

**1.0 CONTEXT**

- 1.1 GWhA has committed to the Chartered Institute of Housing's (CIH) Make a Stand campaign, launched in June 2018. This initiative aims to address domestic abuse within the housing sector. As many tenants' first point of contact, GWhA acknowledges its unique position to identify and respond to instances of domestic abuse.
- 1.2 In 2023-24<sup>1</sup> 59,541 incidents of domestic abuse were reported in Scotland. This is a 3% increase on the previous year, with 90% of all incidents occurring in the home. In Glasgow, there were 140 incidents of domestic abuse per 10,000 population versus the Scottish average of 116. Glasgow has the 5<sup>th</sup> highest incident rate for domestic abuse in the country.
- 1.3 Women are more likely to experience domestic abuse, suffering more serious injuries and ongoing assaults compared to men. While men can also subject to domestic abuse, and abuse occurs in same-sex relationships, statistics show that in 2023-24<sup>2</sup>, 81% of incidents involve a female survivor and male perpetrator. 15% of incidents involve a male survivor and female perpetrator, with the remaining cases occurring between same-sex survivors and perpetrators
- 1.4 Research indicates that 32% of homeless women reported that domestic violence contributed to their homelessness, and over half (52%) need support to help them stay in their own homes or move to new accommodation<sup>3</sup>.
- 1.5 Approximately 45% of children on the Child Protection Register in Scotland, had a risk factor of domestic abuse recorded.

**2.0 AIMS & PURPOSE**

- 2.1 To ensure that domestic abuse is considered by GWhA as a serious crime, which adversely impacts on the lives of individuals, families and communities.
- 2.2 To set out measures that demonstrate how GWhA will encourage and proactively support residents to report domestic abuse.
- 2.3 To empower those experiencing domestic abuse by providing information and encouraging engagement with support agencies.
- 2.4 To create a consistent and sensitive approach for responding to and monitoring incidents of domestic abuse.
- 2.5 To maximise the flexibility of the housing options available to those experiencing domestic abuse.
- 2.6 To support those affected by domestic abuse to remain in their tenancy if that is their choice, or if they prefer to move out of the tenancy, to support them to do this. This may include the use of exceptional circumstances lets as an option to support survivors to make planned moves and avoid homelessness.
- 2.7 To take a housing options approach to support the rehousing of perpetrators of domestic abuse who voluntarily agree to relinquish their occupancy of their home.
- 2.8 To improve the confidence, capability and expertise of our staff across the organisation, giving them the right tools and knowledge to identify and support those experiencing domestic abuse.
- 2.9 To take a proactive approach to identifying perpetrators of domestic abuse by raising awareness amongst staff and encouraging them to raise any suspicions. This will include adopting an 'eyes and ears' approach.
- 2.10 Work in partnership with other agencies to ensure action is taken against perpetrators of domestic abuse.
- 2.11 To comply with relevant legislation, best practice and guiding standards to support the rehousing choices of the survivors of domestic abuse and hold the perpetrators to account.
- 2.12 To mitigate risk.

**3.0 DEFINITIONS**

- 3.1 For the purpose of this policy, GWhA will adopt the Scottish Government's definition of domestic abuse<sup>4</sup>:

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<sup>1</sup> Domestic Abuse in Scotland: 2023-24 as published by the Scottish Government on [www.gov.scot](http://www.gov.scot).

<sup>2</sup> Domestic Abuse in Scotland: 2023-24 as published by the Scottish Government on [www.gov.scot](http://www.gov.scot).

<sup>3</sup> Safelives Ending Domestic Abuse [www.safelives.org.uk/spotlight-5-homelessness-and-domestic-abuse](http://www.safelives.org.uk/spotlight-5-homelessness-and-domestic-abuse)

<sup>4</sup> The Housing Scotland Bill currently being reviewed in parliament seeks to update the definition of domestic abuse as it applies within a housing context. The definition contained within the policy will be reviewed once the final bill becomes legislation.

