

DOMESTIC ABUSE PROCEDURE

PLACES FOR PEOPLE SCOTLAND

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INTRODUCTION

We will take a victim centred approach to dealing with domestic abuse and we will offer advice and assistance. This procedure should be used in conjunction with the relevant local authority’s procedure, whenever abuse is suspected or known.

We will consider using tenancy enforcement action available to us, where it is thought necessary or appropriate to effectively deal with perpetrators of Domestic Abuse. We will always consult with the victim before taking action.

DEFINITION

Government definition – Any incident of threatening behaviour, violence, abuse or coercive control, it can be physiological, physical, sexual, financial or emotional abuse between adults (above 16 years old) who are or have been intimate partners or family members regardless of gender or sexuality. Family members are defined as mother, father, son, daughter, brother, sister, grandparents, whether directly related in-law or step-family. Coercive control is a pattern of behaviour, or separate instances, that can add up to abuse rather than a single act or incident.

Domestic abuse accounts for almost a quarter of all violent crime. Domestic abuse does not have to be physical abuse. It is any behaviour that allows a person to exercise control and power over another person. If a victim is changing the way they act or the way they look because they are frightened of their partner/family member behaviour and reaction. Domestic Abuse occurs in heterosexual, gay, lesbian and transgender relationships and happens regardless of ethnic background, culture, religion, sexuality, sexual orientation or age.

There are five categories of Domestic Abuse of adults:

* Physical
* Psychological/emotional
* Sexual
* Financial
* Neglect

CONFIDENTIALITY & INFORMATION SHARING

Staff must obtain informed consent from the victim before sharing information with statutory and voluntary agencies. Where there is risk of harm to children this principle can be overridden. Staff must advise the victim before continuing with the interview as they might not want to share certain details.

It is important that confidentiality is respected and that the information that is shared on a need to know basis.

Staff are referred to the General Data Protection Regulation and Confidentiality policies for further information as to their obligations in this respect.

REPORTS OF DOMESTIC ABUSE

Staff should respond to a report of domestic abuse within 1 working day and arrange to meet with the victim where possible.

At point of contact staff must:

* Agree a safe way of communication
* Advise that the Housing Officer is their dedicated point of contact (if Housing Officer does not answer the report directly)
* Check that the victim is not at immediate risk

INITIAL ACTION

1. Interview

Housing Officer needs to complete an [interview sheet](#Interview) to gain as much information as possible and offer suitable advice. The interview sheet should be used as a guide and Housing Officer should not push for answers to every question, it is up to the victim how much information they wish to disclose. Evidence of abuse is not required for us to provide advice. The Housing Officer should discuss what the victim should do in an emergency situation, security measures that can be made to their home and housing options where applicable.

Housing Officers should encourage the victim to seek help by offering to refer them to appropriate services – <http://scotland.shelter.org.uk/get_advice/advice_topics/families_and_households/domestic_abuse/getting_help_if_youre_experiencing_domestic_abuse>

The victim must sign their [consent](#Consent) before the Housing Officer can make a referral. This should only be ignored if a child under 16 years of age is part of the household or the victim is a vulnerable adult; in these situations there is an automatic Child/Adult Protection issue and Housing Officers must complete a Social Work referral. Housing Officers must advise the victim of this.

Housing Officer should provide housing advice in line with our Management Transfer Procedure and Allocations Policy.

1. Making a Referral

Once the Housing Officer has obtained consent, a referral should be made using the information gathered during the interview. Personal details (name, address, age, ethnic origin, gender, religion, type of accommodation, family circumstances, support networks, physical and mental health, any communication issues) must be stated on the referral form. Other information that can be included in the form:

* Referrers name, job title and involvement
* Substance of allegation
* Details of any care/support givers
* Details of alleged abuser and current whereabouts and likely movement within next 24 hours
* Background of any previous concerns

Once a referral has been made the agency will work within their own guidelines. Staff must co-operate if they have continued involvement. We will encourage a multi-agency approach to ensure the safety of those affected and that we are kept up to date with ongoing developments.

