

CLYDESDALE HOUSING ASSOCIATION LIMITED

Policy: Domestic Abuse Policy

Date: 26 March 2025

Lead Officer: Housing Manager

Review Date: March 2028

Regulatory Standards: Standard 1

The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.

Guidance

- 1.1 The governing body sets the RSL's strategic direction. It agrees and oversees the organisation's business plan to achieve its purpose and intended outcomes for its tenants and other service users.
- 1.2 The RSL's governance policies and arrangements set out the respective roles, responsibilities and accountabilities of governing body members and senior officers, and the governing body exercises overall responsibility and control of the strategic leadership of the RSL.
- 1.3 The governing body ensures the RSL complies with its constitution and its legal obligations. Its constitution adheres to these Standards and the constitutional requirements set out below.
- 1.4 All governing body members accept collective responsibility for their decisions.
- 1.5 All governing body members and senior officers understand their respective roles, and working relationships are constructive, professional and effective.
- 1.6 Each governing body member always acts in the best interests of the RSL and its tenants and service users and does not place any personal or other interest ahead of their primary duty to the RSL.
- 1.7 The RSL maintains its independence by conducting its affairs without control, undue reference to or influence by any other body (unless it is constituted as the subsidiary of another body).

The Scottish Social Housing Charter 7, 8 and 9: Housing Options

Social landlords work together to ensure that:

- People looking for housing get information that helps them make informed choices and decision about the range of housing options available to them
 - Tenant and people on housing lists can review their housing options
- Social landlords ensure that:
- People at risk of losing their homes get advice on preventing homelessness

10: Access to social housing

Social landlords ensure that:

- People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and on their prospects of being housed.

Clydesdale Housing Association will provide this policy on request at no cost, in large print, in Braille, in audio or other non-written format, and in a variety of languages.



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1. AIM/PURPOSE

Clydesdale Housing Association recognises the impact domestic abuse has on the victims and their families. As a landlord, we regard domestic abuse as unacceptable behaviour which will not be tolerated in our properties and customers and people we interact with.

In March 2025, the Association signed up to the Make a Stand Pledge¹, committing us to supporting those experiencing domestic abuse.

This policy details how we aim to achieve that, whilst ensuring that the perpetrators of domestic abuse are held accountable for their actions.

The Association will provide a proactive housing response to preventing and addressing domestic abuse by:

- Being sensitive and supportive to anyone residing in our properties experiencing domestic abuse
- Working in partnership with other agencies to help victims/survivors of domestic abuse access information, advice and support on the housing options and choices available to those experiencing domestic abuse
- Holding the perpetrators of domestic abuse to account
- Promoting equality and diversity by eliminating all gender-based violence, and to ensure the support provided is available to all, regardless of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

2. DEFINITION

This policy;

- 2.1. Applies when responding to anyone experiencing domestic abuse including men, lesbian, gay, bisexual, transgender people and gender non-binary. This also applies to honour-based abuse. Honour based abuse is a collection of practices used to control behaviour within families in order to protect perceived cultural and religious beliefs and/or honour. Violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. Men can also be victims of this.

¹ <https://www.cih.org/policy/campaigns/make-a-stand/>

- 2.2. Is based on the Scottish Government's definition of domestic abuse as a form of gender-based violence (GBV) (such abuse is mainly perpetrated against women and girls because they are female).

GBV encompasses 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.

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).

- 2.3. Follows an equalities and human rights approach, consistent with Equally Safe, Scotland's strategy for preventing and eradicating violence against women and girls.
- 2.4. Refers to those experiencing domestic abuse as women and children, and those perpetrating it as men. This is based on prevalence and the context of domestic abuse, and the Scottish Government's definition of domestic abuse as a form of violence against women and girls. There is information about prevalence and context in Equally Safe ².

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

Children who live with domestic abuse are, themselves, experiencing abuse.

3. SCOPE

This policy has been developed for both victims and perpetrators of domestic abuse living in Clydesdale Housing Association properties. The aim of the policy is to support the victims and hold the perpetrators to account.