*Domestic Abuse, as gendered 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, 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'<sup>5</sup>.*

### 3.2 Domestic abuse can manifest itself as:

- Psychological and/or emotional abuse
- Harassment and stalking including behaviour directed towards property and through making use of a third party, which may include getting another person to spy on the partner or ex-partner.
- Honour based abuse
- Physical or sexual abuse
- Online or digital abuse
- Female Genital Mutilation
- Financial or economic abuse, including restricting access to money, food, clothing or transport.
- Forced Marriage
- Coercive control
- Post relationship abuse including stalking
- Technology facilitated domestic abuse including digitally tracking partners location, monitoring digital communications

### 3.3 Coercive control describes a range or pattern of behaviours that enable a perpetrator to maintain or regain control of a partner, ex-partner or family member. Examples of coercive control may include but are not limited to:

- Controlling or observing someone's daily activities including through electronic means
- Using children to control their partner
- Damage to property
- Isolating them from family and friends; intercepting messages or phone calls
- Extreme dominance

### 3.4 The definition and actions outlined in this policy apply to any individual experiencing domestic abuse including males, females, transgender and nonbinary people, irrespective of their sexual orientation.

### 3.5 "Behaviour" can be a single incident or a pattern of behaviour over time. When deciding whether behaviour is abusive, if it involves a pattern of behaviour, it is important to consider both the individual incidents and the overall pattern. Even if a single incident would not, on its own, be likely to cause person B physical or psychological harm, the pattern of behaviour as a whole may still be likely to do so.

### 3.6 For the purpose of this policy, GWAH regards an individual to be a partner or ex-partner where:

- i) The spouse or civil partner of the abusive tenant
- ii) A former spouse or civil partner of the abusive tenant
- iii) A person who has been living with the abusive tenant as if a spouse of the tenant for at least 6 of the preceding 12 months and does not need to be one 6 month period as long as all period of residency add up to 6 or more months.

## 4.0 POLICY

### 4.1 General

<sup>5</sup> National Strategy to Address Domestic Abuse in Scotland, Scottish Partnership on Domestic Abuse, Edinburgh, November 2000

- 4.1.1 GWhA recognises the impact domestic abuse has on the survivors and their families. As landlord, we regard domestic abuse as unacceptable behaviour which will not be condoned in our homes.
- 4.1.2 GWhA will publish information regarding domestic abuse, and how to access support, in our tenant handbook, website and through regular social media and newsletter articles. This information will include details of actions that GWhA as landlord can take to support those experiencing domestic abuse.
- 4.1.3 Domestic abuse is different from antisocial behaviour and so domestic abuse complaints will be responded to separately and in line with the Domestic Abuse Policy rather than the Antisocial Behaviour Strategy, however the possibility of domestic abuse being a factor in antisocial behaviour complaints received will be considered in all cases.
- 4.1.4 GWhA staff will receive training through a two-tiered approach.  
Tier 1: All staff will take part in awareness training, including an introduction to the Make a Stand pledge.  
Tier 2: Specialised training will then be provided for frontline and concierge staff, who are more likely to encounter situations of domestic abuse in their day-to-day roles.  
To strengthen awareness across our wider service provision, this training is scheduled to be extended to designated trade staff from our principal repairs contractor (Bell Group), at the time of policy implementation. Training content and format (including training needs for contractor personnel) will be reviewed every five years, alongside the review of this policy to ensure alignment with current legislation, sector practice, and organisational priorities. In addition, annual training will be built into the induction programme for new staff.
- 4.1.5 GWhA will respond to all reports of domestic violence in a non-judgemental manner and in confidence. Those experiencing domestic abuse will not be required to take legal action or to contact the Police as a condition to our provision of assistance.
- 4.1.6 GWhA will only act with the survivor's consent. The exception to this general rule is where we consider a member of the household, including any children, is at risk in any situation or if there is a high risk of serious harm to anyone involved. All decisions affecting children must prioritise their safety and wellbeing. In this case, we would report concerns to the Health and Social Care Partnership (HSCP), with any proposed course of action signed off in advance by the Tenancy Services Manager following review of the available information.  
It is noted that in some instances, GWhA may be requested to share information with other agencies. Refer to section 4.4.3 below for more information.
- 4.1.7 Those reporting domestic abuse will be encouraged to consent to GWhA sharing information with other agencies, including Police Scotland and the Local Authority to ensure that the full range of civil and criminal action can be pursued and appropriate assistance provided.
- 4.1.8 Due to the gendered nature of domestic abuse, an equalities and human rights approach, consistent with Equally Safe (Scottish Government's strategy for preventing and eradication violence against women and girls) has been taken in the development and implementation of this policy.
- 4.1.9 To ensure our policy adequately supports survivors of domestic abuse, a draft was circulated widely amongst key partners who have had the opportunity to review the content and provide feedback.  
Key partners consulted with include:
- Hemat Gryffe Women's Aid
  - Addressing Domestic Abuse
  - Chartered Institute of Housing
- 4.1.10 This policy has been subject to compliance and risk assessments and adopts an equalities and human rights approach.
- 4.2 Action to support Survivor**
- 4.2.1 GWhA recognises that every reported case of domestic abuse may be different. Our response will therefore be tailored to the individual circumstances and needs of the survivor. When a tenant or household member reports domestic abuse, all available options will be discussed and considered with them, including:
- Arranging for independent interpreting service if required
  - Making arrangements for their immediate personal safety through relocation in alternative accommodation, subject to 4.2.3 below

