



**ARGYLL & BUTE COUNCIL**  
**HOUSING SERVICES**  
**DOMESTIC ABUSE POLICY**

**1. INTRODUCTION**

Domestic abuse does not discriminate and can affect anyone regardless of their gender, ethnicity, religion, class, age, sexuality, disability or lifestyle.

Housing Services of Argyll and Bute Council are committed to ensure that victims of domestic abuse are given the advice to make informed choices about their accommodation options. It is recognised that domestic abuse is a major cause of homelessness and repeat homelessness and we will take a proactive and sensitive approach to responding to domestic abuse cases and work closely with our partners (whether that is to support someone to remain in their existing accommodation, emergency accommodation or permanent rehousing).

Housing Services signed up to the Chartered Institute of Housing's Make a Stand campaign in February 2019 to help tackle domestic abuse.

**2. AIMS AND OBJECTIVES**

By adopting this policy, Argyll and Bute Council aim to:

- ✚ Ensure that Housing Services take a proactive approach to preventing homelessness and addressing the needs of those who experience domestic abuse.
- ✚ Provide a confidential, sensitive and responsive service to those who experience domestic abuse.
- ✚ Take a co-ordinated approach to the housing and support needs of those who experience domestic abuse and to provide a range of housing options, advice and information.
- ✚ Increase awareness and understanding to all staff by offering training and support to deliver a consistent, sensitive and confidential service and to ensure that staff are clear regarding their roles in responding to issues around domestic abuse.
- ✚ Promote awareness amongst other agencies of the role that the Housing Services department can play in raising awareness of domestic abuse and assisting individuals experiencing abuse.

### **3. DEFINITION**

The UK Government's definition of domestic abuse:

"Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse: psychological; physical; sexual; financial; emotional"

"Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour".

"Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim".

Scottish Women's Aid:

Domestic abuse is a pattern of controlling, coercive, threatening, degrading and/or violent behaviour, including sexual violence, by a partner or ex-partner. Domestic abuse is overwhelmingly experienced by women and perpetrated by men. It doesn't matter how old someone is, what race or ethnicity they have, what class they are, whether or not they are disabled, or whether they have children – anyone can be a victim of abuse. Controlling and coercive behaviour was criminalised by the Domestic Abuse (Scotland) Act 2018 and the legislation came into force on 1 April 2019.

Source: <https://womensaid.scot/information-support/what-is-domestic-abuse/>

### **4. OUR APPROACH**

Argyll & Bute Council is a stock transfer local authority, as a result, we have no housing stock.

#### **4.1 Prevention**

Argyll & Bute Council work in partnership with Argyll & Bute Women's Aid and the Registered Social Landlords in the local authority area. We are represented at the MARAC partnership and the Violence Against Women Partnership.

#### **4.2 Housing Options**

Housing Services are one of the partners of the common housing register in Argyll & Bute. Information for the public on how to access support in relation to domestic abuse is available on Argyll & Bute Council's website, HOME Argyll website to

name just a few. Other agencies can also signpost or refer to local area housing teams and an appointment to discuss housing options can be made. Information how to contact Housing Services has been cascaded to various organisations including GP surgeries, Police stations, etc. Victims of domestic abuse should be made aware of support agencies that may be able to help them and be provided with details.

#### 4.3 Actions against perpetrators

We work with Registered Social Landlords in Argyll & Bute to assist with the management of tenancies affected by domestic abuse. A member of staff from Housing Services, Argyll & Bute Council attends MARAC meetings on behalf of the HOME Argyll partnership. It may be necessary to liaise with landlords to assist those affected by domestic abuse to secure their property to reduce the risk of further abuse or crime. This may include arranging for locks to be changed, fitting key chains, spy holes or approval for CCTV/ring doorbells.

#### 4.4 Homelessness

We have an agreement with HOME Argyll partners that victims of domestic abuse are awarded maximum points on the waiting list to minimise the risk of households presenting as homeless in this situation. We recognise that in some circumstances, a homeless application is the most appropriate solution.

Housing Services operate a 24 hour a day, 7 days a week, 365 days a year service which will respond to crisis situations.

