

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Operational Delivery
<b>DATE</b>	11 <sup>th</sup> March 2021
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Domestic Abuse Council Housing Policy
<b>REPORT NUMBER</b>	PLA/21/052
<b>DIRECTOR</b>	Andy MacDonald
<b>CHIEF OFFICER</b>	Derek McGowan
<b>REPORT AUTHOR</b>	Lucy McNicol Kevin Kelly
<b>TERMS OF REFERENCE</b>	1.1.5

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### 1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to seek approval for the Council Housing Domestic Abuse policy and approval of changes to the Delegated Powers under the Housing Allocations Policy detailed in appendix 1.

### 2. RECOMMENDATION(S)

- 2.1 That the Committee approves the attached Domestic Abuse Council Housing Policy
- 2.2 That the Committee approves the following new Delegated Power: “To offer alternative accommodation to perpetrators of Domestic Abuse providing they are engaging with housing staff and are willing to move on a voluntary basis. This should be accommodation of appropriate size and in an area of similar letting demand, as determined by the Chief Officer Early Intervention and Community Empowerment”

### 3. BACKGROUND

- 3.1 The purpose of this policy is to set out Aberdeen City Council’s housing policy with regards to addressing incidents of Domestic Abuse. This is a key policy to reflect the aims of the [Domestic Abuse \(Scotland\) Act 2018](#) that came into force in April 2019.

This Act makes domestic abuse involving a partner or ex-partner, whether physical or emotional or coercive control a criminal offence. This policy will also reflect the aims of [Aberdeen’s Local Outcome Improvement Plan](#) (LOIP) as well as Aberdeen’s Violence Against Women Partnership [action plan and strategy](#).

It is believed that domestic abuse is significantly under reported as a crime due to the nature of the offence and behaviours, especially where coercive and controlling behaviour are prevalent and this indicates that the incidence of domestic abuse in Aberdeen may be far higher than currently reported with the current COVID lockdown situation making matters potentially worse for those experiencing domestic abuse.

The council takes a Zero tolerance approach to domestic abuse and it is essential that we promote and recognise the signs of domestic abuse, increase our awareness and offer as much support as far as possible to all our tenants and prospective tenants from all forms of domestic abuse.

The table below shows the homeless presentations and the number of people fleeing some form of domestic abuse in Aberdeen compared with Scotland. We have been advised that the 2020/21 figures will not be published until August at the earliest.

The figures for Aberdeen City Council are higher than those for the whole of Scotland.

Homeless Apps by Year ACC	2017/18	2018/19	2019/20	2020/21
Total Apps	1709	1627	1487	1091
Violent/Abusive	258	279	236	152
Violent/Abusive %	15.10%	17.15%	15.87%	13.93%

Homeless Apps by Year Scotland	2017/18	2018/19	2019/20
Total Apps	35,565	36,771	36,855
Violent/Abusive	4460	4654	4832
Violent/Abusive %	12.5%	12.7%	13.1%

While statistically most of those homeless presentations are by females, it is important to recognise that those from other communities can also suffer from domestic abuse, including those from the LGBTQ community.

Primary prevention of Domestic Abuse is a key focus of this policy by engaging in wider awareness training, education, challenging attitudes, and action to promote gender equality.

These measures provide an alternative to disrupting families, allowing them to stay in their own home, preventing homelessness whilst the police and courts take appropriate action against the perpetrator.

Our Allocation Policy provides Delegated Powers for officers, to approve management transfers of tenants whose housing circumstances are out with the parameters of the policy. The creation of the new delegated power in 2.2

provides senior managers with the power to transfer a domestic abuse perpetrator who is engaging with housing staff.

- 3.2 The over-arching aim of the policy is to provide practical help, guidance, and support for those experiencing domestic abuse in all its forms including coercive control. We aim to create a supportive environment for victims and survivors of domestic abuse and to foster a culture of zero-tolerance and to provide safe and appropriate re-housing for those experiencing domestic abuse.

We aim to achieve this by: -

- ✓ Providing Information and advice
- ✓ Prevention and early Intervention
- ✓ Appropriate staff training
- ✓ Clear procedures
- ✓ Collaborative working
- ✓ Housing options
- ✓ Action against the perpetrator

- 3.3 Consultation on this report has included, 3<sup>rd</sup> sector organisations including, Grampian Woman's Aid, Cyrenians, GREC, Rape Crisis, Barnardo's and Advocacy, and Housing staff from Estate Management, Housing Options, Allocations and Homelessness. We have received comments from ACVO and Cyrenians which have been incorporated into the policy.

Aberdeen City Council already provides funding for some of these organisations see below:

Grampian Women's Aid – Monthly amount of £6167.10 for the Domestic Abuse Service.

Advocacy - Monthly payment of £21461.50 for provision of independent advocacy.

