GROUP DOMESTIC ABUSE POLICY

Rural Stirling Housing Association, Stirling Road, Doune, FK16 6AA **Registered as a Scottish Charity No. SC037849** **Venachar Limited, Incorporated under the Companies Act (Company Number SC447415),** **Registered Office: Stirling Road, Doune, FK16 6AA**	
Policy Name	Group Domestic Abuse Policy
Policy Category	Corporate Services & Housing Services
Data Policy Reviewed	October 2026
Review Period	3 Years
Next Review Due	October 2029
Equality Impact Assessment	Yes

1.0 Purpose

1.1 This policy sets out how Rural Stirling Group (RSG) will take steps to provide safe homes and services for tenants, household members and others affected by domestic abuse.

1.2 This policy applies to all tenants, joint tenants, household members, applicants, and service users who may be affected by domestic abuse in connection with our housing services. It applies to Scottish secure tenancies, short Scottish secure tenancies and wider housing management functions, including allocations, transfers, rent arrears, repairs, anti-social behaviour, complaints and safeguarding.

1.3 This policy takes account of the **Domestic Abuse (Protection) (Scotland) Act 2021** which 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.

1.4 This policy takes account of the **Housing (Scotland) Act 2025**, which 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.

2. Policy Objectives

2.1 RSG are committed to providing safe homes and services for tenants, household members, applicants and service users affected by domestic abuse. RSG will take a trauma-informed, person-centred and safety-led approach, recognising that domestic abuse may affect a person's housing, finances, health, children, support networks and ability to engage with us.

2.2 RSG will not tolerate domestic abuse. Where it is safe and appropriate to do so, RSG will support victim-survivors to remain in their home or to move to suitable alternative accommodation if that is their preference. RSG will endeavour to use our tenancy management powers fairly and proportionately to protect victim-survivors and hold perpetrators to account.

2.3 RSG will initiate an investigation of all reports of domestic abuse that we receive and work in partnership with other agencies and statutory partners to ensure

investigations are conducted to the highest possible standards, putting safety, choice, dignity and confidentiality at the centre of our response.

2.4 RSG will ensure that our staff receive specialist training on domestic abuse and avoid actions that increase risk or place responsibility on the victim-survivor for the perpetrator's behaviour.

2.5 RSG will support those individuals experiencing domestic abuse irrespective of age, gender, sexuality, disability, ethnicity, religion, social background or any other characteristics identified in the Equality Act.

2.6 RSG aims to become a Third-Party Reporting Centre for victims of Domestic Abuse. Third Party Reporting Centres are organisations that have agreed to make reports to the police on behalf of victims who do not want to go directly to the police.

2.7 RSG will listen to Victim-survivors, without requiring them to prove abuse before we offer support. RSG will create a safe environment where victims of domestic abuse feel they can approach us, are encouraged to talk and are listened to, thus enabling them to make informed decisions about their lives and live more independently. Advice and support will be provided in a caring and non-judgemental way with the agreement of the individual concerned.

2.8 RSG will consider the use of legal and other remedies available to us in a manner that. is proportionate, including tenancy action against perpetrators where the statutory tests are met.

2.9 RSG will prioritise the safety of the person who is experiencing domestic abuse and the safety of their children, where present, taking safeguarding action where required.

2.10 RSG will give people experiencing domestic abuse the opportunity to opt for a staff member of the same gender to deal with their case.

2.11 RSG will provide improved security to a resident's home in conjunction with partner agencies, where required.

2.12 RSG will consider the impact of domestic abuse when dealing with arrears, property damage, complaints, anti-social behaviour and other tenancy issues.

3.0 Equality & Diversity Statement

3.1 We will ensure that this policy is applied fairly and consistently. In implementing this policy, we will not directly or indirectly discriminate against any person or group of people because of their race, religion or belief, gender, disability, age, sexual orientation, or any other grounds. Our commitment to equality and fairness will apply irrespective of factors such as age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief, sex, sexual orientation.

This policy and any other Rural Stirling Group (RSG) publication is available in other formats e.g., other languages, Braille, large print, audio.

4.0 SHR Regulatory Standards

4.1 The SHR's regulatory framework sets out Regulatory Standards of Governance and Financial Management to be achieved by all Registered Social Landlords (RSLs). The Board accepts that it is responsible for ensuring that the Association complies with these standards. The standards of direct relevance to this policy are noted below:

- *Standard 2: The RSL is open and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.*
- *Standard 5: The RSL conducts its affairs with honesty and integrity.*
- *Standard 6: The governing body and senior officers have the skills and knowledge they need to be effective.*

5.0 Relevant legislation

- Housing (Scotland) Act 2001;
- Housing (Scotland) Act 1987;
- Housing (Scotland) Act 2010;
- Domestic Abuse (Scotland) Act 2018,
- Domestic Abuse (Protection) (Scotland) Act 2021;
- United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024
- Children (Scotland) Act 1995;
- Children and Young People (Scotland) Act 2014;
- United Nations Convention on the Rights of the Child (UNCRC) 1989
- Adult Support and Protection (Scotland) Act 2007;
- Equality Act 2010; Human Rights Act 1998;
- UK GDPR and Data Protection Act 2018

6.0 Policy Details

6.1 Definitions

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.

