

# EQUALITY IMPACT ASSESSMENT

## SCREENING DOCUMENT

Name of Proposal

Domestic Abuse Policy – Housing Division

Lead Department/Service

Communities - Housing

What is the aim of the proposal?

The policy sets out how Angus Council's Housing Division will respond to and support women suffering from or threatened with domestic abuse.

Is this a new or a review of an existing policy, procedure, function or report?

New policy.

### Screening Process

1. Has the proposal already been assessed for its impact on age; disability; gender; gender re-assignment; pregnancy/maternity; marriage and civil partnership; race; religion and belief; and sexual orientation? **If yes, go to 1 a. If no, go to 1 b. - No**

1 a. Unless there have been significant changes, no further action is required. **Please add your name, position and date below at 3.**

1 b. Does the proposal involve or have consequences for the people the council serves or employs? **If yes, go to 2. If no, go to 1 c. - Yes**

1 c. Please state why not

**The proposal is not relevant and no further action is required. Sign and date below at 3.**

2. Is the proposal relevant to one or more of the protected characteristics? **If yes, go to 2 a. If no, go to 2 b. – Yes**

2 a. **Proceed to Step 1 of the Full Equality Impact Assessment on page 2.**

2 b. Please state why not

**The proposal not relevant and no further action is required. Add your name, position and date below at 3.**

3. Name:

Position:

Date:

## FULL EQUALITY IMPACT ASSESSMENT

### Step 1

Are there any statutory legal requirements affecting this proposal? If so please describe.

The Scottish Government states: 'It is vital that those in housing services coming into contact with those who have experienced gender based violence can offer an appropriate, safe and consistent response.' This requirement is underlined by the recommendation from the homelessness and rough sleeping action group (HARSAG) set up by the Scottish Government: 'All social landlords to have clear policies on domestic abuse, and ensuring that experience of abuse or violence does not lead to someone losing their tenancy – for example, arrangements should be put in place so that tenancies can transfer seamlessly to the person who has experienced abuse, and reciprocal arrangements should be put in place to ensure people who experience domestic abuse can move to a safer place and have continuity of tenancy.'

Relevant legislation:

Domestic Abuse (Scotland) Act 2018

<http://www.legislation.gov.uk/asp/2018/5/contents/enacted>

Domestic Abuse (Scotland) Act 2011

<http://www.legislation.gov.uk/asp/2011/13/contents>

Adult Support and Protection (Scotland) Act 2007

<http://www.legislation.gov.uk/asp/2007/10/contents>

Children (Scotland) Act 1995

<https://www.legislation.gov.uk/ukpga/1995/36/contents>

Children's Hearing (Scotland) Act 2011

<https://www.legislation.gov.uk/asp/2011/1/contents>

Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011

<http://www.legislation.gov.uk/asp/2011/15/contents/enacted>

Protection from Abuse (Scotland) Act 2001

<https://www.legislation.gov.uk/asp/2001/14/contents>

Housing (Scotland) Act 1987

<https://www.legislation.gov.uk/ukpga/1987/26/contents>

Homelessness etc. (Scotland) Act 2003

<https://www.legislation.gov.uk/asp/2003/10/contents>

## Step 2

What data/research is available to assess the likely impact of the proposal?

The policy takes a gendered approach to domestic abuse, consistent with national policy and guidance. The policy is based on CIH Domestic Abuse Guidance for Social Landlords and research completed by [Scottish Women's Aid](#) which concluded that housing was one of the main challenges women face when ending a relationship with an abusive partner. Ending the relationship often results in homelessness and the additional emotional and financial impact of this. Becoming homeless as a result of domestic abuse comes at an enormous cost to women and their children, and does not result in women feeling safer or free from further abuse and harassment. If the housing response does not recognise the inequalities which women experience, and indeed reinforces these inequalities, this marginalises and minimises their experience.

A 2016 report from Solace found that only 13% of women who were admitted into refuge with a secure tenancy managed to retain their tenancy. Solace found that in most cases, perpetrators of domestic abuse remain in the family home while survivors and their children are forced to move frequently between temporary and often unsuitable housing resulting in increased financial cost and poor recovery from the original trauma which women and children experienced in the family home. The impact of numerous moves can be far reaching: children moving school many times; women unable to establish new friendships and networks, find work or continue with training and education; financial instability and forced reliance on welfare benefits.

This policy aims to provide a proactive housing response to prevent and address domestic abuse by:

- Providing a confidential, sensitive and supportive response to women (victims/survivors) and their children;
- Working collaboratively across the organisation and with partners to provide a coordinated response to enable women (victims/survivors) to access a range of housing options, advice, information and support;
- Holding perpetrators to account – domestic abuse is the responsibility of the perpetrator and action will be taken against perpetrators of domestic abuse.

## Step 3

Is there any reason to believe the proposal could affect people differently due to their protected characteristic ie age; disability; gender; gender re-assignment; pregnancy/maternity; marriage and civil partnership; race; religion and belief; and sexual orientation? Please **place a cross** in each box that applies, and give details alongside.

**Age:**  22% of the homeless applications made to Angus Council as a result of fleeing domestic abuse in 2019/20 were from young people aged between 16 and 25 years old. Research by Safelives states that young people experience the highest rates of domestic abuse of any age group. This policy applies to all tenants as well as members of their household and women approaching the Housing Division for housing options or homelessness advice. Multi agency guidance is being developed to support staff that are implementing this policy– this will provide guidance specific to supporting young people effected by domestic abuse.