The policy will provide victims and perpetrators with information on how Clydesdale Housing views domestic abuse and will provide advice to the

² <https://www.gov.scot/policies/violence-against-women-and-girls/equally-safe-strategy/>

victims on how we will support them, as well as a very clear statement on the actions that can be taken against perpetrators.

The policy is intended for all front-line staff, particularly housing management staff, although, as the policy promotes the adoption of an 'eyes and ears' approach to domestic abuse, other staff such as Technical Services staff, Contractors, and other relevant support staff are likely to become more involved so the policy will also be relevant for them.

The policy also details the various processes, procedures, protocols and pathways that are in place to support staff when dealing with domestic abuse.

4. EQUALITIES

The policy complies with Article 8 of the European Convention of Human Rights and Article 9 of the UN Convention on the Rights of the Child (UNCRC)

The policy sets out how, by focusing on the victim, and taking a victim centred approach, this will ensure we comply with the European Convention of Human Rights, and by also providing the perpetrator with alternative accommodation, if needed, that this is further evidence of an equality and human rights-based policy.

A Human Rights and Equal Opportunities Impact Assessment has been carried out on this policy.

Equally Safe is the joint strategy of the Scottish Government and COSLA for preventing and eradicating violence against women. The vision of Equally Safe is *"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"*.

5. POLICY CONTENT

5.1. Prevention:

Clydesdale Housing Association will work collaboratively with all relevant agencies and stakeholders to prevent domestic abuse. Primary prevention measures will be focused on engaging in awareness raising/challenging attitudes and gender equality actions.

Secondary prevention will be targeted at perpetrators of domestic abuse and those who are victims/survivors.

We will adopt a proactive, victim centred approach that promotes and strengthens the rights of those experiencing domestic abuse to remain in the home, should they choose to do so. This proactive approach includes:

- The inclusion of a new clause within the Tenancy Agreement for all Clydesdale HA tenancies, emphasising that domestic abuse will not be tolerated and detailing the implications for anyone perpetrating domestic abuse.

Domestic abuse is different from anti-social behaviour and the Tenancy Agreement needs to reflect this difference. Complaints about domestic abuse should be dealt with as such, and not as complaints about anti-social behaviour.

- Information about domestic abuse to be included in the Tenants Handbook.
- Promotion through information leaflets, newsletters and on the Association's website and social media.
- Details of the actions that Clydesdale HA will take against any perpetrator of domestic abuse residing in a Clydesdale HA property.
- Adopting an 'eyes and ears' approach that requires other staff such as Technical Services staff, contractors and other relevant support staff to report concerns.

We will deliver on the commitments that we signed up to as part of the Make a Stand pledge.

5.2. **Housing Options:**

This policy commits the Association to work to support those experiencing domestic abuse. The wishes of the victims will be at the centre of the Association's approach to rehousing. The Association will:

- Maximise the flexibility of the housing options available to those experiencing domestic abuse;
- Support those affected by domestic abuse to remain in the tenancy, if that is their choice; or if they prefer to move out of the tenancy, to support them to do this;
- Ensure that the Allocations Policy positively supports those affected by domestic abuse, whether their choice is to stay in the tenancy or move out;

- Consider the use of management transfers as an option to support women to make planned moves and avoid homelessness;
- Support those experiencing domestic abuse to transfer the tenancy to their name;
- Support victims/survivors to gain legal information and advice on their rights and their Housing Options;
- Develop specific pathways for those who have experienced domestic abuse to improve their journey into a new home.
- Use all relevant and appropriate legislation to support the rehousing choices of the victims of domestic abuse.

