

HOUSING DOMESTIC ABUSE POLICY



Document Control

| | | | |
|-------------------------|------------------------------------|----------------|---------------------------|
| Title | Housing Domestic Abuse Policy | | |
| Owner | Housing Solutions | Contact | kellymarg@northlan.gov.uk |
| Governance Group | Violence Against Women Partnership | | |
| Author | Business Development and Support | Contact | kellymarg@northlan.gov.uk |

Revision History

| Number | Originator | Date Review Commenced | Revision description / record of change |
|--------|------------|-----------------------|---|
| | | | |
| | | | |
| | | | |

Document approvals

| Number | Governance Group | Date approval granted | Date approval to be requested (If document still draft) |
|-----------|-------------------|-----------------------|--|
| Version 1 | Housing Committee | 31/08/22 | |
| | | | |
| | | | |

Consultation Record (for most recent update)

| | |
|--|---|
| Status of document consulted upon | Consultation carried out on the draft policy to inform the final policy development |
| Stakeholders consulted / date | April 2022 – August 2022 |

Strategic Alignment

Improve the health and wellbeing of our communities:

- Ensure the highest standards of public protection

Next review date

| | |
|--------------------|-------------|
| Review date | August 2023 |
|--------------------|-------------|

Contents

| | |
|--|----|
| 1. Introduction | 04 |
| 2. Definition of Domestic Abuse | 05 |
| 3. Aims and Objectives | 06 |
| 4. Outcomes | 07 |
| 5. Policy Scope | 08 |
| 6. National Context | 09 |
| 7. Local Context | 10 |
| 8. Equalities, Human Rights and Impact | 11 |
| 9. Policy Statement | 12 |

1. Introduction

This policy has been developed in partnership with North Lanarkshire's Violence Against Women Strategic Group and Operational Group. It has also been informed by recommendations set out in the [Change, Justice and Fairness research \(2015\)](#)¹ and the priorities set out in [Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence Against Women and Girls \(2018\)](#)².

It is aligned with Scotland's public health priorities³ and takes cognisance of the six priorities and the links to violence against women, drawing on the recommendations set out. It is also closely aligned to North Lanarkshire's Local Housing Strategy (2021-2026) and to the Rapid Rehousing Transition Plan, which sets out the council's and wider partners' approach to effectively address homelessness.

The intention of this policy is to provide a clear overarching policy framework which sets out North Lanarkshire Council's Housing Service's response to preventing and eradicating domestic abuse. It should be read in conjunction with the [Domestic Abuse Procedures for Housing](#).

¹ Change, Justice, Fairness (2015) Scottish Women's Aid and Fife Domestic and Sexual Abuse Partnership

³ Scotland's Public Health Priorities and Violence Against Women and Girls, Public Health Scotland, March 2022



2. Definition of Domestic Abuse

North Lanarkshire Council understands domestic abuse must be considered with a gendered lens. This policy is based on the Scottish Government's definition of domestic abuse as a form of Gender-Based Violence (GBV). This abuse is perpetrated against women and girls because they are female.

GBV includes actions that:

'...result in physical, sexual and psychological harm or suffering to women and children, or affront to their human dignity, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. It is men who predominantly carry out such violence, and women who are predominantly the victims of such violence'⁴

The nationally agreed definition of domestic abuse is:

'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 (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, withholding money and other types of controlling behaviour such as isolation from family or friends)⁵

For the purposes of this policy, it is assumed that the domestic abuse is being perpetrated by a partner or ex-partner (intimate partner). However, in Black and Minority Ethnic communities, wider family members may become involved in the abuse.

3. Aims and Objectives

The main aim of this policy is to ensure a proactive housing response to prevent and eradicate all forms of domestic abuse.