1. Continuing Support

Emergency Accommodation:

If the victim decides to leave their home, they should try and find somewhere to stay before they go. This could be with friends or family (not always safe, if their partner may be able to track them down), a refuge or in temporary accommodation provided by the local council. Victims can call a domestic abuse helpline such 24-hour domestic abuse helpline on 0800 027 1234 or their local authority. Staff should advise to make the call from a friend’s phone or phone box if they are afraid their partner will find out.

Staff should encourage victims to call a helpline even if they are not ready to leave their partner yet, calling a helpline will give the chance to talk to someone who will listen and won’t judge or tell them what to do. The helpline can give information on their legal rights concerning their children, money, benefits and housing as well as emotional support. Helplines are completely confidential.

Re-Housing Options:

In situations of Domestic Abuse we will place the victim and their family (must be registered as household members) on our management transfer list. Being placed on the list is not an automatic offer of rehousing as it depends on upcoming available properties. Victims can often find that they are on the list for a long period of time. Victims will not be offered properties within the same area. If the victim wants to stay in the same area we will not place the victim on the Management Transfer list. Housing Officers should look at improving the security of the property instead.

Housing Officer should advise and assist the victim to make a homeless application to the council. Victims should be advised to register on EdIndex and HomeHunt and to begin bidding for properties and where possible look for private rented accommodation (Mid-Market or Market Rent).

Rent arrears will not be taken into consideration.

Security of Property:

Housing Officers should encourage the victims to engage with an agency. A number of agencies offer safety assessments of the house including fire checks. This is particularly important if a victim is threatened with arson. If the victim does not want a referral we can arrange directly with the Fire Service.

Any damage relating to the security of the property will be repaired on an emergency basis. The victim will not be recharged for these. If supporting information from the Police or external agency is received about the safety/risk of a victim because of domestic abuse, then the Housing Management Team Leader can authorise additional security or repairs at their discretion. This can range from door and window locks, security chains to changing locks of the property.

Repairs raised through the Customer Service Centre or with Maintenance should be requested that a text must not be issued for these jobs. This is to minimise risk to the victim.

Pets:

Many abusive partners will threaten to harm or kill family pets if their partner leaves them. Refuges and temporary accommodation provided by the council do not usually accept pets. If no friends or family who can safely look after the pet and you can afford commercial kennelling, contact the Pet Fostering Service Scotland, who might be able to take care of pets if you are in a crisis situation.

Action against Perpetrator:

We will support any action taken by a victim, the police or external agencies against perpetrators of domestic abuse who are tenants of ours. Actions that can be taken include:

* ASBO
* Interdict
* Tenancy Enforcement Action

Any action taken against a tenancy would be in conjunction with action taken by the Police or the outcome of a court case. If any action is being considered please consult with a Housing Management Team Leader.

GOING TO COURT

If a domestic abuse case goes to court there are services that provide support throughout the court process for the victims. There are Domestic Abuse Court Services which support victims throughout the court service and explains the process. They will also offer after care service.

Housing Officer continuing support will mostly be focused on giving advice and being there Staff should be prepared to accept that sometimes no action, other than continued monitoring and support, may in some circumstances be the only option due to legal limitations.

DISCLOSURE SCHEME FOR DOMESTIC ABUSE

This is a scheme rolled out by Police Scotland which is aimed to prevent domestic abuse by empowering men and women with the Right to Ask about the background of their partner or potential partner. The scheme allows for a formal mechanism to make inquiries about a partner if someone was worried they have been abusive in the past.

If Police checks show that the victim has a record of abusive behaviour or there is other information to indicate the person you know is at risk the police will consider sharing this information with the person(s) best placed to protect the potential victim.

