

Melville Housing Association



Policy: Domestic Abuse

Subject:	Domestic Abuse
Section:	Housing Services
Objective:	To respond swiftly and appropriately to all reported incidents of domestic abuse.
Scottish Social Housing Charter	Outcome 1 Equalities Outcome 7,8, 9 Housing Options Outcome 11 Tenancy Sustainment
Legislation:	Equality Act 2010 (legislation.gov.uk) Equally Safe strategy - Violence against women and girls (VAWG) - gov.scot (www.gov.scot) Disclosure Scheme for Domestic Abuse Scotland , Police Scotland Data Protection Act 2018 (legislation.gov.uk) Domestic Abuse (Scotland) Act 2018 (legislation.gov.uk) Domestic Abuse (Protection) (Scotland) Bill Scottish Parliament Website Homelessness etc. (Scotland) Act 2003 (legislation.gov.uk) Housing (Scotland) Act 2006 (legislation.gov.uk) Human Rights Act 1998 (legislation.gov.uk)
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1 Introduction

- 1.1 Domestic abuse in all forms is totally unacceptable. It presents one of the highest risks to personal safety and, where we have the power to do so and with the consent of victims, we will take the strongest action possible against perpetrators.

2 Definition

- 2.1 We follow the Scottish Government definition of domestic abuse, which is described as 'gender-based violence, 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, with-holding 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

3 Aims

- 3.1 Our aims in adopting this policy are to:
- Increase awareness and understanding of domestic abuse to help victims who are Melville tenants or household members
 - Encourage the reporting of domestic abuse
 - Ensure our tenants who are experiencing domestic abuse feel they can approach Melville in confidence knowing that staff will be equipped to signpost to the appropriate support services
 - Treat all reports of domestic violence seriously and as a matter of high priority
 - Empower victims by providing information on the options available to them.

4 Our Approach

- 4.1 We will take a supportive, non-judgemental and positive approach to anyone who approaches us for help and advice on domestic abuse. We will treat complaints seriously, sensitively and in confidence.
- 4.2 We will deal with domestic abuse by:
- Supporting and offering appropriate advice and assistance to victims
 - Working in partnership with the police, social work, Women's Aid and other organisations as appropriate
 - Making sure that the confidentiality of both the victim and perpetrator is respected
 - Taking the strongest action possible against perpetrators of domestic abuse where we can and with consent from the victim
 - Support staff to identify risk and make effective and timely decisions.
- 4.3 We will support victims of domestic abuse by:
- Encouraging them to seek help from specialist counselling and support agencies and where necessary, legal representation. A list of support agencies can be found at **Appendix 1**.

- Making sure that their home has appropriate security precautions, such as adequate door and window locks.
- Treating any repairs required to make the property safe as emergency repairs. These will not be recharged to the victim.
- If they wish to move from their home or are not a Melville tenant, helping them find temporary housing or alternative suitable, permanent accommodation as appropriate.
- If they wish to remain in their home and they have a joint tenancy with the perpetrator, considering offering the perpetrator alternative accommodation to remove them from the home quickly.

5 Prevention

- 5.1 In order to help prevent domestic abuse we will:
- Make all new tenants aware of our policies relating to housing services, and the implications of joint tenancies.
 - Publicise our position on domestic abuse by maintaining a dedicated domestic abuse page on our website including the Make A Stand banner.
 - Provide advice and information in our office.
 - Provide staff training to increase awareness and identify signs of domestic abuse.
 - Provide more specialised support through a designated staff 'champion' who can offer advice and support.

6 Scope of Policy

- 6.1 This policy applies to all of our tenants, their partners and other members of households.
- 6.2 Our domestic abuse policy links to and should be read in conjunction with the following policies:
- Allocations
 - Anti-Social Behaviour
 - Complaints
 - Equality
 - GDPR Privacy

7 Procedure

- 7.1 When we receive a complaint of domestic abuse our first priority is to make sure that the victim has somewhere safe to stay for the night. If they need emergency accommodation we will let them know who can help, usually the local authority or a women's refuge.
- 7.2 If the victim decides to stay in their home, then we will treat as an emergency any damage affecting the security of the property. The victim will not be charged for damages related to domestic abuse.
- 7.3 We will not ask for evidence of violence or abuse however we will be pleased to accept any information or documents which could help investigate the complaint.
- 7.4 Our aim is to carry out an assessment interview immediately. Where this isn't possible we will do so within one working day of first contact. We will give victims the choice of being interviewed by someone of the same sex,

wherever possible. Where there are hearing or language difficulties, we will arrange for an interpreter.