5.3. **Actions Against Perpetrators:**

In responding to the perpetrators of domestic abuse, Clydesdale Housing Association will:

- Take a proactive approach to the identification of perpetrators of domestic abuse, by raising awareness amongst staff and encouraging them to raise any suspicions with appropriate officers. This will include adopting the “eyes and ears” method.
- Emphasise that anyone breaching the new clause in the Tenancy Agreement prohibiting domestic abuse may be subject to action that could place the occupation of their tenancy in jeopardy. Being in breach of the Tenancy Agreement is one of the grounds under Section 2, Part 1 of the Housing (Scotland) Act 2001, where we, as the landlord, could seek to recover possession of the property.
- The Tenant’s Handbook, information leaflets and the Association’s website will contain details of the actions the Association can take,
- Assist the rehousing of those perpetrators of domestic abuse who voluntarily agree to relinquish their occupancy of the family home.
- Where it is safe to do so, seek rehousing that maximises the opportunity for continued family relations in future.
- Work with other agencies to ensure action is taken against the perpetrators of domestic abuse.

- Use all relevant and appropriate legislation, and working with other partner agencies, hold perpetrators to account for their offending behaviour.

5.4. **Homelessness:**

The aim of this policy is to prevent homelessness, but where a homeless presentation is the preferred option, the policy will also seek to lessen the impact of homelessness for the victim.

The Association will:

- Provide information and clear pathways so that those affected by domestic abuse know how the process works, what they should expect, their rights under legislation and the options available to them by way of rehousing.
- Provide assistance to the local authority to ensure a sensitive homeless assessment process, focussed on the needs of the victim, their children and the wider family.
- When considering rehousing options, listen to the victims and their concerns about the suitability of potential offers.
- Be aware that victims presenting as homeless may have suffered financial abuse and are likely to need financial advice, guidance and support. Rent arrears, storage costs, travel to school for children, etc., are all examples of things that we know can impact on the victim's/survivor's ability to leave and remain safe.

5.5. **Confidentiality:**

This policy will ensure that we as an Association will respond in a confidential, non-judgemental and sympathetic way when dealing with instances of domestic abuse.

In order for the Association to provide services to those affected by domestic abuse, we need to gather personal information. To deliver our services, to meet our legal obligations and to protect public funds, we need to collect, store, use, share and dispose of personal information.

How we use this information and who we share it with is in accordance with the General Data Protection Regulations and the Data Protection Act 2018 and contained in the privacy statement available on the Association's website.

All information provided by the victims of domestic abuse will be treated with the utmost confidence and will only be shared with external agencies with the proper consent. Exceptions to this are where we consider a child, or an adult is

at risk or if there is a high risk of serious harm to anyone involved or where we are obliged by law to disclose the information.

5.6. **Support:**

This policy acknowledges that no one agency is able to adequately deal with the victims and the perpetrators of domestic abuse. A partnership approach is essential.

5.7. **Consistent Systematic Approach:**

5.7.1. In conjunction with this policy, procedures will be developed for all staff dealing with those experiencing domestic abuse to ensure consistency of service delivery and service standards.

5.7.2. Agreed referral arrangements, along with clear assessment processes will be outlined for staff.

5.7.3. Clear pathways will be finalised and shared with staff to ensure these are familiar.

5.7.4. Training for all staff will be delivered as part of the implementation phase. Specialist training will be required for some Housing staff more directly involved with domestic abuse victims which has commenced. These Officers with more comprehensive and specialist knowledge will be available to provide staff with additional support and guidance, where necessary. (See 5.8)

5.8. **Training:**

All staff likely to come into contact with those affected by domestic abuse will receive proportionate training. The training, however, will be tailored to ensure that all staff have the necessary skills and knowledge to carry out their roles and responsibilities.

It is imperative that the Association provides a supportive first point of contact for those experiencing domestic abuse. This should encourage those experiencing domestic abuse to seek help and support from the Association.

5.8.1. All relevant front-line staff, and Housing Management staff will be trained to ensure they know about domestic abuse and other forms of violence against women, and in particular coercive control.

5.8.2. All frontline staff and Housing Management staff will complete mandatory 'introduction to violence and abuse' training with a refresher every two years. This is to be written into the induction programme for new staff.

- 5.8.3. As the Association is adopting an 'eyes and ears' approach, other staff may come into contact with situations of domestic abuse. Staff such as Technical Services staff, Contractors, and other relevant support staff will also receive training.

