

DOMESTIC ABUSE POLICY - TENANTS AND APPLICANTS

1. INTRODUCTION

- 1.1 Domestic abuse is the major cause of homelessness in women and children in Scotland which makes it a pressing issue in housing. However, research showed that few social landlords had policies on domestic abuse and highlighted many examples of poor practice and a lack of consistency of approach.
- 1.2 It is evidenced that domestic abuse primarily affects women and children, however, this policy applies equally to all victims of domestic abuse.
- 1.3 Lister recognises that we have a duty of care to protect tenants' and children's right to a home life, including the peaceful and safe occupation of their home. We are therefore committed to providing a proactive response to domestic abuse and to work with our partners in preventing and addressing this issue.

2. PURPOSE

- 2.1 The purpose of this policy is to set out our commitment to:
 - Develop collaborative work with local partners in order to provide advice and support to meet the needs of women & victims experiencing domestic abuse.
 - Provide support and advice that is sensitive to the individual circumstances of victims of domestic abuse and respectful of their need for privacy and confidentiality
 - Develop specific guidance and clear pathways that enable staff to implement policy and practice consistently.

3. DEFINITION

- 3.1 We have adopted the Scottish Government definition of domestic abuse. This recognises domestic abuse as a form of gender-based violence (e.g. abuse of women and girls because they are female) and links our approach to national strategies. There are other forms of gender-based abuse including rape and sexual assault, forced marriage and childhood sexual abuse.

'Domestic abuse (as gender-based abuse), can be perpetrated by partners or ex-partners and can include physical abuse (assault and physical attack involving a range of behaviour), sexual abuse (act 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 or friends).'

4. SCOPE

4.1 *Addressing inequality*

Domestic abuse is a crime in Scotland and the Domestic Abuse (Scotland) Act 2018 now recognises coercive control as a criminal offence. Mostly it is experienced by women and perpetrated by men. For example, research shows that where gender information was recorded, 81% of all incidents of domestic abuse reported to the police in Scotland in 2017-18 had a female victim and a male perpetrator. Guidance suggests that current housing policy and practice responses are based on expecting women and children experiencing abuse to leave their homes, and existing structures and systems do not support women effectively. To address this adverse and unfair impact on women, our goal will be to enable women and children to remain safely in their home where possible.

4.2 *Supporting individuals*

It is acknowledged that men can experience domestic abuse and domestic abuse can also occur in same-sex relationships. However, the experience, support networks and pathways are different in these circumstances. We will apply a person-centred approach to whoever reports their experience of domestic abuse to us. They will be treated sensitively and appropriately, and their confidentiality protected. Key staff will be trained and familiar with the different support available and signpost or refer the individual to the most appropriate agency.

4.3 *Application of policy*

This policy applies to Lister's existing tenants and applicants on Edindex our common housing register. Partner agencies include City of Edinburgh Council, Scottish Women's Aid, Respect, Shakti Women's Aid, Scottish Federation of Housing Associations, Charter Institute of Housing and Police Scotland.

4.4 *Roles and responsibilities*

Our Committee has an important role to play in supporting and leading our organisation to work with others to improve services for victims of domestic abuse across the sector. Our Staff Champion is responsible for championing this policy and ensuring that we have a culture where domestic abuse is not tolerated or minimised. The Champion is responsible for ensuring that staff have clear procedures to follow, know what action to take, that they follow agreed assessment and referral procedures. All staff are responsible for providing a sensitive, supportive and confidential service at first contact. All front-line staff will be trained so they understand and can respond to domestic abuse. Training will be sourced from specialist providers if possible.

4.5 *Making a stand*

We made a public commitment to act to support victims of domestic abuse by signing the 'Make a Stand' pledge produced by the Chartered Institute of Housing in partnership with Women's Aid and the Domestic Abuse Housing Alliance. We will continue this proactive approach and promote our stance in newsletters, leaflets and on our website.

5. EQUALITY, DIVERSITY AND INCLUSION

5.1 We promote equality and diversity in all aspects of our business and we are opposed to any form of unlawful discrimination. Equality is about ensuring everybody has an equal opportunity and is not treated differently or discriminated against because of their characteristics. Diversity is about taking account of the differences between people and groups of people and placing a positive value on those differences.