**Disability:**  Research suggests that women with disabilities are more likely to experience domestic violence, emotional abuse, and sexual assault than women without disabilities. Women with disabilities may also feel more isolated and feel they are unable to report the abuse, or they may be dependent on the abuser for their care. The impact of domestic abuse on women with disabilities will be included in training and multi agency guidance developed to support staff implementing the policy.

**Gender:**  While both females and males can be affected by domestic abuse, homeless statistics from 2019/20 show that a significant number of homeless applications were made by females whom stated that they reason they were applying as homeless was due violence or abuse within the household. 71% of homeless applications as a result of violence or abuse within the household in 2019/20 were made by females. Consistent with national policy and guidance, this policy has adopted a gendered approach to domestic abuse, in recognition that being female is the primary risk factor for domestic abuse. Perpetrators of domestic abuse violate the human rights of

victims and this violation re-occurs when institutions do not respond effectively to victims or perpetrators. Domestic abuse is linked to other forms of violence against women such as forced marriage, rape and sexual assault, and sexual abuse. These forms of violence are perpetrated against women, because they are women. While this policy takes a gendered approach, it applies equally to any person suffering from or threatened with domestic abuse.

**Gender Re-assignment:**  Research by the Scottish Transgender Alliance states that 80% of respondents to a survey stated that they had experienced emotionally, sexually or physically abusive behaviour by a partner. The research stated that many transgender people felt unable to access help in relation to experiencing domestic abuse. Guidance being developed to support the implementation of the policy will include specific guidance relating to gender reassignment.

**Pregnancy/maternity:**  Statistics from Angus Council 2019/20 homeless applications show that 3% of applicants whom gave the main reason for presenting as homeless as fleeing violence were pregnant or had children in the household. Domestic abuse can have a major negative effect on a child's life. The domestic abuse policy and guidance ensures the impact on children is understood and considered as part of a housing and multi agency response to domestic abuse.

**Marriage and Civil Partnership:**  Domestic abuse will evidently result in the breakdown of marriages and civil partnerships. In order to try and minimise the pressures that are put upon a woman and her children as a result of a relationship breakup due to experiencing domestic abuse, the policy sets out a number of aims, such as ensuring that woman do not suffer financially and are provided with safe and secure temporary accommodation, where necessary.

**Race Religion and belief:**  Domestic abuse can take place in various forms, dependent on a woman's race, religion and beliefs. Research informing the policy identified the need to ensure that women are aware of specialist domestic abuse support agencies. Details and referral pathways for specialist support providers will be included within the multi agency guidance.

**Sexual orientation:**  Research by SafeLives concluded that people who identify as LGBT+ often find it harder to engage with support services if they have experienced domestic abuse and are also more susceptible to different forms of domestic abuse, such as a perpetrator threatening to "out" an individuals sexuality and/or identity. Guidance being developed to support the implementation of the policy will include specific guidance to support people who identify as LGBT+.

#### Step 4

Is there evidence to suggest that any part of the proposal could unlawfully discriminate against people? If so, how?

No – the policy has been developed in accordance with guidance published by Scottish Women's Aid, the Chartered Institute of Housing, the Association of Local Authority Chief Housing Officer, the Scottish Federation of Housing Associations and Shelter Scotland. The guidance and subsequent policy meet all necessary legislation.

#### Step 5

Can the proposal be seen to favour one section of the community

Yes  No

or deny opportunities to another?

Yes No

If yes, please give details.

The policy takes a gendered approach to domestic abuse, consistent with national policy and guidance.

#### Step 6

Does the proposal advance or restrict equality?

Yes  No

If yes, give details

This policy advances equalities, as set out above.

**Step 7**

Are there any other actions which could have been taken to enhance equality of opportunity?

If so please state – Yes

Ensure multi agency guidance / training is in place so staff responsible for implementing the policy are aware of the effects of domestic abuse on different equalities groups and specialist supports available

**Step 8**

Based on the work you have done, rate the level of relevance being allocated to this proposal.

High  Medium  Low  Unknown  Positively

**Step 9**

If during **Steps 3 - 6** there has been an adverse impact identified, consider whether this can be justified.

Yes No

If yes please give details.

If no, consider alternative ways of delivering the proposal to minimise negative impact or eliminate unlawful discrimination. Give details of the changes to be made to the proposal.

n/a

**Step 10**

Do you need to carry out a further impact assessment?

Yes  No

If yes, what actions do you need to take?

**Step 11**

Make arrangements to monitor and review the impact assessment.

The equalities impact assessment will be reviewed at least annually. The Team Leader (Sustainable Communities) and Housing Policy Officer (Sustainable Communities) will be responsible for the ongoing monitoring and evaluation of the policy with support from the Angus Violence Against Women Partnership Policy & Practice Subgroup.

As well as monitoring data gathered as part of housing options and homeless reporting to Scottish Government, we will conduct case reviews with AVAWP partners to evaluate the effectiveness of the policy, highlight developing practice, examples of effective partnership working and any gaps in service provision.

We recognise the importance of consulting with women with lived experienced of domestic abuse and therefore will continue to engage with women with lived experienced of domestic abuse to gather their views on what is working well with this policy and where improvements could be made

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**Step 12**

Publish impact assessment.

Where will the Equality Impact Assessment be published?

Alongside the policy and operational guidance.

Please state your name, position and date, and forward this pro forma either to your designated Equality Impact Assessment Co-ordinator, or if it refers to a committee report, it should be forwarded with the report to committee services.

**Name: Gregg Aitchison**

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**Position: Housing Policy Officer**

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**Date: 17/06/2020**

**For additional information and advice please contact:**  
the Equalities Officer - Tel: 01307 476058 or E-mail: [Equalities@angus.gov.uk](mailto:Equalities@angus.gov.uk)