Borders Housing Network

DOMESTIC ABUSE POLICY

July 2026

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1. Background

The four local Registered Social Landlords (RSLs) in the Scottish Borders, Berwickshire Housing Association, Eildon Housing Association, Scottish Borders Housing Association and Waverley Housing, in conjunction with our key strategic partner Scottish Borders Council have a unified approach to domestic abuse. This is our second shared customer domestic abuse policy and builds on our firm partnership working.

This shared policy is accompanied by a suite of shared procedures and sets out the organisations' continuous commitment to preventing and alleviating domestic abuse in our homes. Our approach is informed by the Domestic Abuse (Scotland) Act (2018) and aligned with the Equally Safe Strategy (2023), which together provide the national framework for preventing violence against women and girls and supporting those affected by abuse.

Domestic abuse is a core housing issue. It affects tenancy sustainment, homelessness prevention, allocations, arrears management, repairs, and community safety. The Housing (Scotland) Act 2025 further strengthens landlords' duties in relation to domestic abuse, including new pre-action requirements and forthcoming Ask and Act responsibilities.

Domestic abuse remains a significant issue impacting individuals and families and thereby our tenants. Between October 2024 and September 2025, more than 66,000 domestic abuse incidents were recorded by Police Scotland who responded to a domestic abuse call approximately every eight minutes, demonstrating the scale and urgency of the issue.

This policy sets out how we will recognise, respond and support tenants who are experiencing or perpetrating domestic abuse. The aim is to:

- Protect the safety and wellbeing of tenants and their families
- Provide consistent, trauma-informed responses across all services
- Ensure staff and contractors understand their responsibilities
- Support early identification of domestic abuse
- Work collaboratively with specialist agencies to reduce risk and prevent further harm
- Maximise housing stability for survivors and minimise disruption wherever possible.

2. Scope of the Policy

This policy applies to:

- All Housing staff entering homes and providing services
- Housing management functions including tenancy sustainment, repairs, allocations, rent collection, anti-social behaviour (ASB), and safeguarding.

3. Aims and Objectives

Staff will seek to recognise and respond to domestic abuse in a way that is:

- Compassionate and non-judgemental
- Sensitive to trauma
- Respectful of the tenant's choices
- Focused on safety and empowerment.

4. The Legal and Regulatory Framework

4.1 Definition of Domestic Abuse

Under the Domestic Abuse (Scotland) Act 2018, domestic abuse is defined as a course of behaviour that is abusive towards a partner or ex-partner, where a reasonable person would consider the behaviour likely to cause physical or psychological harm. Psychological harm includes fear, alarm, and distress.

Abusive behaviour includes:

- Violent, threatening, or intimidating behaviour.

Behaviour directed at a partner, their child, or another person that: has as its purpose one or more of the statutory 'relevant effects' or would be considered by a reasonable person to be likely to have those effects. The 'relevant effects' include:

- Making the victim dependent on or subordinate to the perpetrator.
- Isolating the victim from friends, relatives, or support networks.
- Controlling, regulating, or monitoring day-to-day activities.
- Restricting freedom of action.
- Frightening, humiliating, degrading, or punishing the victim.
- Violent behaviour includes both physical and sexual violence.
- Children are explicitly protected under the Act. Abusive behaviour may be directed at a child, defined as anyone under 18 years of age.

The Domestic Abuse (Scotland) Act 2018 created a specific offence of abusive behaviour towards a partner or ex-partner. It includes a statutory aggravation involving children. The court can apply an aggravation, if a child:

- Sees, hears, or is present during an incident of abuse
- Is used by the abuser in committing the offence
- Is adversely affected by the abusive behaviour.

Any safeguarding concerns of a child must be reported by completing the form Children's Safeguarding form. Insert form here:

Domestic abuse can affect anyone, regardless of age, race, ethnicity, disability, sexual orientation, gender identity, religion, socioeconomic status, or immigration status.