- 7.5 We will help and support the victim in any way we can. If a victim expresses the wish to move, temporarily or permanently, then we will assist them in finding alternative accommodation. Any offer of alternative accommodation will be in line with our allocations policy where domestic abuse victims are awarded maximum points.
- 7.6 We will not take any action without the express consent and support of the victim.
- 7.7 As domestic abuse is a form of harassment, we will consider taking legal action for a breach of tenancy conditions against any alleged perpetrator who is a Melville tenant.
- 7.8 We will support any action taken by the victim, the police or other agencies against perpetrators of domestic abuse who are Melville tenants.
- 7.9 We are not able to take legal action against a perpetrator of domestic abuse who is not a Melville tenant, but will support, wherever possible, any action taken against these perpetrators by the victim, police or other agencies.
- 7.10 We will keep victims informed at each stage of our investigation into their domestic abuse complaint. We will also advise victims of action we take, in particular, the dates and outcomes of any court hearings.

8 Complaints about our Service

- 8.1 Anyone can make a complaint if they feel we have not dealt with their domestic abuse case properly. Full details, including our complaints policy, can be found on our website.

9 Equal Opportunities and Human Rights

- 9.1 In enforcing this policy Melville Housing Association will ensure that nobody will be treated less favourably on the grounds of age, disability, ethnic or national origin, an ex-offence, family circumstances, marital status, political or sexual orientation, race, religion or gender.
- 9.2 We will ensure that nobody's human rights are adversely impacted by this policy.
- 9.3 We support the Scottish Government's Equally Safe Strategy for preventing and eradicating violence against women and girls.

10 Training

All staff should complete basic awareness training using the following resources:

- [Domestic Abuse Awareness Raising Tool](#) (DAART): 40 minute – 1 hour online basic awareness training resource that serves as an introduction to domestic abuse and coercive control.
- Visiting staff, especially the housing team should refer to the Public Protection training calendar www.emppc.org.uk and carry out refresher

training every 3 years. This includes a range of free training and information briefings for staff working across East Lothian and Midlothian, the training portfolio includes a number violence against women and girls related training.

11 Tenancy Sustainment

- 11.1 We are committed to assisting tenants, where possible, to remain in their homes. We recognise the individual needs of tenants and take these into account in all aspects of our service. Where we are unable to offer direct assistance, we will signpost tenants to other agencies and services. We have a partnership agreement with CHAI (Community Help and Advice Initiative) to provide tenancy support.

12 Data Protection

- 12.1 Melville Housing Association takes the issues of data security and protection very seriously and strictly adheres to UK GDPR guidelines published in the Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679 (GDPR), together with any domestic laws subsequently enacted.

Information on how we manage our duties is detailed in our privacy policy. Details on how we use personal information can be found in our GDPR Fair Processing Notice. Further information is available on our website, www.melville.org.uk or on request from our office.

13 Policy Review

- 13.1 The Head of Housing will ensure this policy is reviewed every three years or earlier if there are any changes to legislation. The Senior Management Team have delegated authority to approve minor changes to this policy. Significant changes will be submitted to the Board for approval.

Appendix 1

Local and national support available:

Always call 999 in an emergency

Women's Aid East & Midlothian	0131 561 5800 www.womensaideml.org	<i>Mon-Fri 9am – 4pm Specialist domestic abuse help, support, advocacy and refuge accommodation for women, children and young people subjected to domestic abuse</i>
Edinburgh Domestic Abuse Court Service	0131 315 8122	
Shakti Women's Aid	0131 475 2399 www.shaktiedinburgh.co.uk	<i>Specialist domestic abuse, forced marriage and honour-based abuse help and support for women with an ethnic minority background</i>
Midlothian Sexual Abuse Service	07860 774 5063 Msas@ercc.scot	<i>Support for anyone affected by rape, sexual assault and abuse</i>
Police Scotland	101 or 999 in emergencies	
FearFree	0131 624 7270 www.fearfree.scot	<i>Support service for any man or LGBT+ person experiencing domestic abuse</i>
Scottish Women's Rights Centre	08088 010 789 www.scottishwomensrightscentre.org.uk	Free confidential legal information and surgeries for women
Men's Advice Line	0808 801 0327 www.mensadvice.org.uk	
Scottish Domestic Abuse & Forced Marriage Helpline	0800 027 1234 www.sdafmh.org.uk	
Victim Support Scottish Helpline	0345 603 9213 www.victimsupport.scot	
Samaritans	116 123 free from any phone or 0131 211 9999 www.samaritans.org	
Out of Hours Social Work Service	0800 731 6969	