Our objectives are to:

- Work collaboratively with women and children with lived experience of domestic abuse to ensure their voices are heard and shape our housing policies and services
- Work collaboratively with key partners and wider stakeholders to identify ways in which we can take earlier, effective intervention and improve our responses and service offering to tackling domestic abuse
- Develop an improved understanding of domestic abuse amongst housing staff to ensure effective, high quality housing support, advice and information
- Provide a policy framework which sets out clear messaging promoting equality and respect, and rejects all forms of domestic abuse
- Support wellbeing amongst our housing workforce to ensure a supportive and trauma responsive environment to effectively address domestic abuse across all sectors of society
- Provide an effective and trauma informed service to women and children who have experienced/are experiencing domestic abuse
- To prevent and reduce adverse childhood experiences and provide safe and nurturing accommodation and support that can help children and families thrive
- To work with our Register Social Landlord partners and the wider housing sector to share learning and promote best practice in relation to domestic abuse
- Challenge gendered stereotypes across all aspects of our service delivery



4. Outcomes

In achieving our objectives and overarching aim the following outcomes are intended:

- Domestic abuse is prevented but where it does occur a coordinated, effective response is provided which enables women to access to a range of appropriate housing options, advice, information and support
- Inequalities are reduced and opportunities are created which promote improved life chances for women, children, young people, families at risk, and other vulnerable people/groups of people affected by domestic abuse
- Our communities, workplaces and wider society embrace equality and mutual respect and reject all forms of domestic abuse

5. Policy Scope

This policy sets out North Lanarkshire Council's Housing Service's approach to providing a co-ordinated response to the accommodation and support needs of women and children experiencing domestic abuse. We recognise the violent and abusive behaviour predominantly carried out by men directed at women and girls is because of their sex and that this behaviour stems from systemic, deep-rooted women's inequality.

This includes domestic abuse, rape, sexual assault, commercial sexual exploitation (like prostitution), female genital mutilation, forced marriage and 'honour based' violence, where people who are abused and victimised for bringing shame or scrutiny upon their family. This can take many forms, from verbal abuse and coercive control to extreme acts such as kidnapping or murder.

We also recognise that domestic abuse can also affect men, transgender and gender non-binary people and as such this policy can be applied to meet individual need.



6. National Context

Incidents of violence and abuse against women often go unreported, which means the scale of domestic abuse is often underestimated. The impact of the Covid-19 pandemic has also created additional complexities for women experiencing domestic abuse, illustrating that it remains a serious and significant issue in Scotland.

Equally Safe: Scotland's Strategy to eradicate violence against women, makes it unequivocally clear that violence against women and girls, in any form, has no place in the Scottish Government's vision for a safe, strong, successful Scotland. The Scottish Government, COSLA and key partners recognise that violence against women damages health and wellbeing, limits freedom and potential and is a violation of the most fundamental human rights. The strategy sets out a vision for:

*'A strong and flourishing Scotland where all individuals are equally safe and respected, and where women and girls live free from all forms of violence and abuse - and the attitudes that help perpetuate it.'*⁶

The main aim of the strategy is to work collaboratively with key partners across sectors to prevent and eradicate all forms of violence against women and girls. The strategy is reinforced by the **Equally Safe Delivery Plan**⁷ to ensure ambitions are rooted in practical delivery. It sets out the following key priorities:

- Achieving greater gender equality
- Intervening early and effectively to prevent violence and maximising the safety and wellbeing of women, children and young people
- Tackling perpetrators

This policy and complimentary operational procedures are aligned with the Equally Safe vision, aims and priorities and also make a key contribution to national outcomes, including, but not limited to:

- We live our lives free from crime, disorder and danger

- We have tackled the significant inequalities in Scottish society
- We have strong resilient and supportive communities where people take responsibility for their own actions and how they affect others
- Our children have the best start in life and are ready to succeed
- We have improved the life chances for young people and families at risk

The Change, Justice, Fairness Report⁸, which provides important insights into the experiences of women with experience of domestic and sexual abuse who have been faced with the risk of homelessness as a result, has also informed this policy. This report highlights several recommendations relevant for wider housing services both in terms of strategic and operational delivery of services aimed at preventing homelessness for women and children, experiencing domestic or sexual abuse at the earliest opportunity.

