



Domestic Abuse Policy

Revision History

Policy	Domestic Abuse Policy
Reviewer(s)	Louise McDonald
Committee Name	Operations and Performance
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New Policy or Description of Revision	Review due to legislation
Equality Impact Assessment Complete	
Data Protection Impact Assessment Complete	
Health and Safety Risk Assessment Complete	
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This policy is available in different languages and other formats such as Braille or tape on request.

Contents

1. Introduction
2. Equal Opportunities
3. Definition
4. Scottish Social Housing Charter and Legal Framework
5. Aims of the Policy
6. Our Approach
7. Prevention
8. Confidentiality
9. Options For Rehousing
10. Action Against Perpetrators
11. Staff Training
12. Complaints
13. Data Protection
14. Review

Introduction

At Williamsburgh Housing Association we understand that anyone can be a victim of domestic abuse. Abusers and victims can be male or female, any race or religion and from all different types of background.

Domestic abuse can be carried out by partners or ex partners, extended family, friends or carers. It can be:

- intimidation, degradation, isolation and control, with the use or threat of physical or sexual violence
- emotional or psychological
- physical
- sexual
- financial
- harassment and stalking
- online or digital abuse

Williamsburgh Housing Association believes that domestic abuse presents a high risk to personal safety and is unacceptable. We will therefore take the strongest action possible against perpetrators of domestic abuse where we have the power to do so, and with the consent of the victim.

We will deal with all reports of domestic abuse as a matter of urgency and we will assist the victim to reach a decision which they feel best secures their safety by:

- reviewing their accommodation,
- enabling the level of assistance they want, and
- taking action against the perpetrator which the victim and we feel is most appropriate.

Equal Opportunities

The Association is committed to the principles of equal opportunities and good practice. In this regard, we acknowledge the Scottish Social Housing Charter (2012): 1 - Equalities, which states:

“every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services”.

Accordingly, we shall ensure that specifically in regard to Domestic Abuse victims, all tenants, current and former are treated equally, irrespective of their sex or marital status, race, disability, age, sexual orientation, language or social origin, or other social attributes, including beliefs or opinions such as religious beliefs or political opinions.

Definition

For the purposes of this policy, domestic abuse includes behaviour which is abusive and is likely to cause physical or psychological harm. Abuse may include physical violence, threats, intimidation, coercive or controlling behaviour, isolation from family or support, monitoring day-to-day activities, restricting freedom, financial abuse, emotional abuse, harassment, damage to property, abuse through children or third parties, and behaviour intended to frighten, humiliate, degrade or punish.

Domestic abuse may be a single incident or a course of conduct. It may occur regardless of gender, age, disability, race, religion or belief, sexual orientation, gender identity, immigration status, income or tenure. We recognise, however, that domestic abuse disproportionately affects women and children, and that children who see, hear or experience the effects of domestic abuse may be victims in their own right.

The definition of domestic abuse used by Police Scotland is:

‘Any form of physical, verbal, sexual, psychological or financial abuse which might amount to criminal conduct and which takes place within the context of a relationship. The relationship will be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners. The abuse can be committed in the home or elsewhere including online’.

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
- regulating their everyday behaviour.

Coercive behaviour is an act or pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten the victim.

Williamsburgh Housing Association may become aware of domestic abuse through dealing with a complaint of Anti-Social Behaviour. The Association will in these circumstances respond to ensure that a victim enduring any form of abuse, is supported to take appropriate action. While advice and support is being given, it will not be appropriate to follow our procedures relating to the ASB while the victim is being supported. The Association will resume ASB procedures where it is deemed appropriate.

Where we consider that the tenant has experienced or is experiencing domestic abuse, which explains or partly explains why the rent lawfully due has not been paid. Williamsburgh Housing Association will support the tenant in connection with the rent arrears and will provide the tenant with details of other support that may be available in relation to domestic abuse.

