



DOMESTIC ABUSE POLICY

POLICY NO. 65

Date Implemented:	January 2021
Date Reviewed	January 2026
Date of Next Review:	January 2031
Regulatory Standards of Governance and Financial Management	Regulatory Standard 2 The RSL is open about and accountable for what it does. <u>It understands and takes account of the needs and priorities of its tenants</u>, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities. Guidance: 2.1

1. INTRODUCTORY STATEMENT

This policy sets out how Glen Housing Association views domestic abuse, and how we will respond to any reports of such abuse affecting tenants or members of their households.

We recognise that domestic abuse is extremely serious and will respond to reports of incidents at the earliest possible opportunity. We will take a victim centred approach and will work with the victim and other agencies to secure their safety.

Whilst we recognise the limitations of the Association in taking action against perpetrators, we will assist Police Scotland in pursuing criminal actions against the perpetrator and will assist the victim in civil actions to secure their safety.

2. DEFINITION OF DOMESTIC ABUSE

The Association will adopt the Scottish Government's definition of 'abuse' and 'domestic abuse', in line with the Domestic Abuse (Scotland) Act 2018 and as defined in the National Strategy to Address Domestic Abuse in Scotland published November 2000.

"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, with - holding money and other types of controlling behaviour such as isolation from family and friends)."

The Association recognises the relevance of gender to domestic abuse and recognises domestic abuse as a form of gender-based violence in accordance with the Scottish Government's definitions. We recognise that the term 'abuse' describes a range of behaviours that disproportionately affects women and children. It is often about power and coercive control and does not necessarily involve violence and physical abuse. It can be characterised by a pattern of coercive control often escalating in frequency and severity over time.

A gendered analysis recognises that while women and girls are disproportionately affected by forms of violence, it also recognises that men are entitled to support when they experience violence and abuse. We believe that no one should live in fear of violence, abuse or extreme harassment, therefore our policy applies when responding to anyone experiencing domestic abuse, including women, men, lesbian, gay, bisexual, transgender people and gender non-binary people (LGBT+).

3. DOMESTIC ABUSE AND ALLOCATIONS

Glen Housing Association is a partner in the Fife Housing Register (FHR). Through a partnership arrangement, there is a single housing application form and assessment process, a Common Assessment of Need. The FHR provides the system for receiving, assessing, and prioritising housing applications and

recognises a range of housing and wider social needs. Domestic and sexual abuse is represented within both the Urgent Housing Needs and Social/Medical Needs categories. The Fife Housing Register gives reasonable preference to those suffering harassment or abuse as per the Housing Scotland Act 2014.

Section 28 of the Housing (Scotland) Act 1987 requires an authority to take action to deal with an application whenever it has reason to believe that a person who has asked for help to obtain housing is homeless or threatened with homelessness.

Section 1 of the Homelessness etc. (Scotland) Act 2003 expands the categories of people with priority need to include, among others, a person who runs the risk of domestic and sexual abuse. As the strategic housing authority, Fife Council has the responsibility to provide both temporary and permanent accommodation to those experiencing homelessness. Fife Women's Aid may also be able to provide refuge accommodation or short term, temporary accommodation.

The Association will work with partners to rehouse those applicants experiencing domestic abuse, where it has been identified that this is the most appropriate housing option for them.

The Association will make all new tenants aware of its Domestic Abuse Policy and availability of support for those experiencing domestic abuse.

4. HOUSING MANAGEMENT AND DOMESTIC ABUSE

4.1 Dealing with Reports of Domestic Abuse

The Association will highlight not only our Domestic Abuse Policy, but also the availability of Women's Aid and other local support services.

The Association may not receive direct reports of domestic abuse but may become aware of domestic abuse through our contact with tenants, neighbour reports or reports from other agencies.

Our approach will always be victim centred and we will work with other agencies to try and ensure the safety of the victims as the overriding priority.

The Association will not require victims to make reports to the Police or to take civil action should they not wish to do so, but we will provide the appropriate advice and signposting to enable them to make the best decision for them.

The Association will take a supportive approach to reports of domestic abuse, treating complaints seriously and sensitively. Any action we take will normally

be with the full consent of the victim unless we feel lack of action could result in serious harm to anyone involved. Our overriding priority will always be the safety of the victim(s).

4.2 Action on Domestic Abuse

We will support any action taken against the perpetrator, either criminal or civil. We recognise that options for direct action by the Association are limited and our role *may* primarily be to support actions by others.

Not all victims of domestic abuse living in our properties will be tenants of the Association. The assistance we can provide and the actions we are able to take will differ depending on the tenancy status of both the victim and the perpetrator.

If a sole tenant is a victim of domestic abuse, we will take practical steps to ensure their safety and security. This may include facilitating lock changes and repairing damage to the property. We will also support any action they may wish to take to prevent the perpetrator returning to their property.

If a perpetrator is a sole tenant and the victim is not remaining in the property, the Association can pursue action for repossession of the property under the terms of the tenancy agreement.

Under the Housing Scotland Act 2025 and The Domestic Abuse (Protection) (Scotland) Act 2021, the Association, under specific circumstances, can apply to the Courts to terminate an abuser's interest in a Scottish Secure Tenancy to enable a victim to remain in the family home.

Where enforcement action is not possible, the Association will encourage perpetrators to voluntarily terminate their interest in a tenancy or assign their tenancy to the victim where it is appropriate for the victim to remain and the perpetrator to move. We will facilitate this by offering management transfers to suitable alternative accommodation and work with FHR partners to ensure this alternative meets the perpetrator's preferences.