6.2 Identifying Domestic Abuse

We may become aware of domestic abuse through a direct disclosure, reports from neighbours or family members, police or social work involvement, repairs records, rent arrears, complaints, anti-social behaviour reports, homelessness or transfer applications, contact with support agencies, or staff observations during home visits or other contact.

Staff will be trained to recognise possible indicators of domestic abuse, including unexplained arrears, repeated damage to doors or windows, frequent emergency repairs, a tenant appearing unable to speak freely, withdrawal from services, threats from a partner or ex-partner, repeated complaints linked to the household, or a sudden request to leave or remain in the home.

6.3 Responding to Disclosure

Where someone discloses domestic abuse, staff will respond calmly, respectfully and without judgement. Staff will ask about immediate safety, agree safe methods of contact, avoid contacting the alleged perpetrator without considering risk, and explain what information may need to be shared where there is a safeguarding concern or serious risk of harm.

We will not require a victim-survivor to take criminal, civil or tenancy action before support is offered. Where a victim-survivor does not want action taken, we will respect that choice unless there is a legal duty or safeguarding reason to act. We will keep decisions under review where risk changes.

6.4 Support and Signposting

We will offer practical housing support and signposting based on an individual's circumstances, needs and wishes. This may include safety planning, arranging emergency repairs, improving home security, discussing transfer or management move options, making homelessness referrals, supporting applications for benefits or financial assistance, and signposting to specialist domestic abuse, legal, money advice, mental health, children's services and advocacy organisations.

We will maintain up-to-date local and national signposting information, including specialist domestic abuse services, Police Scotland, social work, child protection services, adult support and protection services, homelessness services, legal advice providers, advocacy services and emergency support. Staff will check with the victim-survivor how information can be provided safely.

6.5 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.

6.6 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 (UNCRC). 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.

6.7 Housing Options and Tenancy Remedies

We will discuss housing options with the victim-survivor, including whether they wish to remain in the home, move temporarily, move permanently, and/ or access other support. We will consider emergency accommodation, management transfers, mutual exchanges, allocations, homelessness duties and partnership working with other landlords or local authorities.

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 is 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.

6.8 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.

6.9 Rent Arrears, Property Damage and Other Housing Management Issues

We recognise that domestic abuse can directly contribute to rent arrears, rechargeable repairs, property damage, missed appointments, complaints, neighbour reports or other tenancy issues. Examples may include financial control, interference with rental payments, damage caused by the perpetrator, forced absence from the home, or the victim-survivor being unable to engage safely with staff.

Where domestic abuse is known or suspected, we will consider whether the housing management issue has arisen because of abuse before taking enforcement action. We will consider reasonable adjustments to our usual housing management approach, including pausing or tailoring arrears action, agreeing safe and affordable repayment arrangements, signposting to money advice, reviewing rechargeable repair decisions, considering whether damage should be treated as abuse-related, and avoiding correspondence or visits that may increase risk.

Where court action for rent arrears is being considered and domestic abuse may be a factor, we will follow all applicable pre-action requirements, including any additional requirements introduced by the Housing (Scotland) Act 2025 and any related guidance. We will ensure the court is provided with accurate information about compliance where required.

We will not treat a victim-survivor as responsible for the perpetrator's behaviour without first fully considering the circumstances, evidence, safety risks and legal duties. We will balance support for the victim-survivor with our responsibility to manage tenancies, protect neighbours, recover rent lawfully and maintain our housing stock.

6.10 **Evidence and Record Keeping**

We will gather and record information sensitively, lawfully and only where necessary. Evidence may include information from the victim-survivor, police, social work, health professionals, specialist domestic abuse services, court orders, repairs records, photographs, tenancy records, reports from neighbours, staff observations and other relevant sources.

We will not place unnecessary evidential burdens on victim-survivors when offering support. Where tenancy action is being considered, we will assess whether there is sufficient evidence to meet the relevant statutory and court requirements, and we will seek legal advice where appropriate. Each case will be determined on its own merits, taking into account the specific circumstances of that case.

6.11 **Confidentiality, Data Protection and Safe Contact**

We will handle personal data, special category data and criminal offence data in line with data protection law and our privacy procedures. Information about domestic abuse will be shared only where there is a lawful basis and it is necessary, proportionate and safe to do so. Information may require to be shared for a number of reasons, including ensuring appropriate safety measures are in place, obtaining updates regarding ongoing issues, and ingathering evidence from third parties such as Police Scotland, Social Work or other supporting agencies (e.g. Women's Aid)

We will agree safe contact arrangements with the victim-survivor, including preferred telephone numbers, email addresses, postal addresses, times of contact and whether voicemail, text messages or letters are safe. We will take care not to disclose a victim-survivor's location or personal information to the perpetrator.

6.12 **Staff Training and Responsibilities**

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.

7.0 Related Documents.

7.1 This policy relates to the following documents:

- **Group Rent Arrears Policy**
- **Group Allocations Policy**
- **Group Safeguarding Policy**
- **Group Data Protection Policy**
- **Group Complaints Policy**
- **Group Reactive Repairs Policy**
- **Group Equality and Diversity Policy**
- **Group Domestic Abuse Procedures**

8.0 Review

8.1 We will review and update this policy every 3 years. More regular reviews will be considered where, for example, there is a need to respond to new legislation/policy or regulatory guidance.