- Informing of the private interview rooms available in the office
  - Reviewing and, where possible, improving the security of their existing accommodation
  - Agreeing with the individual a named Tenancy Services Officer will be the main point of contact.
  - Offering the option of seeing a male or female member of staff
  - Reporting incidents to the Police, which may result in criminal action against the perpetrator
  - In extreme cases, and where appropriate: legal action against the perpetrator by GWHHA (section 4.4)
- 4.2.2 GWHHA will aid those experiencing domestic abuse by not recharging for lock changes and damages due to the domestic abuse..
- 4.2.3 Where a resident/household member reporting domestic abuse needs emergency accommodation GWHHA will provide advice, assistance and support to accessing emergency accommodation through the Local Authority, or via a women's refuge. GWHHA will provide a referral letter where appropriate and advocate on the resident/household member's behalf.
- 4.2.4 Where a resident reporting domestic abuse requests permanent rehousing, GWHHA will provide advice and assistance within the scope of the Housing Allocations Policy and within the constraints of our stock profile. In particular:
- (a) Where re-housing is explored by GWHHA within our own stock, geographical proximity will be a consideration.
- (c) Where it is safe to do so, GWHHA will support rehousing that maximises the opportunity for continued family relations in future.
- (b) GWHHA recognises that those who experience domestic abuse may, in some cases, wish to be rehoused in a different area and will support those wishing to apply to other registered social landlords. In all instances GWHHA will proactively encourage a multi-agency approach in dealing with survivor s and perpetrators of domestic abuse to ensure the safety of the survivor s, meet their needs, co-ordinate available resources, access specialist services, act against perpetrators and share best practice.
- 4.3 Rent arrears arising due to Domestic Abuse**
- 4.3.1 GWHHA will ensure that when domestic abuse is reported, it will be thoroughly considered before initiating legal action to recover possession of a property due to rent arrears.
- 4.3.2 Specialised support for those with rent arrears caused by domestic abuse will be fully explored and implemented where possible. This may include:
- Referral to inhouse welfare rights team with dedicated male or female named contact who can support survivor s to contact Department of Work and Pensions (DWP) to explore entitlements and exceptions that can be applied in existing claims in domestic abuse cases, in addition to the standard income maximisation measures
  - Agreeing an Arranged Payment Arrangement for those in receipt of Universal Credit.
  - Referral to Citizens Advice Bureau for dedicated money advice service and support to contact utility providers.
  - Agree a temporary correspondence address whereby written communication regarding rent and arrears may be sent.
- 4.3.3 The existence of rent arrears arising due to domestic abuse may not prohibit a survivor from being rehoused within GWHHA stock.
- 4.4 Action against Perpetrators**
- 4.4.1 GWHHA will work with Police Scotland and other external agencies in dealing with perpetrators of domestic abuse. Action against perpetrators will depend on individual circumstances. Where the perpetrator is a joint tenant, GWHHA may seek to bring their interest in the tenancy to an end if the survivor wishes to remain in the tenancy.