The Housing Manager (HM) will be responsible for co-ordinating the domestic abuse training for the Management Committee.

5.9. **Collaboration/Partnership Working:**

- 5.9.1. The Association is committed to working collaboratively across all relevant services and involving all appropriate agencies.
- 5.9.2. We will also deliver services on a locality basis thus allowing all services to be tailored to the needs of those individuals in the locality.
- 5.9.3. Clear referral, signposting and working arrangements are already in place with our partners across the locality of our stock, and this policy will strengthen and build on these links.

5.10. **Information and Advice:**

As part of the commitment given by the Association when signing up to the Make A Stand Pledge, information about National and Local domestic abuse support services is available on the Association's Website and other appropriate places so that they can be easily accessed by the public and staff.

5.11. **Risk Management:**

Front-line staff will receive training to be able to better identify and assess risks factors associated with abusive behaviour, particularly domestic abuse. Where risk is identified, policies and procedures are in place to deal appropriately with the risk, and staff are familiar with these policies and procedures.

Specifically, appropriate front-line officers will use the Safe Lives Risk Indicator Checklist ³ when assessing a victim's levels of risk. The purpose of the checklist is to give a consistent and simple tool for practitioners who work with victims of domestic abuse in order to help them identify those who are at high risk of harm and should be referred to a Multi-Agency Risk Assessment Conference (MARAC) meeting in order to manage their risk and develop a safety plan;

This policy also acknowledges that victims are often best placed to understand risk. It is important to speak to them at the earliest opportunity.

³ <https://safelives.org.uk/resources-for-professionals/dash-resources/>

5.12. **Responsibilities**

This policy sets out clearly how Clydesdale Housing Association will respond to domestic abuse and who in the organisation is responsible for what:

Senior Management: Are responsible for setting clear aims and objectives and ensuring a priority response. Senior Management will look to create a positive and supportive climate where anyone experiencing domestic abuse feels able to come forward. The Housing Manager is responsible for ensuring HM staff are implementing the policy correctly and any associated procedures.

Front Line Staff: Will understand their role, be familiar with policies, procedures and pathways and will adopt a victim centred, non-judgemental approach when dealing with those experiencing domestic abuse. They will treat those affected by domestic abuse with dignity and respect at all times, whilst also ensuring that perpetrators are held accountable with support from senior management. HM staff will be responsible for recording any incidents of domestic abuse reported to them or by a third party.

6. LEGISLATIVE CONTEXT

As this policy relates specifically to those residing in Clydesdale Housing Association tenancies, the Housing (Scotland) Act 2001 remains the predominant legal authority if seeking to evict perpetrators of domestic abuse.

The specific grounds within the Act are Part 1, Schedule 2, grounds 1, 2, 7 & 15

Amendments will also be made to the Tenancy Agreement to ensure those experiencing domestic abuse are fully supported.

Other related legislation includes:

- Domestic Abuse (Scotland) Act 2018
- Matrimonial Homes (Family Protection) (Scotland) Act 1981

Domestic Abuse (Scotland) Act 2018
Domestic Abuse (Scotland) Act 2011
Adult Support and Protection (Scotland) Act 2007
Children (Scotland) Act 1995
Children's Hearing (Scotland) Act 2011
Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011
Protection from Abuse (Scotland) Act 2001
Housing (Scotland) Act 1987
Homelessness etc. (Scotland) Act 2003

7. POLICY MONITORING AND REVIEW

The Housing Manager will regularly monitor the implementation of this policy and will ensure it is applied fairly and consistently in a non-discriminatory manner; and will present appropriate reports to Management Committee demonstrating the outcomes relative to the stated objectives annually.

This policy will be subject to periodic review, not less than once every three years, and more frequently as and when necessary to take account of changes in legislation and developing good practice.

Approved by the Committee of Management on: 26/03/2025	
Signed: Secretary/Chairperson	Signed: Chief Executive/Senior Staff Member