However, evidence shows that some groups are more likely to experience domestic abuse, to experience more severe or repeated forms of abuse, or to face additional barriers when accessing support. These groups include:

- Women and girls, who are disproportionately affected due to the gendered nature of domestic abuse.
- Disabled people, who may face increased dependency on partners or carers and higher risks of coercive control.
- LGBTQ+ people, who may experience unique forms of abuse such as identity-based coercion, threats of 'outing', or exclusion from support services.
- Older people, who may experience abuse that goes unnoticed due to isolation, health conditions, or reliance on family members or partners.
- People from minority ethnic communities, who may face cultural stigma, racism, language barriers, or additional immigration-related control.
- People with insecure immigration status, who may fear reporting abuse due to concerns about deportation, NRPF (No Recourse to Public Funds) conditions, or lack of access to services.
- Pregnant women, for whom abuse can begin or escalate during pregnancy.
- Children and young people, who experience harm directly and indirectly and may be used as a tool for coercion or control.

5. Barriers to Escaping Domestic Abuse

We recognise that disclosing domestic abuse can be difficult and tenants may have a range of fears in disclosing, such as:

- Fear of the abuser and/or what they will do
- Fear of not being believed
- Lack of knowledge or ability to access support services
- Lack of resources
- Shame and stigma
- Worried about their immigration status
- Feeling they should stay for the children.

6. Responding to Disclosures of Domestic Abuse

If a tenant discloses domestic abuse (directly or indirectly), we must:

- Listen without judgement
- Validate the disclosure (for example: 'Thank you for telling me—this sounds really difficult')
- Prioritise safety and privacy
- Offer support options and referral pathways
- Record information safely and sensitively.

We will be guided by the wishes of the victim survivor and will guide them through options available. We will support them in making referrals to specialist services and avenues of support.

7. Consent and Information Sharing

The Borders Housing Network is committed to maintaining the highest standards of confidentiality/information sharing and risk management to ensure the safety and well-being of tenants and will act in accordance with the Data Protection Act and GDPR. Information will be managed safely and sensitively. Details should not be shared without consent unless there is a safeguarding duty, significant risk of harm, or legal obligation.

8. Recognising Risk

The Domestic Abuse Stalking and Honour Based Abuse Risk Indicator Checklist (DASH RIC) is used to assess risk and is undertaken by Independent Domestic Abuse Advocates (IDAAs) and staff in other public facing organisations. The tool helps professionals to identify and assess risks when a survivor discloses domestic abuse, so called 'honour'- based violence or stalking. It is important to point out that risk is not static and can change so in effect it is a snapshot of time. The concept of risk is dynamic and constantly evolves. The risk assessment captures risks at a single point in time and does not consider a constantly evolving environment.

The Risk Assessment asks several questions covering economic abuse, threats and coercion, coercive threats and intimidation, emotional abuse and isolation, sexual abuse and children and pregnancy. Each answer builds a picture of the person's risk and scores over a certain threshold (usually 14) would result in the case being discussed at the Multi Agency Risk Assessment Conference (MARAC). Professional judgement can also trigger a case being heard at MARAC. If a professional has serious concerns about a victim's situation, they can refer the case to MARAC. We will work effectively with MARAC providing information and support (as part of the information sharing protocols we have in place).

9. Recognising Domestic Abuse in Our Housing Management Functions

Research indicates that only a third of domestic abuse victims tell someone in an official position with only a quarter seeking support from a specialist agency, so it is crucial that housing providers can recognise and respond to domestic abuse.

This section will outline how we will proactively recognise domestic abuse through our housing management functions. It will cover:

- Rent Arrears and Income Maximisation
- Repairs
- Allocations and Rehousing
- Anti-Social Behaviour.

9.1 Rent Arrears and Income Maximisation

Economic abuse may present through rent arrears or irregular payment patterns. Housing officers and income teams are in a crucial position to identify early signs of harm. Economic abuse is any behaviour that controls a person's ability to acquire, use, or maintain money or economic resources, including:

- Restricting access to funds
- Running up debts in the victim's name
- Taking control of benefits or wages
- Coercion around spending or rent payments.