Scottish Social Housing Charter and Legal Framework

The Association, in preparing this policy and the related procedures has given consideration to and sought compliance with, the following:

Scottish Social Housing Charter, as defined by The Scottish Housing Regulator – the regulatory body for housing associations. The relevant Charter Outcome numbers 2, 6, 7, 8, 9 and 11 state:

2: Communication

Social landlords manage their businesses so that:

“tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides”

6: Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes

Social landlords, working in partnership with other agencies, help to ensure as far as reasonably possible that:

“tenants and other customers live in well-maintained neighbourhoods where they feel safe”

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 decisions about the range of housing options available to them”

“tenants 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”

11: Tenancy sustainment

Social landlords ensure that:

“tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations”.

Legal Framework

This policy has been developed taking into account the legislation and regulations governing Registered Social Landlords (RSLs). Legislation relevant to this Policy includes:

- Housing (Scotland) Act 1987/2001/2010/2014
- Human Rights Act 1998
- Data Protection Act 1998 and 2018
- Domestic Abuse (Scotland) Act 2018
- Domestic Abuse (Protection)(Scotland) Act 2021
- General Data Protection Regulations 2016 (GDPR)
- Equality Act 2010
- The Scottish Social Housing Charter
- Matrimonial Homes Act 1983
- United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024
- Children (Scotland) Act 1995;
- Children and Young People (Scotland) Act 2014;
- Adult Support and Protection (Scotland) Act 2007;
- Equality Act 2010; Human Rights Act 1998;
- UK GDPR and Data Protection Act 2018
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Domestic Abuse (Protection) (Scotland) Act 2021

This introduces a new tenancy ground relating to abusive behaviour and amends the Housing (Scotland) Act 2001 to allow social landlords, in appropriate cases, to seek recovery of possession or termination of a joint tenant's interest in a tenancy where the statutory conditions are met. The policy also takes account of the Scottish Government's statutory guidance, Domestic Abuse – Social Housing Tenancy Provisions: Statutory Guidance for Social Landlords, published in June 2026, including guidance on identifying cases, considering housing options, gathering evidence, data protection, notices, court action, advice and assistance, and the streamlined process available in appropriate cases.

Housing (Scotland) Act 2025

The Housing (Scotland) Act 2025 introduces further duties and safeguards relevant to tenants affected by domestic abuse, including provisions requiring domestic abuse to be considered in social housing rent arrears cases, supporting tenants affected by domestic abuse through the Scottish Social Housing Charter, and strengthening approaches to housing applications, homelessness and access to housing where abuse is a factor. This policy will be reviewed – and, where appropriate, updated - as those provisions are commenced and further guidance is issued.

Aims Of The Policy

By adopting this policy, Williamsburgh Housing Association aims to:

- improve overall safety and wellbeing by recognising that domestic abuse is a serious crime which has an adverse impact on the health of individuals, families and communities
- increase awareness and understanding of this issue amongst residents and employees
- encourage residents and employees to report domestic abuse
- improve the safety and welfare of adults and children affected by domestic abuse and prevent further incidents by responding rapidly, effectively and consistently to all reports
- empower victims by providing information on the options available to them
- improve the response to victims through effective engagement of appropriate external enforcement and support agencies
- create a consistent approach for recording and monitoring incidents of domestic abuse

Our Approach

WHA encourages all tenants and household members to report domestic abuse, whether they are victims of, or witnesses to, such incidents. We will deal with all reports of domestic abuse with sensitivity.

If a person feels they are experiencing domestic abuse we will deal with it under this policy.

We will deal with all reports in a non-judgemental and non-discriminatory manner and in confidence. We will not require victims to take legal action or to contact the Police before we provide assistance.

We will only act with the victim's consent. The exception to this general rule is where we consider a child is at risk in any situation or if there is a high risk of serious harm to anyone involved. Where a person is identified as the victim of domestic abuse, any interaction with them will be guided by best practice guidelines.