7. Local Context

The Housing Service is a key partner on both the Violence Against Women (VAW) Strategy Group and the Violence Against Women (VAW) Operational Group alongside representatives from a range of other council and statutory services, third and independent sector organisations, which provide support, information, advice and accommodation for women at risk of or experiencing domestic abuse.

The partnership response to domestic abuse in North Lanarkshire is framed within the context of that set out in the national Equally Safe Strategy in the recognition of the deep-rooted structural gender inequalities which underpin domestic abuse and other forms of Gender-Based violence, whilst also recognising the wider harms created by domestic abuse in families and communities and that whilst anyone can be a victim of domestic abuse, women and girls are disproportionately more affected.

Although positive and significant progress has been made in the prevention and reduction of domestic abuse across a range of areas, addressing these structural inequalities alongside a high prevalence of domestic abuse in North Lanarkshire, despite the strong partnership working,

remains a key challenge. The council recognises the key role that Housing Services and the wider housing sector play and has publicly demonstrated its commitment to taking action to tackle domestic abuse through signing the 'Make a Stand' pledge.

The partnership is committed to delivering a broad spectrum of improvement activity set out in the Violence Against Women Action Plan and to working with a range of partners and services to deliver a whole system approach to safeguard and support those experiencing or at risk of domestic abuse, as well as providing a focus on prevention and tertiary prevention to support longer-term change. This includes delivery of programmes such as the Mentors in Violence Prevention programme (MVP) which helps

young people challenge the attitudes, beliefs and cultural norms that underpin Gender-Based violence and the UP2U domestic abuse behaviour change programme which is designed to help perpetrators/offenders make positive changes to their behaviour and their relationships.

In addition to the strategic and operational VAW groups, housing plays a key role in the public protection agenda, with participation in Multi Agency Risk Assessment Conferences (MARAC), the process of managing the highest risk cases of domestic abuse and Multi-Agency Tasking and Coordination (MATAC), the process of identifying and tackling serial perpetrators of domestic abuse.

8. Equalities, Human Rights and Impact

We apply a human rights approach to domestic abuse within Housing Services. We recognise that domestic abuse violates human rights because it denies women their rights, which includes, the right not to be treated in an inhuman and degrading way; the right to respect for private and family life and the right to life. We listen to the experiences of victims and will protect women and children's right to a home life, including the peaceful and safe occupation of their home.

The Equality Act 2010 places statutory duties on the council to ensure its functions and related services offer fair access and inclusion through the:

- Elimination of unlawful discrimination, harassment or victimisation;
- Advancement of equality of opportunity between people who share a protected characteristic and those who do not;

- Fostering of good relations between people who share a protected characteristic and those who do not.

An Equalities Impact Assessment (EqIA) has been carried out whilst this policy was being developed to identify any potential adverse impacts on people with/or groups who share a protected characteristic and any opportunities in which to strengthen and promote equalities. This assessment included an assessment of the Fairer Scotland Duty and Human Rights.

Two further impact assessments have been carried out for this policy given the scope and impact of this policy on women, children and health. This included a Children's Rights and Wellbeing Impact Assessment (CRWIA) and a Health Impact Assessment (HIA). A summary of the EqIA can be found on the council's website and the full impact assessments are all available on request.

9. Policy Statement

9.1 Our Approach

Housing Services are at the forefront of delivering services to women and children affected by domestic abuse. Housing Services offer a confidential, sensitive and priority service to anyone experiencing domestic abuse and who may be seeking temporary accommodation or re-housing, support, advice or information. This includes sustaining current accommodation, where possible and where this is the preference, preventing the need to present as homeless. This avoids any potential distress and trauma associated with moving into temporary accommodation or moving to an unfamiliar area away from existing support networks. We also know that for some women, the trauma experienced in their accommodation may mean that it is not an option for them to remain there. In these circumstances we would find alternative suitable accommodation.