The Right to Ask form is for everyone who wants to apply to the scheme either for themselves or another person. It is for both members of the public and for professionals.

Full details and the form can be found at: [Disclosure Scheme for Domestic Abuse Scotland - Police Scotland](https://www.scotland.police.uk/advice-and-information/domestic-abuse/disclosure-scheme-for-domestic-abuse-scotland/)

FORCED MARRIAGE

Forced marriage is a marriage in which one or both parties do not (or, in the case of some adults with learning or physical disabilities, or are under 16 years of age, cannot) consent to the marriage and duress is involved. Duress includes both physical and emotional pressure. It is very different from arranged marriage, where both parties give their full and free consent to the marriage.

If we become aware of this situation we must contact the police and alert them that we suspect that forced marriage may be occurring or has occurred. This includes if the victims are planning to go abroad to do this. Police Scotland can request that a Marriage Protection Order is put in place for the victim.

Forcing someone into marriage is a criminal offence in Scotland, England and Wales.

FEMALE GENITAL MUTILATION

Female Genital Mutilation (FGM) is defined by the World Health Organisation as "all procedures that involve partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons”. Communities involved in FGM are predominately African but it happens in other countries including parts of the Middle East, India, Sri Lank and Australia.

Females are mostly at risk of FGM are from the ages of 0-12 years of age. It is mainly identified by social work and health professionals through examinations. If it found that a mother has experienced FGM their daughters will automatically be referred to social work as child protection issue.

It is against the law for victims to be involved in an anyway in circumcising a girl in Scotland or to take a girl to do it abroad.

If we become aware of this we must complete a social work referral immediately and record this as a safeguarding incident.

Interview Sheet

Date:

|  |  |
| --- | --- |
| Name: |  |
| Address: |  |
| Contact Details (current and safe numbers only)On first contact with victim ask if it is safe to leave voicemail/textPhone:Email: |
| Is this a sole or joint tenancy? Sole/Joint |  |
| Is this person a tenant? Yes/No |  |
| If no, are they married/civil partnership? |  |
| Length of time living in the property? |  |
|  |
| **Confidentiality** |
| Have you explained our confidentiality policy? Yes/No |
|  |
| **Consent** |  |
| Have you obtained consent from victim to make a referral to external agency? |  |
| Do you have a signed consent form? Yes/No |
|  |
| **Risk Identification** |
| What form does the abuse take? Violence/Sexual/Emotional |  |
| Has the current incident resulted in an injury? Yes/No | Any details: |
| What are you afraid of? Is it further injury or violence? |  |
| Frequency of abuse? |  |
| Has the victim taken any action to prevent? (Police/Support Agency/Friends/Family) |  |
| Are you pregnant or have recently had a baby?Note if Children involved that we must make a Social Work Referral for Child Protection Reasons |  |
| Do you feel isolated from family and friends, does (name) try to stop you from seeing family/friends/others?  |  |
| Does (name) constantly text, phone, contact, follow, stalk or harass you? |  |
| Has (name) ever used weapons or objects to hurt you? |  |
| Has (name) ever threatened to kill you or someone else? Who?You?Your Children?Other? |  |
| Has name had problems in the past year with drugs (prescription or other), alcohol or with mental health which have led to problems?  |  |
|  |
| **Advice**  |
| Have you advised about where they can go in an emergency (Give Temp Accommodation Number & Domestic Abuse Number 0800 027 1234)? |  |
| Have you given housing advice? Yes/No |  |
| Have you discussed putting on management transfer? |  |
| Have you encouraged the victim to go to Support Agency like Women’s Aid? Yes/No |  |



Date:

Housing Officer:

**Permission to Make Referral**

I INSERT NAME of INSERT ADDRESS agree to allow Places for People Scotland to make a referral to INSERT AGENCY/POLICE SCOTLAND on my behalf.

Any information shared will be treated as strictly confidential and will only be shared with the name agency/agencies above.

Signature:

Date: