

## KNOWES HOUSING ASSOCIATION LTD

<b>Policy Name</b>	Domestic Abuse Policy
<b>Policy Category</b>	Housing Management
<b>Policy Number</b>	HM24
<b>Date to Housing Services Sub-Committee</b>	November 2025
<b>Previous Review</b>	
<b>Next Review Date</b>	November 2028
<b>Links to other Policies</b>	Allocations Policy and Procedure ASB Policy and Procedure
<b>Consultation</b>	Internal – Staff and Committee

# VULNERABLE TENANTS - DOMESTIC ABUSE POLICY

## 1.0 INTRODUCTION

- 1.1 This policy sets out how Knowes Housing Association Limited (KHA) views domestic abuse, and how we will respond to and seek to deal with any reports of such abuse affecting tenants or members of their households. The term 'abuse' covers violence as well as verbal or other forms of abuse. The policy is supported by detailed procedures.
- 1.2 The Association has taken into consideration the The Housing (Scotland) Act 2025, that asks Housing Providers to have in place a Domestic Abuse Policy, outlining the support and actions that they will take if a report of DA/DV is made to them from a tenant, Joint Tenant or member of a tenants household.
- 1.3 KHA believes that domestic abuse presents one of the highest risks to personal safety and is unacceptable. KHA will therefore take the strongest action possible against perpetrators of domestic abuse where it has the power to do so and with the consent of the victim.
- 1.4 KHA will deal with all reports of domestic abuse as an emergency and respond to them within 24 hours. By applying a 'victim centred' approach we will assist the victim to reach a decision which they feel best secures their safety by:
  - Reviewing the suitability and safety of their current accommodation
  - enabling the level of assistance they want, and
  - taking action against the perpetrator which the victim and Association feel is most appropriate.

## Definition

- 1.5 KHA will use the Scottish Government definition of domestic abuse, which is:

***“Domestic Abuse, as gender based violence, 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 and friends”.***

It can be characterised by a pattern of coercive control often escalating in frequency and severity over time.

(Source: National Strategy to Address Domestic Abuse in Scotland, Scottish Partnership on Domestic Abuse, Edinburgh, November 2000)

**Controlling behaviour** is a range of acts designed to make a person subordinate and/or dependent by:

- isolating them from sources of support such as family, friends, work mates etc.
- exploiting their resources and capacities for personal gain,
- depriving them of the means needed for independence, resistance and escape, and
- 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. This includes financial abuse, such as withholding money and making people account for every penny they spend.

**Sexual Abuse** where the victim is forced to have sex and threats towards the victim to share photos and videos on-line that are of a sexual nature.

1.6 Domestic violence and abuse can manifest itself through the actions of immediate and extended family members via unlawful activities, such as forced marriage, 'honour based abuse' and female genital mutilation. Extended family members may condone or even share in the pattern of abuse. Any such actions are not acceptable, whatever form they take.

### **Aim of the policy**

1.7 By adopting this policy, KHA 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;
- facilitate early identification of domestic abuse and offer supportive and effective intervention to reduce the risk of harm;
- 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;
- options on what the Association can do about the perpetrator;
- improve the response to victims through effective engagement of appropriate external enforcement and support agencies;
- inform colleagues of best practice when responding to domestic abuse;
- ensure that all staff are clear regarding their roles in tackling and responding to issues around domestic abuse.

## **Equality & diversity**

1.8 KHA will ensure that any action taken under this policy complies with our Equality & Diversity policy.

## **2.0 RESPONSIBILITIES**

### **2.1 Committee**

- To ensure that KHA has approved and implemented a policy on domestic violence and abuse that complies with current regulations and guidance.
- To monitor compliance with the policy, through receipt of relevant reports.

### **2.2 Management**

- Director: To ensure all employees and Board Members are aware of the policy and their responsibilities under it.
- Senior Management Team: To co-ordinate the provision of any training required to enable employees to recognise and respond to incidents of domestic violence or abuse.
- Staff: To ensure that relevant employees are fully aware of their responsibilities under the policy, in particular of the importance of reporting any incidents or pattern they become aware of.

### **2.3. Employees**

To ensure they are aware of their responsibilities under this policy, and that they implement the policy and procedure when appropriate.