Consultation has also taken place with tenants, including the Tenants and Residents Forum. Other service users including applicants were also consulted. The views of all the consultees were incorporated into the policy document.

- 3.4. If approval for the policy is given, the policy will be implemented and appropriate communication undertaken to ensure that tenants, other service users, employees, 3<sup>rd</sup> Sector Organisations and managers are aware of its content. A set of procedures, processes and guidance notes will accompany the policy giving fuller details on its application.
- 3.5 Appropriate staff including Housing Officers, Case Officers, Repairs and Housing Options staff will be provided with comprehensive and targeted training.

3.6 Currently there is a Bill being progressed through the Scottish Parliament called **Domestic Abuse (Protection) (Scotland) Bill**. If this Bill becomes law it will strengthen the protection available to victims of domestic abuse, through the provision of additional powers including protection notices and orders to protect people from domestic abuse. These are proposed as:

- domestic abuse protection notices (DAPNs)
- domestic abuse protection orders (DAPOs)

and can be applied for by the Chief Constable.

Part 2 of the Bill, if passed, will allow social landlords to end or transfer a tenancy of a perpetrator of domestic abuse to prevent a victim becoming homeless and enabling them to remain in the family home.

Please follow the link [here](#) to obtain more information. If the Bill is passed, we shall incorporate the new powers within our procedures and staff training.

#### 4. FINANCIAL IMPLICATIONS

There may be some financial implications arising from the recommendations of this report due to more people coming forward for temporary housing. However, if we need to move a perpetrator it will require a different type of temporary accommodation - it could be cost neutral, or perhaps even save the council money over time since the costs are less and it is easier to house a single person with more pathways available.

#### 5. LEGAL IMPLICATIONS

There are no direct Legal implications arising from the recommendations of this report, although having a comprehensive policy in place on Domestic Abuse will assist the Council in meeting its general and specific duties under the Domestic Abuse (Scotland) Act 2018 and the Equality Act 2010. If the Domestic Abuse (Protection) (Scotland) Bill is passed our legal implications will be considered accordingly.

#### 6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
<b>Strategic Risk</b>	No risks to the council's strategic objectives have been identified	L	N/A

<b>Compliance</b>	That we are not compliant with legislation and guidance which could open the council up to litigation and intervention by the Scottish Housing Regulator and other bodies.	L	The new policy clearly outlines the agreed principles through which all Aberdeen City Council domestic abuse incidents will be dealt with. It is also compliant with current legislation and guidance.
<b>Operational</b>	Adjustment of systems and awareness of key staff.	L	Existing systems will be amended to accommodate this process changes and staff will be trained and briefed on the changes.
<b>Financial</b>	Identified requirement for staff training	L	HRA training budget will be utilised to facilitate this training
<b>Reputational</b>	Potential reputational damage risk if cases of domestic abuse including violence were to occur that were not addressed, which could result in negative publicity for the Council.	M	The approval of this new policy will help to mitigate this risk, helping to ensure that the Council's welfare and health and safety responsibilities are met.
<b>Environment / Climate</b>	There are no Environmental risks	N/A	N/A

## 7. OUTCOMES

<b><u>COUNCIL DELIVERY PLAN</u></b>	
	<b>Impact of Report</b>
<b>People Outcome</b>	The proposals within this report support the delivery of Policy Statement 8 - Review of local adult protection arrangements and implement an improvement programme.
<b>Aberdeen City Local Outcome Improvement Plan</b>	
Prosperous Economy Stretch Outcomes	The proposals in this report have no impact on the LOIP
Prosperous People Stretch Outcomes	The proposals within this report may support the delivery of all Children & Young People Stretch Outcomes 3 to 8 in the LOIP. The paper seeks approval for a robust approach to Domestic Abuse, where young people are often victims of such abuse and the measures outlined in the report, will improve early detection of abuse, providing the opportunity to deliver help and support to the family and also to take action against the perpetrator.  The proposals may also have some beneficial effects on the Prosperous People Stretch Outcomes 9 to 12.
Prosperous Place Stretch Outcomes	The proposals in this report have no impact on the LOIP
<b>Regional and City Strategies</b>	The proposals in this report have no impact on the Regional and City Strategies
<b>UK and Scottish Legislative and Policy Programmes</b>	The report sets out the Domestic Abuse policy which fulfils the requirements placed upon the Council by the Domestic Abuse (Scotland) Act 2018.

## 8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Full IIA required. No adverse equality or human rights issues were identified from the assessment.
Data Protection Impact Assessment	Full DPIA required.

## 9. BACKGROUND PAPERS

None

## 10. APPENDICES

Appendix 1 –Domestic Abuse Council Housing Policy

## 11. REPORT AUTHOR CONTACT DETAILS

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