We adopt a person centred approach and are responsive to the needs of each individual household. Examples of this is to reduce financial consequences of homelessness as a result of domestic abuse:

- + Provide removal and storage facilities to enable those experiencing domestic abuse to keep their possessions
- + Provide financial advice and assistance to ensure those experiencing domestic abuse are not further indebted by the homelessness process
- + Remove the rental charge overlap on two homes when those experiencing domestic abuse are moving from temporary to permanent accommodation
- + Ensure that those experiencing domestic abuse are not charged for the damage caused to the property by the perpetrator

#### 4.5 Support

Housing Services manages a support contract with Argyll & Bute Women's Aid and also manage tenancy support contracts with other third sector providers. These contracts provide support across the local authority area. The support is delivered in a way which is flexible, person centred and will meet the needs of the household as long as they require it.

#### 4.6 Temporary accommodation

Housing Services provides temporary accommodation across the local authority area. The majority of the temporary accommodation comprises of furnished properties in the main settlements of Argyll and Bute. This allows for accommodation to be offered in an area which will meet the needs of the household. We work with Women's Aid to ensure that accommodation offered is suitable for the circumstances of each individual.

#### 4.7 Permanent housing

We support victims of domestic abuse through the homeless process ensuring that they have a housing application which accurately reflects their needs.

### 5. **LEGISLATION**

- ✚ Housing (Scotland) Act 2001 and 2014
- ✚ Human Rights Act 1998
- ✚ The Matrimonial Homes (Family Protection) (Scotland) Act 1981
- ✚ The Domestic Abuse (Scotland) Act 2018 created a specific statutory offence of domestic abuse
- ✚ The Homelessness etc (Scotland) Act 2003
- ✚ Code of Guidance on Homelessness Guidance on legislation, policies and practices to prevent and resolve homelessness (Interim Update) November 2019
- ✚ Domestic Abuse A Good Practice Guide for Social Landlords, 2019 – CIH, SFHA, COSLA ALACHO, Shelter and Women's Aid

### 6. **PARTNERSHIP WORKING**

#### **MARAC**

MARAC is a Multi-Agency Risk Assessment Conference which takes place every 4 weeks and focuses upon high risk domestic abuse cases, where victims are assessed as being at high risk of murder or serious harm. In a single meeting, a MARAC combines current information regarding risk with a comprehensive assessment of the victim and children's needs and provides robust pathway to the provision of appropriate services for all those involved. The primary focus of MARAC is to safeguard the adult victim, however the MARAC will also make links with other agencies to safeguard children and manage the behaviour of the perpetrator.

MARAC comprises representatives from Police Scotland, Woman's Aid, ASSIST, Health, Housing, Mental Health, Addictions, Children and Families, Adult Services, Education, Scottish Fire & Rescue.

## **Argyll & Bute Violence Against Women & Girls Partnership**

Housing Services are part of the above Partnership along with other key partners within the Council; Health Board; Police Scotland; Education; Justice Services and other Third Sector organisations, to provide a focus for actions to eradicate violence and the impacts of violence on survivor's lives. These key actions make up the [Argyll and Bute Equally Safe Implementation Plan 2018 – 2021](#).

### **7. TRAINING**

We are committed to providing regular training on domestic abuse and other forms of violence, to ensure all staff know about domestic abuse, coercive control and other forms of violence and can identify anybody at risk and respond confidently and appropriately.

### **8. CONFIDENTIALITY/GDPR**

Argyll & Bute Council recognises that incidents of Domestic Abuse are extremely sensitive. Argyll & Bute Council may however share relevant information with local agencies such as Police Scotland or Social Work Services. This will mean that cases are dealt with more effectively by either gathering extra evidence to support cases who require rehousing or sharing information in the interests of the tenant and/or their dependants to provide better or more effective support. Any information disclosed should be treated in the strictest confidence.

### **9. EQUALITY & DIVERSITY**

Argyll & Bute Council's Housing Services department recognises that there are socially diverse communities across the local authority area. It will seek to eliminate discrimination and promote and advance equality for all protected characteristics, as defined in the Equality Act 2010. These protected groups relate to age, disability, gender and gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief and sexual orientation. Housing Services also recognises the impact of its policy and procedures on those of different socio-economic groups.

Housing Services also recognises that domestic abuse affects different groups in different ways and may affect protected groups disproportionately.

### **10. COMPLAINTS**

Any complaints about failure to follow this policy or about the way a service user has been treated in relation to this policy will be dealt with by Argyll & Bute Council's complaints procedure.