5.2 When we deal with tenants and applicants, no one will be treated less favourably because of any of the protected characteristics as listed in the Equality Act 2010:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

If needed, we will make information available in large print, audio, Braille, and community languages.

6. POLICY APPROACH

6.1 *Prevention of homelessness*

We work in partnership with the City of Edinburgh Council, other Registered Social Landlords, Edinburgh Women's Aid and Police Scotland as part of a domestic abuse housing service working group. We are committed to continuing these working arrangements to develop various housing options for victims of domestic abuse for example management transfers to other social landlords, the possibility of interim accommodation provided by housing associations, establishing nomination rights and referral routes.

6.2 *Collaborative working*

We will work collaboratively with local partners in order to provide advice and support to meet the needs of tenants experiencing domestic abuse. We will strengthen our links with Scottish Women's Aid and Shakti Women's Aid so that we can support individual applications and give advice about our allocations procedure as needed.

6.3 *Support and confidentiality*

- We will take all disclosures of domestic abuse seriously and take a non-judgemental, victim-centred approach. We will provide support and advice that is sensitive to women's & victim's individual circumstances and respectful of their need for privacy and confidentiality. An agreed method of contact will always be established to stay in contact with the person experiencing the abuse in order to ensure their personal safety.

- If a man presents as a victim of domestic abuse, then staff will refer him to the relevant advice agencies and confidential advice line which are specific to men and their experience.
- Our customer service approach will not require people to disclose or discuss the reason for their visit in public areas. We provide a private interview room to ensure confidentiality and we will offer the option, subject to staff availability, for someone to see a female or male member of staff. We will ensure that people experiencing domestic abuse know that they can meet staff in confidence at our offices or at an agreed safe venue of their choice.
- We will report incidents to the Police on behalf of individuals or support them in doing so (with their permission) where they feel too intimidated to report incidents themselves.

6.4 *Information and advice*

- Tenants will be able to report domestic abuse to us in a variety of ways, and we will investigate all reports of domestic abuse that we receive, including those made in confidence, and those made by individuals not directly involved such as neighbours and contractors.
- We will provide support and advice to tenants experiencing domestic abuse with appropriate referral to specialist support services and we will provide information to enable women & victims to remain in their own homes
- We will develop and display leaflets and information on our website for women & victims that details, relevant sources of support, their housing options and the help we can offer by providing interpreting services, private interview rooms.
- Our Housing staff will deal with every report on a case by case basis in keeping with their local knowledge of families and their circumstances. They may give advice to the perpetrator about terminating their interest in the tenancy and their options for rehousing.

6.5 *Action against perpetrators*

We will take appropriate enforcement action (where evidence is available) against any of our tenants responsible for domestic abuse. This will only be done in cases where we can do so without compromising the safety of any individual, and we will work closely with relevant agencies and keep them informed of any action taken. We will work with Police Scotland and support police action when appropriate.

6.6 *Domestic abuse and Anti-social behaviour*

We may become aware of domestic abuse as a result of noise complaints, police callouts, broken locks or damage to property. We will not treat domestic abuse as anti-social behaviour and we will respond in a way that ensures the victim is not put at further risk or blamed for the perpetrator's behaviour. This will also be made clear in our Anti-social behaviour policy.

6.7 Training

We will ensure staff are trained to respond to domestic abuse as appropriate to their role and level of responsibility. It is important that staff have an awareness and understanding of the dynamics of domestic abuse and coercive control, and that they are confident and competent in responding to the potential, perceived or actual risks of domestic abuse.

All front-line staff will be trained by specialist agencies if possible to raise awareness and to achieve consistent good practice. In turn, Lister will make sure that staff have clear procedures to follow, know what action to take, that they follow agreed assessment and referral procedures. This includes identifying and assessing risk factors and a system to record and share concerns with specialist agencies.

7. CONFIDENTIALITY AND DATA PROTECTION

7.1 All information provided to us by individuals will be treated in strict confidence and will only be discussed with other parties with the individual's (or their appointed representative's) prior consent. We will comply with the GDPR when holding personal information in our files and on our computer systems.

8. MONITORING AND REVIEW

8.1 This policy will be reviewed every three years or earlier if required due to changes to legislation.

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