## **3.0 POLICY FRAMEWORK**

3.1. KHA 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.

Section 32 of the Housing (Scotland) Act 2010 regulates the 'Standards and Outcomes' for RSLs to include the "associated support that social landlords should provide to tenants whom they have reason to believe have experienced, are experiencing or are at risk of domestic abuse."

### **Prevention**

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

- make all new tenants aware of KHA's 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 KHA's office
- Provide support to victims of DV where appropriate and also signpost victims to support agencies within the LA in which we operate.
- Allows RSL to recover possession of tenancies subject to domestic abuse. This will extend to terminating a joint tenant's interest in the property, allowing them and specified others to be evicted only.

### **Victim-centred approach**

3.3 KHA will adopt a 'victim-centred' approach in dealing with domestic abuse, i.e. if a person feels they are experiencing domestic abuse we will support the victim with it under this policy.

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

3.5 KHA will only assist the victim with their 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.

### **Confidentiality**

3.6 Victims will be encouraged to allow KHA 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.

3.7 The exceptions to this will be:

- where we consider a child is at risk in any situation, or
- if there is a high risk of serious harm to anyone involved, or
- if we are obliged by law to disclose information
- there was an adult protection issue.

A Manager or Head of Section must approve any disclosure that does not have the victim's consent.

3.8 Information will be shared with work colleagues on a strictly 'need to know' basis. We will adhere to all current data protection legislation when dealing with cases.

## **Options for action**

3.9 KHA recognises that every reported case of domestic abuse will be different. Our response will therefore be tailored to the individual circumstances and needs of the victim. Our Allocations Policy should be read in conjunction with this policy as it outlines how we will assist cases where Domestic Abuse results in the current property being unsuitable. This includes how we will offer a Management Transfer to the victim/s of domestic abuse.

When a tenant or household member reports domestic abuse all available options will be discussed and considered with them, including:

- assisting the victim in making arrangements for their immediate personal safety via other agencies or through WDC who are responsible for providing temporary accommodation in instances where a person can no longer safely stay in their home;
- reviewing and where possible improving the safety and security of their existing accommodation, to enable them to remain there safely;
- reporting incidents to the Police, which may result in criminal action against the perpetrator;
- where appropriate, legal action against the perpetrator by KHA.

The safety of the victim and their dependents will be our priority. An Action Plan setting out further actions will be agreed with the victim, and we will regularly contact the victim and keep them updated with progress.

## **Assistance for victims**

3.10 KHA will take a proactive and sympathetic approach. Each case will have its own challenges and so the type and level of assistance offered will be finalised by the Housing Officer with the support of the Housing Manager.

## **Remaining in the property**

3.11 KHA will advise victims who wish to remain in their own homes of advice they can get from Police Scotland and any other external agency that provides an advisory service in West Dunbartonshire.

3.12 KHA will offer assistance to those experiencing domestic abuse by not recharging them for lock changes if this is required.

## **Emergency rehousing**

3.13 Where a resident reporting domestic abuse needs emergency accommodation KHA will provide advice and assistance on accessing such accommodation provided by West Dunbartonshire Council or by a women's refuge. We will provide a referral letter where appropriate and advocate on our tenants behalf.

## **Permanent rehousing**

3.14 Where a resident reporting domestic abuse requests permanent rehousing, KHA will prioritise their application as a 'management transfer' if this is the preferred option for the victim. 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. There will normally be a limit on the number of occasions we will offer this, typically it will only be offered once. Any transfer will be to a property that is of a similar size and type of property that the resident is leaving.

## **Multi-agency approach**

3.15 KHA will adopt a multi-agency approach in dealing with victims and perpetrators of 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**

3.16 KHA 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 due to domestic abuse. In addition we may also look at whether damage to our property has been caused by the perpetrator and if so we will determine whether we can pursue them to recoup the costs associated with repairs that are required.

3.17 KHA will take into consideration changes in legislation that the Scottish Government has introduced as part of the Housing (Scotland) Act 2025, paying specific attention to 2021 legislation on domestic abuse.

3.18 The main aim of the 2021 legislation was to enable a social landlord to intervene on behalf of an individual experiencing domestic abuse by ending the perpetrator's interest in the joint tenancy, where the individual wanted to remain in the home. KHA will take the necessary legal action where necessary, taking into account this change.