Safeguarding Children and Adults at Risk

We recognise that domestic abuse can cause serious harm to children and adults at risk. Where we believe a child or adult may be at risk of harm, we will follow our safeguarding, child protection and adult support and protection procedures. We will share information with statutory agencies where required or justified by risk, while keeping the victim-survivor informed where it is safe and appropriate to do so. We will consider the impact of domestic abuse on children when making housing management decisions, including decisions about tenancy action, transfers, repairs, anti-social behaviour, arrears and support needs. The safety and welfare of children will be central to our assessment.

Children's Rights

We are committed to respecting, protecting and helping to fulfil the rights of children and young people, and to embedding a child rights-based approach across relevant areas of policy, decision-making and service delivery. Where our decisions, actions or services may affect children directly or indirectly, we will have regard to the requirements of the United Nations Convention on the Rights of the Child. We will seek to ensure that relevant decisions are informed by consideration of children's rights, that the views of children and young people are taken into account in a way that is appropriate to their age and circumstances, and that our practice supports fair, transparent and child-conscious decision-making.

Prevention

As part of our arrangements to prevent domestic abuse we will:

- make all new tenants aware of our policies relating to rehousing, relationship breakdown and where applicable the implications of joint tenancies
- publicise this domestic abuse policy to all tenants and employees, highlighting the consequences for perpetrators
- provide advice and information within our office and on our website
- provide staff training to increase awareness of domestic abuse

Confidentiality

Victims will be encouraged to allow WHA to share information with other agencies, including the Police and local authority departments, to ensure that the full range of civil and criminal action can be pursued, and appropriate assistance provided. However, all information provided by the victim will be treated with the utmost confidence and only passed to external agencies with their proper, informed consent.

The exceptions to this will be:

- where we consider a child is at risk in any situation
- if there is a high risk of serious harm to anyone involved
- if we are obliged by law to disclose information

Options For Rehousing

We recognise that every reported case of domestic abuse will be different. Our response will therefore be tailored to the individual circumstances and the needs of the victim. When a tenant or household member reports domestic abuse all available options will be discussed and considered with them, including:

- making arrangements for their immediate personal safety
- reviewing and where possible improving the safety and security of their existing accommodation, to enable them to remain there safely
- helping them to access support from local Women's' Aid services
- referral to Renfrewshire Council's Homeless Service
- reporting incidents to the Police, which may result in criminal action against the perpetrator
- where appropriate, legal action against the perpetrator

Remaining in the Property

We will advise victims who wish to remain in their own homes of any local 'sanctuary' schemes (i.e. funds available to improve the security of their existing accommodation).

Where there are no local authority sanctuary schemes in place we may offer, in emergency situations, assistance by not recharging victims for lock changes and damages due to the domestic abuse. Approvals for lock changes in these circumstances will require to be approved by a member of the Senior Management team and may be limited to one lock change. Where appropriate we will charge such costs to the perpetrator.

Where there are repeated requests for lock changes we will provide advice and encourage, if appropriate a transfer to another tenancy out with the current street.

Emergency Rehousing

Where a resident reporting domestic abuse needs emergency accommodation WHA will provide advice and assistance on accessing such accommodation provided by Renfrewshire Council or by a women's refuge.

Permanent Rehousing

Where a resident reporting domestic abuse requests permanent rehousing, WHA will prioritise their application as a 'management transfer'. In such cases the suspension policy will not be applicable, and we will review and determine the action to be taken on a case by case basis. Only one offer will be made on this basis.

Where there is no suitable WHA housing available, or the rehousing requires to be out of the area, we will work with Renfrewshire Council to access alternative accommodation.

Multi-agency Approach

Williamsburgh Housing Association will, only with the agreement of the victim, adopt a multi-agency approach in dealing with domestic abuse, to ensure the safety of the victims, meet their needs, co-ordinate available resources, access specialist services, take action against perpetrators and share best practice.

Action Against Perpetrators

WHA will work with the Police and other external agencies in dealing with perpetrators of domestic abuse. Action against perpetrators will depend upon individual circumstances. This may include legal action for recovery of possession against a perpetrator, where other members of the household have left the home because of domestic abuse.

Subject to data protection regulations, we will share information with other relevant agencies so that serial perpetrators are identified and dealt with appropriately.