We recognise that women experiencing domestic abuse who approach the housing service asking for help may have other issues such as disability, addiction or be financially dependent on their abuser. We ensure that we treat women sympathetically and provide a trauma informed service to explore a range of housing options and supports to identify the best housing and/or support outcome. We will work in partnership with specialist

services, including, but not limited to, mental health and addiction services to ensure referral pathways, that enable swift and good access to services when they are needed and will work with services on behalf of women where this is the preference of women.

We also recognise that some women may experience additional specific barriers, such as women with 'no recourse to public funds' (NRPFs) due to immigration status. This can be a major barrier to escaping abuse, as women may be afraid to approach services for support or advice due to fear of being deported. We will work with partners, including national organisations who have expertise in advising and supporting women subject to NRPFs to support women who experience these complex and challenging situations.

The nature of domestic abuse and intersectionality will be at the forefront of our approach, to help tackle deep-rooted structural inequalities. We will ensure our housing response takes full cognisance of the inter-connectedness and impact of disability, ethnicity, sexuality, poverty as well as other factors in relation to domestic abuse and the ways in which individual or several factors can combine and interact in ways to exacerbate inequality.

The principles that underpin our service approach are that women experiencing abuse:

- Will be believed, supported
- Their views will be fully considered
- Will have their support needs assessed
- Will have access and support to maintain affordable housing or appropriate accommodation
- Can be assured that the information provided will be dealt with in the strictest confidence

To achieve this, we will ensure that women experiencing domestic abuse receive:

- A consistent high-quality service
- A thorough assessment of their accommodation and support needs
- Access to appropriate accommodation
- Access to housing support
- Access to specialist support services
- Access to legal information on the protection available to them

- Signposting to all other relevant agencies

Further details on the application of these principles in practice can be found in the [Domestic Abuse Procedures for Housing.](#)

Housing Options

Our aim is to provide the highest quality housing options advice and information to help identify a range of appropriate housing options to best meet the individual needs of women and children experiencing or at risk of domestic abuse. We will work with women to explore these options, linking with other services and organisations as appropriate, to ensure their housing and support needs are fully considered and that a plan is jointly agreed on how to progress and meet their needs.

Housing options include, but are not limited to:

- Supporting women to remain in their home
- Removing the perpetrator (where possible)
- Rehousing the perpetrator
- Supporting women to transfer the tenancy to their name
- Supporting women to gain legal advice and information
- Utilising management housing transfers to support women to make planned moves and avoid homelessness
- Utilising domestic abuse housing protocol priority points to achieve a move through the general or transfer waiting list and avoid homelessness

- Referral to another local authority or specialist service that can assist with rehousing in another local authority area
- Provision of temporary and/or supported accommodation
- Enabling access to specialist domestic abuse support and/or accommodation

Prevention and Early Housing Advice

Providing good housing advice at an early stage is always our aim, to provide access to a range of options so an informed decision can be made on the best option that meets the needs of women and children. We recognise that women experiencing domestic abuse often feel the need to move out, and that this may not always, help them to feel and be safe in the longer term, and can create further trauma and hardship, for example through moving into temporary accommodation and then permanent housing and the associated costs and upheaval associated with homelessness. Where a person affected by domestic abuse wishes to remain in their own home, we will support them to do so, wherever possible. This may involve an assessment of home safety and support needs and making arrangements for equipment, technology or adaptations as appropriate to improve safety and wellbeing.

As highlighted previously however, we also recognise that for some women this may not be an option and we will work with women to find suitable alternative

accommodation that meets their needs where this is required.

Housing Services use a Prevention and Sustainability (PAS) tool when there are approaches to the service for advice, information and assistance. This helps identify if there are any unmet support needs to enable the right housing advice, support and referral to other services as required. PAS is a crucial tool in supporting women and children affected by domestic abuse and will be used in every approach to the housing service in cases of domestic abuse to ensure a preventative approach and early intervention.