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

## **3.20 New Ground for Repossession**

### **Ground 15A –**

15A(1) A person ("person T") who is the tenant or one of the joint tenants has engaged in behaviour which is abusive of a person ("person P") who is a partner or ex-partner of person T, and the conditions in sub-paragraph (2) are met.

(2)The conditions are—

- (a) person T is the sole tenant, or person T and person P are joint tenants (whether or not with others),
- (b) the house is person P's only or principal home,
- (c) person P wishes to continue living in the house,
- (d) the landlord wishes—
  - (i) where person T is the sole tenant, to recover possession of the house from person T for the purpose of entering into a tenancy with person P instead,
  - (ii) where person T is a joint tenant, to bring person T's interest in the tenancy to an end.

### **3.21 Definitions of the ground**

- (a) “partner or ex-partner of person T” means—
  - (i) the spouse or civil partner of person T,
  - (ii) a former spouse or former civil partner of person T,
  - (iii) a person with whom person T has, in the period of 12 months ending with the date on which the proceedings are raised under section 14(1), lived in the house as if a spouse of person T for a period of, or more than one period amounting in total to, at least 6 months,
- (b) the reference to behaviour by person T which is abusive of person P is to be construed in accordance with sections 2 and 3 of the Domestic Abuse (Protection) (Scotland) Act 2021, as if the references in those sections to—
  - (i) person A were references to person T,
  - (ii) person B were references to person P.

## **4.0 REVIEW**

4.1 The Head of Housing will ensure that this policy is reviewed every 3 years.

## **5.0 EQUALITIES COMMITMENT**

- 5.1 Knowes Housing Association Ltd is committed to tackling discrimination on the grounds of sex or marital status, racial grounds, or grounds of disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.
- 5.2 Knowes' seek to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work.

## Equality, Diversity, and Inclusion

### Equality Impact Assessment

<b>Name of Policy / Project / Event being assessed</b>	Domestic Abuse Policy
<b>Summary of aims and objectives of the Policy / Project / Event</b>	This policy sets out how Knowes Housing Association Limited (KHA) views domestic abuse, and how we will respond to and seek to deal with any reports of such abuse affecting tenants or members of their households. The term 'abuse' covers violence as well as verbal or other forms of abuse. The policy is supported by detailed procedures.
<b>What involvement and consultation has been done in relation to this Policy (e.g. consultation)</b>	Staff and Committee
<b>Who is affected by the Policy / Project / Event?</b>	Tenant's and residents.
<b>What are the arrangements for monitoring and reviewing the actual impact of the Policy / Project / Event?</b>	Policy reviewed every 3 years or before if any changes in legislation

Protected Characteristics Group	Is there a potential for positive or negative impact	Please explain and give examples of any evidence / data used	Action to address negative impact (e.g. adjustment to the policy)
Disability	No		
Gender Reassignment	No		
Marriage / Civil Partnership	No		
Pregnancy and Maternity	No		
Race	No		
Religion or Belief	No		
Sexual Orientation	No		
Sex (Gender)	No		
Age	No		

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**EVALUATION**

Question		Explanation / Justification	
Is it possible the proposed Policy / Project / Event or change in Policy / Project / Event could discriminate or unfairly disadvantage people?		No	
Final Decision		Tick the relevant Box	Include any explanation / justification required
No barriers identified, therefor the activity can <b>proceed</b>		X	
You can decide to <b>stop</b> the Policy / Project / Event at some point because the data shows bias towards one or more groups			
You can <b>adapt or change</b> the Policy / Project / Event in a way which you think will eliminate the bias			
Barriers and impact identified, however, having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken) Therefore you are going to <b>proceed with caution</b> with the Policy / Project / Event knowing that it may favour some people less than others, providing justification for this decision.			

<b>Will this EIA be published</b> (*EIA's should be published alongside relevant Policy / Project / Event)	Not Required
<b>Date Completed</b>	November 2025
<b>Review Date (if applicable)</b>	November 2028

**CHANGE / REVIEW LOG**

Name	Date	Version	Change / Review
M. Harvey	01/11/26	N/A	N/A