



**Name of Policy: Tackling Domestic Abuse
(Ref: HM15)**

Purpose of Policy: The purpose of this Policy is to outline how Manor Estates will respond to incidences of domestic abuse affecting tenants, members of their household or any other customers who might require advice on how to deal with this issue or seek further assistance.

Policy Monitoring Details	
Department	Neighbourhood Services
Author	Carolyn Hughes
Status	Group
Date Board Approval	30 October 2019
Update	
Planned Review Date	October 2024
Regulatory Outcomes Being Achieved	Not directly relevant to regulatory standards, however, Scottish Social Housing Charter Outcomes:
	1 Equalities – Social landlords perform all aspects of their housing services so that: <i>Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services</i>
	5 Repairs, maintenance and improvements – Social landlords manage their businesses so that: <i>Tenants’ homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.</i>
	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: <i>Tenants and other customers live in well-maintained neighbourhoods where they feel safe</i>

	7,8,9	<p>Housing options – Social landlords work together to ensure that:</p> <ul style="list-style-type: none"> ▪ <i>People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them</i> ▪ <i>Tenants and people on housing lists can review their housing options</i> <p>Social landlords ensure that:</p> <ul style="list-style-type: none"> ▪ <i>People at risk of losing their homes get advice on preventing homelessness</i>
	11	<p>Tenancy sustainment – Social landlords ensure that:</p> <ul style="list-style-type: none"> ▪ <i>Tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.</i>
Tenant Consultation Required	N/A	
Equalities Impact Assessment	Initial	

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1.	Policy Statement	
	1.1	Manor Estates recognises that domestic abuse presents one of the highest risks to personal safety and believes that it is unacceptable. The Association will, therefore, take robust action to assist those affected.
	1.2	<p>The Association will assist the victim to make decisions which they feel best supports them and secures their safety by:</p> <ul style="list-style-type: none"> ▪ Listening and helping them to access the level of support and assistance they want; ▪ Reviewing their options for housing, whether that be to remain in their current accommodation or seek alternative housing; <p>and</p>

		<ul style="list-style-type: none"> ▪ Supporting the victim to move house if that is their preference.
	1.3	The Association will also offer appropriate advice and assistance to any member of the household affected by the abuse, either directly or indirectly.
2.	Definition of Domestic Abuse	
	2.1	Domestic abuse exists in all sections of our communities. It can exist in all types of relationships between partners and ex-partners and can also take place within other relationships. Abusers and victims can be any gender, any race or religion and from all different types of background.
	2.2	<p>Domestic abuse is the abuse of power and control over one person by another and can take many different forms, including (but not limited to) physical, sexual, emotional, verbal and financial abuse.</p> <p>Physical abuse includes: All types of assault and physical attacks like hitting (including with objects), punching, kicking and burning.</p> <p>Sexual abuse includes: Forcing, pressuring or coercing the victim to have sexual intercourse or to engage in sexual acts.</p> <p>Mental/emotional abuse Threats (including threats of violence); criticism and name-calling; controlling what a person does, where they go and who they speak to; threatening children; isolating a person from friends and family.</p> <p>Controlling behaviour Acts designed to make a person subordinate and/or dependent, by:</p> <ul style="list-style-type: none"> ▪ Isolating them from sources of support; ▪ Exploiting their resources for personal gain; ▪ Depriving them of the means needed for independence, resistance and escape; ▪ Restricting financial independence; and ▪ Regulating their everyday behaviour. <p>Coercive behaviour Act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten the victim.</p>

	2.3	The definition of Domestic Abuse in the Domestic Abuse (Scotland) Act 2018 ¹ is outlined in Appendix 1.
3.	Aim of Policy	
	3.1	<p>The aim of this policy is to:</p> <ul style="list-style-type: none"> ▪ Ensure that victims of domestic abuse know that the Association will treat them in a sympathetic, supportive and non-judgemental way; ▪ Facilitate early identification of domestic abuse and offer supportive and effective intervention to reduce the risk of harm; ▪ Empower victims of domestic abuse by providing information on the options available to them; ▪ Improve the response to victims through effective partnership working with appropriate external support and enforcement agencies; ▪ Ensure that all staff, regardless of their role within the Association, are clear regarding their roles in tackling and responding to issues of domestic abuse.
4.	Policy	
	4.1	The Association encourages all customers to report incidents of domestic abuse, whether they are victims of, or witnesses to, such incidents. All reports of domestic abuse will be dealt with in a sensitive manner.
	Early Intervention	
	4.2	Manor Estates is committed to taking action to address incidents and offer support to victims of domestic abuse at as early a stage as possible. In particular, we seek to ensure that anyone who is a victim of or witness to domestic abuse is aware of the help and assistance that the Association can offer.
	4.3	<p>In order to ensure that early intervention happens, the Association will:</p> <ul style="list-style-type: none"> ▪ Publicise this Policy to all tenants, through newsletters and the website; ▪ Include information in sign-up packs and the tenants handbook; ▪ Provide other information on domestic abuse and where to get help on the website; and ▪ Provide training for all staff at levels appropriate to job roles, but including awareness of the Policy, spotting signs of domestic abuse and providing more specialised support.

¹ The Act is specifically in regard to domestic abuse against a partner or ex-partner, however the Association recognises that the perpetrator may be in a different relationship to the victim.