Partnership working

Partnership working is fundamental in the context of domestic abuse. We are committed to working with a range of partners and other council services to achieve the best possible outcomes for people affected domestic abuse. This includes MARAC and MATAC which supports the highest risk domestic abuse victims but also includes, working with partners on a regular basis for other domestic abuse victims who are not subject to these conferencing arrangements, to improve safety, reduce the impact of domestic abuse and to prevent it from occurring or re-occurring. This involves a range of partners, including but not limited to:

- Monklands Women's Aid
- Motherwell and District Women's Aid
- North Lanarkshire Women's Aid
- Aura
- Assist
- Lanarkshire Rape Crisis Centre
- Police Scotland
- NHS Lanarkshire
- SAY Women
- Revive Scotland

Partnership working also takes place at strategic and operational policy level, to ensure a consistent approach across services and partners within North Lanarkshire and to improve our response to prevent and tackle domestic

abuse effectively and efficiently. This takes place via the Violence Against Women Operational Group and the Violence Against Women Strategic Group.

Risk Assessment

Risk assessment is vital in supporting victims of domestic abuse. It can help prevent domestic abuse from occurring and can ultimately save lives. Housing Services use the Safe Lives DASH risk assessment tool. This provides a useful tool to help understand risks, such as escalation, fear, isolation, and child contact, amongst others and can enable effective safety planning.

Housing Services staff will also identify and refer as appropriate, using adult and child protection policies in place and are trained and skilled in understanding the safeguarding policies and procedures.

Safety Planning

Safety Planning is a vital tool in working with people affected by domestic abuse and is of particular importance when the victim resides with the perpetrator, when they consider leaving and after they have left. Risk also increases at the point when a victim is leaving. It is important that risk is regularly reviewed as the situation changes. Safety planning is an important component of the support provided by housing services and the partnership working undertaken to support and protect people affected by domestic abuse.

Action against Perpetrators

The new Domestic Abuse (Protection) (Scotland) Act 2021 will enable police and courts to ban suspected abusers from re-entering the home and from approaching or contacting the person at risk for a period to enable them to consider their longer-term options in relation to safety and housing. This Act will also allow social landlords to end or transfer the tenancy of a perpetrator of domestic abuse to the victim.

Evidence supports that domestic abuse is one of the main causes of homelessness amongst women both in North Lanarkshire and nationally. Previous legislation did not safeguard women's housing rights. As such this new Act is a welcomed development and will help improve housing outcomes for women affected by domestic abuse. It is anticipated that guidance, including provisions on how to rehouse perpetrators, will be published later in 2022, to assist social landlords in enacting their new powers and achieve better outcomes for women experiencing domestic abuse.

In the interim until this new legislation is enacted, it is not possible to evict a perpetrator of domestic abuse, when the tenancy is held in joint names. We will however, support women to seek legal advice to prevent the perpetrator remaining in the family home, and we will explore other options which include rehousing a perpetrator and supporting Police Scotland in their activities to deal with perpetrators.

Homelessness

We will always endeavour to avoid homelessness where possible, through the provision of a full housing options interview and prevention interventions. We will always seek to utilise the Domestic Abuse Protocol in the first instance where appropriate, where a move of home is required, to maximise the priority points awarded to women affected by domestic abuse, to achieve an appropriate housing offer that meets their individual needs.

We recognise, however, that there are some circumstances in which homelessness cannot be prevented and this policy aims to reduce the impact that homelessness may have on women and children experiencing or at risk of domestic abuse. We have clear processes in place which ensure:

- The provision of safe, secure and comfortable temporary accommodation if required and access to permanent, settled accommodation as quickly as possible to minimise the time spent in temporary accommodation
- That we listen to women about where they want to live to ensure that any offer of accommodation (temporary or permanent) meets their needs in terms of safety, support networks, including family and childcare, schooling arrangements, employment and educational needs, and access to other necessary amenities or facilities to meet their needs
- The provision of support, information and advice on a range of housing options, including working with other local authorities where required, to ensure the best housing, safety and wellbeing outcomes.