- 4.4.2 The Domestic Abuse (Protection) (Scotland) Act 2021 enables GWHHA to seek a streamlined eviction where a tenant has been convicted of an offence relating to domestic abuse. However, a criminal conviction is not the only mechanism by which GWHHA may seek to end a joint tenant's interest in a tenancy where domestic abuse has occurred. The Act also allows GWHHA to initiate court proceedings based on a reasonableness test. In such cases, the court must be satisfied that it is reasonable to grant an eviction order, even where there has been no criminal conviction.
- 4.4.3 If GWHHA initiates court action where a criminal conviction does not exist, evidence of abusive behaviour may be gathered, which may include (but not limited to) social work reports or criminal justice reports.
- 4.4.4 In addition, in accordance with the Housing (Scotland) Act 2014, GWHHA reserves the right to seek recovery of possession of a tenancy through the courts following conviction of a criminal offence, regardless of whether the offence is related to domestic abuse.
- 4.4.5 Where a criminal conviction exists, and the survivor remains in their GWHHA tenancy, access will not be granted by GWHHA to the perpetrator even if they were previously listed as a tenant or resident.
- 4.4.6 Subject to General Data Protection Regulation (GDPR) requirements, GWHHA will share information with other relevant agencies so that serial perpetrators are identified and dealt with appropriately.

## **5.0 FEEDBACK, COMPLAINTS AND APPEALS**

### **5.1 Feedback**

- 5.1.1 GWHHA tenants and other customers may provide feedback, or request information in another format, by emailing [admin@glasgowwestha.co.uk](mailto:admin@glasgowwestha.co.uk)

### **5.2 Appeals and Complaints**

- 5.2.1 Tenants with a grievance arising from the Domestic Abuse policy will be considered in accordance with GWHHA's Complaints Handling Procedure.
- 5.2.2 Once the Association's Complaints Handling Procedure is exhausted, there is a right of appeal to the Scottish Public Services Ombudsman (SPSO). As the SPSO is unlikely to comment on matters of a legal nature, a review will focus on the proper application of the Association's policy, rather than the legalities of Domestic Abuse.

## **6.0 REVIEW**

- 6.1 This Policy will be reviewed every 5 years, or sooner, subject to a change in legislation or circumstance.
- 6.2 The Policy, in parts, attempts to summarise current legislation. In any case of conflict between the two, legislation will always preside.

## **7.0 DELEGATED AUTHORITY**

- 7.1 Delegated authority is granted by the Management Committee to the Chief Executive and Staff to implement this Policy and the associated procedures.
- 7.2 Tenancy Services Manager as lead officer in line with the Make a Stand pledge.

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|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Glasgow Women's Aid</b>                                      | They provide information, support and refuge accommodation to women, children and young people who are experiencing domestic abuse.                                     | <a href="https://glasgowwomensaid.org.uk/">https://glasgowwomensaid.org.uk/</a><br>0141 553 2022<br><a href="mailto:getsupport@glasgowwomensaid.org.uk">getsupport@glasgowwomensaid.org.uk</a>           |
| <b>Scotland's Domestic Abuse &amp; Forced Marriage Helpline</b> | They support anyone with experience of domestic abuse or forced marriage, as well as their family members, friends, colleagues and professionals who support them.      | <a href="https://www.sdafmh.org.uk/en/contact-us/">https://www.sdafmh.org.uk/en/contact-us/</a><br>0800 027 1234<br><a href="mailto:helpline@sdafmh.org.uk">helpline@sdafmh.org.uk</a>                   |
| <b>Hemat Gryffe</b>                                             | Hemat Gryffe provide specialist support to women from the Asian, Black and Minority ethnic community who experience domestic abuse influenced by culture and tradition. | <a href="https://www.facebook.com/HematGryffe.org.uk">https://www.facebook.com/HematGryffe.org.uk</a><br>0141 353 0859<br><a href="mailto:Womensaid@hematgryffe.org.uk">Womensaid@hematgryffe.org.uk</a> |
| <b>Galop</b>                                                    | Galop offer independent advice and support to people within the LGBT+ community who are experiencing domestic abuse, amongst other violent crimes.                      | <a href="https://www.galop.org.uk/get-help">https://www.galop.org.uk/get-help</a><br>0800 999 5428<br><a href="mailto:help@galop.org.uk">help@galop.org.uk</a>                                           |
| <b>Abused Men in Scotland (AMIS)</b>                            | AMIS provide information and support to men if they have experienced or are experiencing domestic abuse.                                                                | <a href="https://abusedmeninscotland.org/">https://abusedmeninscotland.org/</a><br>03300 949 395<br><a href="mailto:support@amis.org.uk">support@amis.org.uk</a>                                         |