	Person-centred Approach	
	4.4	The Association will adopt a person-centred approach to dealing with domestic abuse that will take account of how the person wishes to be supported. This will also include identifying a lead officer to deal with the case so the person affected does not have to relate their circumstances to a number of different staff.
	4.5	The Association will deal with all reports of domestic abuse in a non-judgemental manner. Victims will not be required to contact the Police or take legal action before the Association will help. We will also aim to minimise the number of staff supporting the victim to reduce the number of times they need to share their experiences.
	4.6	<p>The Association's response to reports of domestic abuse will be tailored to the individual circumstances and needs of the victim. All available options will be discussed with them, including:</p> <ul style="list-style-type: none"> ▪ Making arrangements for their immediate personal safety; ▪ Reviewing the safety and security of their existing accommodation; ▪ Accessing temporary accommodation if this is necessary; ▪ Accessing specialist support; ▪ Reporting incidents to the Police. <p>At this stage, the immediate safety of the victim and any dependents will be the key priority. An action plan setting out what will happen next will be agreed with the victim.</p>
	Tenancy Sustainment	
	4.7	<p>Where the victim wishes to remain in their own home, the Association will support them to do so. It is not possible to list all possible measures that could be taken to improve the safety or security of the current accommodation as much will depend on the individual circumstances. Possible options include:</p> <ul style="list-style-type: none"> ▪ Installing external security lights; ▪ Assisting the tenant to liaise with Police re alarm; ▪ Carrying out other works to improve security as recommended by the Police. <p>Additionally, the Association may offer housing options advice to the perpetrator, if that will encourage them to move out of the tenancy.</p>
	4.8	The Association will not charge for lock changes or damage to property due to domestic abuse.

	4.9	The Association may offer vouchers to support victims to redecorate rooms which have been damaged by the perpetrator of domestic abuse.
Rehousing		
	4.10	Where the victim is unable to remain in their home (either temporarily or permanently), the Association will offer advice and assistance for them to access emergency temporary accommodation through City of Edinburgh Council or an appropriate refuge.
	4.11	If permanent rehousing is required and the tenant wishes to stay in an area where Manor Estates has housing, a management transfer may be offered. Whilst every effort will be made to offer alternative housing in the area the victim wants to move to, this could be restricted by availability of stock and turnover in a particular area.
	4.12	If the tenant requires to be rehoused in areas where Manor Estates does not have stock, the Association is a member of the EdIndex Common Housing Register and will be a signatory to the Domestic Abuse Management Transfer Protocol which will allow us to facilitate a management transfer through another landlord.
Perpetrators		
	4.13	The Association will work with Police, City of Edinburgh Council and other relevant external agencies to hold perpetrators of domestic abuse accountable for their actions. The approach will depend on individual circumstances but could include: <ul style="list-style-type: none"> ▪ Support to access specialised help to stop the offending behaviour; or ▪ Housing options advice and support to move out of the tenancy; or ▪ Legal action for recovery of possession of the property.
Confidentiality		
	4.14	All information provided by a victim of domestic abuse will be treated in the strictest confidence and will only be accessible to those members of staff who need the information in order to carry out their job.
	4.15	Victims will be encouraged to allow the Association to share information with other agencies, including the Police, local authority departments and support agencies, to ensure that appropriate action can be taken and assistance provided.

		<p>Information will only be passed to external agencies with the consent of the victim, unless:</p> <ul style="list-style-type: none"> ▪ We consider that a child is at risk in any situation; or ▪ There is a high risk of serious harm to anyone involved; or ▪ We are obliged by law to disclose information. <p>Disclosure of information without the victim's consent must be authorised by the Neighbourhood Services Director or another member of the Senior Management Team.</p>
5.	Implementation and Policy Review	
	5.1	The Neighbourhood Services Director is responsible for ensuring that this Policy is implemented by relevant staff and that staff have access to appropriate training to assist in this process.
	5.2	The Neighbourhood Services Director is also responsible for ensuring that this Policy is reviewed 5 years after Board approval or sooner if legislative or other changes require it.

Extract from Domestic Abuse (Scotland) Act 2018

1 Abusive behaviour towards partner or ex-partner

- (1) A person commits an offence if –
 - (a) The person (“A”) engages in a course of behaviour which is abusive of A’s partner or ex-partner (“B”), and
 - (b) Both of the further conditions are met.
- (2) The further conditions are-
 - (a) That a reasonable person would consider the course of behaviour to be likely to cause B to suffer physical or psychological harm, or
 - (b) That either-
 - (i) A intends by the course of behaviour to cause B to suffer physical or psychological harm, or
 - (ii) A is reckless as to whether the course of behaviour causes B to suffer physical or psychological harm.
- (3) In the further conditions, the references to psychological harm include fear, alarm and distress.

2 What constitutes abusive behaviour

- (1) Subsections (2) to (4) elaborate on section 1(1) as to A’s behaviour.
- (2) Behaviour which is abusive of B includes (in particular)-
 - (a) Behaviour directed at B that is violent, threatening or intimidating,
 - (b) Behaviour directed at B, at a child of b or at another person that either-
 - (i) Has as its purpose (or among its purposes) one or more of the relevant effects set out in subsection (3), or
 - (ii) Would be considered by a reasonable person to be likely to have one or more of the relevant effects set out in subsection (3).
- (3) The relevant effects are of-
 - (a) Making B dependent on, or subordinate to, A,
 - (b) Isolating B from friends, relatives or other sources of support,
 - (c) Controlling, regulating or monitoring B’s day-to-day activities,
 - (d) Depriving B of, or restricting B’s, freedom of action,
 - (e) Frightening, humiliating, degrading or punishing B.
- (4) In subsection (2)-
 - (a) In paragraph (a), the reference to violent behaviour includes sexual violence as well as physical violence,
 - (b) In paragraph (b), the reference to a child is to a person who is under 18 years of age.