The Abusive Behaviour Ground for Repossession

Where the statutory conditions are met, we may consider using the abusive behaviour ground (ground 15A) introduced by Part 2 of the Domestic Abuse (Protection) (Scotland) Act 2021. This may allow us to seek an order for recovery of possession or, in the case of a joint tenancy, termination of the abusive tenant's interest in the tenancy, with the aim of allowing the victim-survivor to remain safely in the home where that is appropriate.

Before deciding whether to use this ground, we will consider the victim-survivor's wishes, safety risks, available evidence, the position of children, any relevant criminal, civil, family or protective proceedings, whether the property is the only or principal home of relevant parties, proportionality, equality and human rights considerations, and whether there are safer or more suitable alternatives. Any notice of proceedings that we may serve with a view to commencing repossession proceedings in terms of this ground, will only be served following notification of the decision to serve such notice being given to the victim-survivor, with a clear indication of timing of delivery of the notice to them, the perpetrator tenant/ joint tenant and any others. This is to ensure that the victim-survivor has prior notification to allow them to ensure their safety, the safety of others, and have sufficient time to engage further with their support network, including organisations supporting them. We will offer support and signposting again at this stage to appropriate organisation if such organisations are not already part of the victim-survivor's network.

We will at all times take into account the views of the victim-survivor and any others adversely impacted by domestic abuse, including children, throughout the process for seeking a repossession Order.

Housing Options – Advice and Assistance to Perpetrators

Where proceedings for recovery of possession are raised using the abusive behaviour ground, we will provide advice and assistance to the tenant / joint tenant and any relevant qualifying occupier(s) about finding alternative accommodation, in line with statutory requirements and guidance. In doing so, we will ensure such advice and assistance is provided in a manner that does not compromise the safety, confidentiality or support needs of the victim-survivor and any children or others who may be adversely impacted.

Alternatives

Where we cannot, or do not feel in a position to, proceed with seeking a court Order to recover possession of, or their interest in (if a joint tenant), the house from the perpetrator, using the abusive behaviour ground, we will consider other options available to us in accordance with relevant policies and procedures, including management transfers and allocation of properties. Where appropriate, we may support the victim-survivor to obtain independent advice on their own options in addition to those alternatives we can consider.

Staff Training

All relevant staff will receive training appropriate to their role. Training will cover recognising domestic abuse, responding to disclosure, safe contact, safeguarding, housing options, tenancy remedies, arrears and repairs issues, data protection, record keeping, equality and trauma-informed practice.

Managers will support staff dealing with domestic abuse cases, ensure appropriate supervision and case review, and seek specialist or legal advice where required. Staff must follow this policy, related procedures and any relevant statutory guidance.

Complaints

Although we are committed to providing high levels of service, we accept that there may be occasions where you may not be not satisfied with the service you have received from us. We value all complaints and use this information to help us improve our services. Our Complaints Policy describes our complaints procedure and how to make a complaint.

If, after exhausting the Association's complaints procedure (full details of which are available on our website, from staff or located in our reception) a tenant is still unhappy, they should contact the Scottish Public Services Ombudsman (SPSO):

SPSO
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS
(if you would like to visit in person, you must make an appointment first)

Their freepost address is:

FREEPOST SPSO
Freephone: 0800 377 7330
Online contact www.spsso.org.uk/contact-us
Website: www.spsso.org.uk

Data Protection

The Association will handle personal information carefully and keep it secure, whether it is held on paper, on our computer systems, or through approved cloud services. Access to personal information will be limited to staff and authorised partners who need it to carry out their role. We will keep information only for as long as it is needed for the purpose it was collected, or where we are required to keep it by law, and will securely delete, archive, or dispose of it when it is no longer required. At all times, we will act in line with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

Review

This policy will be reviewed at least every three years, or earlier if there are changes in legislation, statutory guidance, regulatory standards, good practice or organisational learning. Where required, the policy will be updated to reflect commencement and implementation of relevant Housing (Scotland) Act 2025 provisions and any further Scottish Government or Scottish Housing Regulator guidance.