We will also assist the victim to apply for civil measures to secure their safety and prevent the perpetrator returning to the property. We would also liaise with the Police in attaching conditions to any criminal convictions or issuing Domestic Abuse Protection Notices (DAPNs) and Domestic Abuse Protection Orders (DAPOs) to safeguard the victim.

In all instances, the Association will ensure the security of the property which may involve carrying out works ourselves at no charge to the victim or by referring to local agencies who are able to risk assess the property and provide advice and assistance on additional security measures, lighting and alarms.

4.3 Domestic Abuse and Antisocial Behaviour

The Association's Anti-Social Behaviour and Neighbour Nuisance Policy and accompanying procedures set clear processes for dealing with Antisocial behaviour complaints. However, whilst investigating complaints reported as anti-social behaviour, it may become apparent that domestic abuse plays a part in the behaviour being complained about.

This may be when receiving complaints about arguments and altercations, but also from noise disturbances or complaints relating to the behaviour of children.

Although the Anti-Social Behaviour and Neighbour Nuisance Policy sets strict timescales for attending to, and resolving neighbour complaints, those timescales may be relaxed to allow the Association to provide the appropriate advice and assistance to any victim of domestic abuse.

4.4 Domestic Abuse and Rent Arrears

The Association's Rent Arrears Policy and accompanying procedures ensure that the Association is taking the necessary steps to satisfy the Pre-Action Requirements, prior to commencing legal proceedings through the courts.

The Housing (Scotland) Act 2010 introduced Pre-Action Requirements that landlords must satisfy in all rent arrears cases before serving a notice on a tenant, in order to make sure that landlords and tenants explore other ways of resolving the arrears prior to seeking eviction.

When dealing with rent arrears cases where domestic abuse may be a concern, staff may take additional steps or delay the timescales for each stage in the arrears process.

We acknowledge that financial control is a recognised form of abuse used by perpetrators and can manifest in a number of different actions, from limiting access to money and bank accounts, limiting the victims ability to work and increasing the victims dependency on the perpetrator, all of which make it more difficult for the victim to end the relationship. Perpetrators can also use the threat of arrears actions as a lever or tool in their coercive control.

When dealing with such arrears cases, staff will look for signs of financial control and endeavour to ensure that the victim has access to financial advice and support, as well as advice relating specifically to domestic abuse. This will be in addition to our normal signposting and referral arrangements.

4.5 Domestic Abuse and Tenancy changes

The Association recognises a tenant's right to make changes to their Scottish Secure Tenancy Agreement. The Housing Scotland Act, as amended gives tenants rights to change aspects of their tenancy including adding to the members of their household, the right to joint tenancies, to assign tenancies, sub-let and carry out mutual exchanges.

The Association has specific policies and procedures to deal with requests for tenancy changes. We acknowledge that coercive control can take the form of compelling the victim to make changes for the perpetrator's benefit and the victim's disadvantage. Therefore, when dealing with requests for tenancy changes we endeavour to ensure that these are by the tenant's own choice and not as a result of coercive control.

This includes procedures for requesting additional information on any additional members to the household and having mechanisms in place for confidential routes of communication, prior to agreeing any tenancy changes.

Staff will endeavour to make sure all tenants requesting such changes are made aware of the legal implications of actions such as assigning tenancies and creating joint tenancies. The Association can reasonably refuse requests if we feel the tenant does not fully understand the decision, or is being coerced into making that decision.

Any refusal will be mindful of the potential for domestic abuse and be delivered in such a way as to minimise the potential repercussions on the victim.

5 DOMESTIC ABUSE AND SUPPORTING STAFF

Glen Housing Association aims to support our staff's health and wellbeing at work. We acknowledge that it can be emotionally draining on staff dealing with cases of domestic abuse and that we may also have staff that are experiencing domestic abuse as well as those that may be perpetrators of abuse.

We will ensure relevant and specific training is available to those staff dealing with domestic abuse cases, as well as awareness raising sessions for all staff in identifying the signs of domestic abuse.

We offer employees access to independent counselling and support which is publicised in our workplaces. External agencies offering support such as Women's Aid and Respect are also advertised in our workplaces.

We will promote a culture of openness which encourages staff to discuss topics of a sensitive nature and to seek support and guidance from their colleagues and management team.

6 COMPLAINTS

As per our Complaints Handling Procedure, Glen Housing Association is committed to providing high-quality customer services. However, if anyone does wish to raise a complaint, this can be done so in person at any of our offices, by telephone, in writing, by email or using our complaints form on www.glenhousing.co.uk

7 GENERAL DATA PROTECTION REGULATIONS

The Association will treat all personal data in line with its obligations under the current data protection regulations and its own Privacy Policy. Information regarding how personal data will be used and the basis for processing it is provided in the Association's Fair Processing Notice.

8 OUR COMMITMENT TO EQUALITY & DIVERSITY

Glen Housing Association is committed to promoting fair and equal treatment for all and is opposed to any form of unlawful discrimination. We operate an Equality & Diversity Policy which informs all aspects of our business and ensures we adhere to the Equality Act 2010.

In line with our commitment and upon request, the Association can make this Policy available, free of charge, in a variety of alternative formats including large print, audio, Braille and community languages.

9 POLICY REVIEW

The Domestic Abuse Policy will be reviewed every 5 years and/or in line with any new legislative requirements or guidance.