that any action taken under this policy complies with our Equality & Diversity policy.

2.0 RESPONSIBILITIES

2.1 Committee

- To ensure that KHA has approved and implemented a policy on domestic violence and abuse that complies with current regulations and guidance.
- To monitor compliance with the policy, through receipt of relevant reports.

2.2 Management

- Director: To ensure all employees and Board Members are aware of the policy and their responsibilities under it.
- Senior Management Team: To co-ordinate the provision of any training required to enable employees to recognise and respond to incidents of domestic violence or abuse.
- Staff: 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.

2.3. Employees

To ensure they are aware of their responsibilities under this policy, and that they implement the policy and procedure when appropriate.

3.0 POLICY FRAMEWORK

3.1. KHA 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 with sensitivity.

Prevention

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

- make all new tenants aware of KHA'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 KHA's office

Victim-centred approach

3.3 KHA will adopt a 'victim-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.

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

3.5 KHA 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.

Confidentiality

3.6 Victims will be encouraged to allow KHA 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 by the victim will be treated with the utmost confidence and only passed to external agencies with their proper, informed consent.

3.7 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
- there was an adult protection issue.

A Manager or Head of Section must approve any disclosure that does not have the victim's consent.

3.8 Information will be shared with work colleagues on a strictly 'need to know' basis. We will adhere to all current data protection legislation when dealing with cases.

Options for action

3.9 KHA recognises that every reported case of domestic abuse will be different. Our response will therefore be tailored to the individual circumstances and needs of the victim. Our Allocations Policy should be read in conjunction with this policy as it outlines how we will assist cases where Domestic Abuse results in the current property being unsuitable. This includes how we will offer a Management Transfer to the victim/s of domestic 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;

- reporting incidents to the Police, which may result in criminal action against the perpetrator;
- where appropriate, legal action against the perpetrator by KHA.

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

Assistance for victims

3.10 KHA 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 Officer with the support of the Housing Manager.

Remaining in the property

3.11 KHA will advise victims who wish to remain in their own homes of advice they can get from Police Scotland and any other external agency that provides an advisory service in West Dunbartonshire.

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

Emergency rehousing

3.13 Where a resident reporting domestic abuse needs emergency accommodation KHA will provide advice and assistance on accessing such accommodation provided by West Dunbartonshire Council or by a women's refuge. We will provide a referral letter where appropriate and advocate on our tenants behalf.

Permanent rehousing

3.14 Where a resident reporting domestic abuse requests permanent rehousing, KHA will prioritise their application as a 'management transfer' if this is the preferred option for the victim. In such cases the suspension policy will 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. Any transfer will be to a property that is of a similar size and type of property that the resident is leaving.

Multi-agency approach

3.15 KHA will adopt a multi-agency approach in dealing with victims 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.

Action against perpetrators

3.16 KHA 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. In addition we may also look at whether damage to our property has been caused by the perpetrator and if so we will determine whether we can pursue them to recoup the costs associated with repairs that are required.

3.17 Subject to data protection requirements, we will share information with other relevant agencies so that serial perpetrators are identified and dealt with appropriately.

4.0 REVIEW

4.1 The Housing Manager will ensure that this policy is reviewed every 3 years.

5.0 EQUALITIES COMMITMENT

5.1 Knowes Housing Association Ltd is committed to tackling discrimination on the grounds of sex or marital status, racial grounds, or grounds of disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

5.2 Knowes' seek to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work.