## **11. MONITORING AND EVALUATION**

We will monitor the outcomes of all homeless presentations as a result of domestic abuse on an annual basis. We will monitor the number of cases awarded 200 domestic abuse points on the HOME Argyll common housing register, and monitor the outcome of these cases.

## **12. POLICY REVIEW**

This Policy will be reviewed annually or earlier if required by legislation, guidance or practice.

Argyll and Bute Council's HROD Team have developed a Domestic Abuse Policy for staff - [http://intranet.argyll-bute.gov.uk/sites/default/files/domestic\\_abuse\\_policy\\_-\\_v1\\_0.doc](http://intranet.argyll-bute.gov.uk/sites/default/files/domestic_abuse_policy_-_v1_0.doc)

(Appendix 1)

## **FURTHER INFORMATION AND SUPPORT:**

Argyll & Bute Women's Aid: 01369 706636 and [www.argyllwomensaid.org.uk](http://www.argyllwomensaid.org.uk)

Argyll & Bute Rape Crisis: 0800 121 4685 and [www.ab-rc.org.uk](http://www.ab-rc.org.uk)

ASSIST: 0141 276 7710

Scottish Women's Aid: <https://womensaid.scot/>

Scotland's Domestic Abuse and Forced Marriage Helpline: 0800 027 1234

Men's Advice Line: 0808 801 0327

Abused Men in Scotland: 0808 800 0024

**MAKE  
A  
STAND**

Our homes, our people,  
our problem.

We've signed the **Make a Stand** pledge  
to support people experiencing  
domestic abuse, have you?

women's aid  
until women & children are safe

 Chartered  
Institute of  
Housing

 daha  
Domestic Abuse Housing Alliance

#makeastand  
[cih.org/makeastand](http://cih.org/makeastand)



**ARGYLL AND BUTE COUNCIL**

**DOMESTIC ABUSE POLICY**

# POLICY ON DOMESTIC ABUSE

## 1. Definition

- 1.1 The UK government's definition of domestic abuse is **'any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse** between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to psychological, physical, sexual, financial or emotional'.

## 2. Policy Statement:

- 2.1 The Council believes that everyone has the right to live free from domestic abuse. Domestic abuse is unacceptable whether it be within or outwith the workplace.
- 2.2 The Council has developed this policy as part of its commitment to support employees' health and wellbeing at work and recognises that domestic abuse affects people in all aspects of life, including the workplace.
- 2.3 The Council has a duty of care for ensuring, so far as is reasonably practicable, the health, safety and welfare of its employees at work, and for creating an environment in which employees feel safe to disclose their experience of abuse in order to access support and increase safety for themselves and others.
- 2.4 However, the right of employees not to disclose must be respected and no employee should feel pressured into sharing this information if they do not wish to do so.

## 3. Aims:

3.1 In support of delivering on this policy statement, the Council aims to:

- Provide guidance on how the council can provide a safe and supportive working environment for those who are affected by domestic abuse.
- Help raise awareness of the signs of domestic abuse and what internal and external support may be available to employees who are affected by this.
- Ensure confidential and sympathetic handling of situations for employees arising from domestic abuse.
- Provide a framework for managers to support those experiencing domestic abuse (Guidance for Managers on Domestic Abuse).



- Provide a framework for addressing the behaviour of employees who may be perpetrators of abuse and who may pose a risk to other employees within the context of their work.
- Set out for employees generally the council's position in relation to addressing domestic abuse.
- To work with partners and other professionals to ensure this policy remains current and relevant.

#### **4. Scope**

- 4.1 This Policy and the associated 'Guidance for Managers on Domestic Abuse Policy' applies to all employees of the Council, as well as agency workers and individuals who are training with the Council but not employed.

#### **5. Implementation**

- 5.1 Responsibility for developing, implementing, advising on and monitoring this Policy lies with the Head of Customer Support Services.
- 5.2 Executive Directors of departments will be responsible for ensuring that managers are aware of the policy and their responsibilities in relation to it, in order that advice and support on domestic abuse matters is available within their department.

#### **6. Review**

- 6.1 The Domestic Abuse Policy and associated Guidance for Managers will be monitored and reviewed regularly to ensure that they continue to meet the Council's aims and principles, as well as continued compliance with relevant legislation.
- 6.2 Any queries in relation to this Policy and the associated guidance, should be addressed to the HROD Wellbeing Team. [wellbeing@argyll-bute.gov.uk](mailto:wellbeing@argyll-bute.gov.uk)