Training

The Housing Service is committed to ensuring that all housing staff understand and can respond to domestic abuse. All housing staff undertake Domestic Abuse Awareness Raising Training (DAART) as a minimum, with frontline housing staff and managers undertaking enhanced training, which ensures staff:

- Understand domestic abuse, and other forms of violence against women;
- Can identify women at risk, understand the behaviour of perpetrators; and
- Can respond in a trauma responsive way.

The Housing Service is also working with the VAWG partnership to train housing staff in the Safe and Together Model Overview Training which will provide housing staff with information on creating a domestic violence-informed child welfare system, the principles and components of the Safe and Together Model and information about the framework behind competency-building in child welfare around domestic abuse.

Training also takes place in relation to risk assessment and safety planning, in the form of Save Lives DASH Risk

Assessment Training and we are committed to ensuring that training is also delivered to senior management to ensure an effective overall service response to domestic abuse.

Underpinning the range of domestic abuse training, is also a range of trauma-informed practice training. We are committed to ensuring all housing staff complete trauma-informed training, with enhanced training for housing staff in support roles or with greater contact with the public. We will continue to roll out further training and learning opportunities on trauma within the housing service to embed trauma responsive practices across all aspects of our business and develop a trauma-informed workforce.

Core Business

Tackling domestic abuse is at the core of all our business. We ensure that no matter the service area, tackling domestic abuse is everyone's responsibility and that there is a good awareness and understanding of domestic abuse across every area of our service and its impacts. This includes, for example, dealing with anti-social behaviour so that there is no confusion between domestic abuse and anti-social behaviour, managing rent arrears, so domestic abuse is considered in the context

of impact on financial circumstances and wider tenancy and housing management areas. We will continue to build on developing a greater understanding amongst our wider housing workforce to reduce any service generated risks and to encourage housing staff to understand how domestic abuse relates to all other areas of people's lives in complex ways.

Evaluation and Monitoring

This policy will be subject to regular review and monitoring, to ensure effective implementation and relevance and to support best practice in supporting women and children affected by domestic abuse.

The policy will be reviewed on an annual basis, coordinated by the Housing Domestic Abuse Working Group in partnership with women with lived and living experience of domestic abuse and the VAWG Partnership.

Monitoring information, data and statistics are reported to the VAWG Partnership on a quarterly basis and will also be used to inform the future development of this policy.



This document can be made available in a range of languages and formats, including large print, braille, audio, electronic and accessible formats.

To make a request, please contact Corporate Communications at: corporatecommunications@northlan.gov.uk

'S urrainn dhuinn an sgrìobhaidh seo a chur ann an diofar chànanan agus chruthan, a' gabhail a-steach clò mòr, braille, cruth claisneachd agus cruthan dealanach agus ruigsinneach.

Gus iarrtas a dhèanamh, cuir fios gu Conaltradh Corporra aig:
corporatecommunications@northlan.gov.uk

Niniejszy dokument można otrzymać w wielu różnych językach i formatach, w tym również dużym drukiem, alfabetem Braille'a, w wersji dźwiękowej, elektronicznej i w innych dostępnych formatach.

Prośby należy składać na ręce zespołu ds. komunikacji drogą elektroniczną na adres:
corporatecommunications@northlan.gov.uk

此文件可以多种不同语言和格式提供, 包括大字体、点字、音频、电子和易读格式。

如想提出请求, 请联系企业传讯部: corporatecommunications@northlan.gov.uk

اس دستاویز کو مختلف زبانوں اور صورتوں بشمول بڑے حروف، بریل، آڈیو، الیکٹرانک اور قابل رسائی صورتوں میں فراہم کیا جاسکتا ہے۔
corporatecommunications@northlan.gov.uk پر رابطہ فرمائیں: براہ کرم درخواست کے لیے کارپوریٹ کمیونیکیشنز سے اس پر رابطہ فرمائیں:

Produced by

NORTH LANARKSHIRE COUNCIL

Housing Solutions - Business Development and Support

Motherwell, Civic Centre, Motherwell ML1 1AB

e. businessdevelopment&support@northlan.gov.uk

NORTHLANARKSHIRE.GOV.UK