Research from Surviving Economic Abuse (SEA) suggests that 95% of women experience financial abuse as part of domestic abuse. They highlight this can result in her being left without money for food and other essentials, no access to her own bank account, as well as debts in her name including rent arrears, about which she may not know. Economic abuse is a common form of domestic abuse that seeks to isolate the victim survivor economically, so they do not have the means to escape the abuse. Arrears may arise because:

- A partner has taken control of the tenant's income or benefits
- Money is being withheld, stolen, or restricted

The Housing (Scotland) Act (2025) imposes a pre-action requirement where domestic abuse is a factor in rent arrears. This is to help protect the rights of tenants experiencing domestic abuse living in social housing to remain in their home or be re-housed and ensure any arrears accrued due to domestic abuse do not prevent them accessing social housing in future. This requires landlords to fully consider further actions that could assist the victim-survivor before eviction action for rent arrears can be taken in court.

We will ensure that before taking any action on rent arrears that we have made appropriate checks and provided opportunities for disclosure of domestic abuse. Referrals will be made for assistance in making claims for benefits and other financial advice and assistance where appropriate.

9.2 Repairs

Repairs staff and contractors can play a crucial role in identifying potential domestic abuse. They might be the only professionals going into a tenant's home and may witness signs of fear, control, distress, or environmental indicators that something is not right. Because disclosures may be indirect or non-verbal, it is essential that repairs staff understand domestic abuse and what to look for and know how to report any concerns safely.

The following repairs may require further exploration:

- Doors, cupboards, or walls with holes or signs of being kicked or punched

- Internal damage explained in ways that seem inconsistent or minimising
- Signs of isolation, such as no access to phones, computers, or food
- Appearing fearful, anxious, withdrawn, or reluctant to speak
- Trying to communicate something subtly when the partner is out of earshot
- Apologising excessively or deferring every decision to their partner.

There may also be signs from the partner that can alert repairs staff:

- Refusing to leave the tenant alone with the repairs operative
- Answering questions on the tenant's behalf
- Monitoring the conversation or hovering nearby
- Becoming agitated, confrontational, or overly controlling
- Inability to confirm repair appointments without 'checking with' the partner
- A partner insisting they manage all communication or access arrangements
- Comments hinting at financial control or restricted access to money.

Repairs staff will alert our Neighbourhood Teams to anything that raises concern and the appropriate staff member will sensitively investigate.

9.3 Allocations, Rehousing and Homeless Prevention

This section outlines how staff dealing with allocations, rehousing and homeless prevention will respond in terms of applicants or existing tenants experiencing domestic abuse.

Victim survivors of domestic abuse may request that correspondence relating to their application be sent to a care of address. Where this is the case staff will ensure that the application is clearly marked on the system showing this and will respect the need for sensitive handling of the application. We will check all contact telephone numbers are correct and will not leave any details via voicemail.

Victims of domestic abuse who make their application in person will be treated appropriately and as with other applicants, interviewed in private. Where possible we will offer an interview with a member of staff of the same gender. We will support those who require emergency accommodation and will be connected to specialist services e.g. specialist homelessness services, social work department and Borders Women's Aid. We will clearly lay out all options and support we can provide so the person can make an informed decision on their housing needs.

We will offer management transfers for those victim survivors who do not want to stay in their home and will engage with housing providers in the wider area to explore housing options. Where a victim survivor wishes to remain in the home, we can offer security measures to their home such as window locks, lighting and fencing.

We will make referrals to specialist agencies if refuge accommodation is required.

We will also consider rehousing the perpetrator of abuse. The Housing (Scotland) Act (2025) builds on conditions that were set out in the Domestic Abuse (Protection)

Scotland Act (2021) and sets out provision for social landlords (from 1 August 2026) to apply for a court order to enable them to transfer a tenancy from an abusive tenant to the victim. We will follow guidance to be issued on this which is yet to be shared before its implementation.

The Housing (Scotland) Act (2025) introduces new Homelessness Prevention Duties, shifting the system from crisis response to early intervention. A principal component is the Ask and Act duty, which requires "relevant bodies" including social landlords to identify risks of homelessness earlier and take reasonable steps to prevent it. Whilst these duties became law as part of the Housing (Scotland) Act 2025 on 6 November 2025 responses are being piloted throughout 2026.

Domestic abuse is explicitly recognised as a major factor in homelessness. The duties therefore have significant implications for housing associations' policies, procedures, and frontline practice. Domestic abuse is central to the new duties and must be treated as a core housing issue.

Ask and Act pilots are operating until December 2026 to assess how public bodies should ask about housing risk and act early to prevent homelessness. There is currently no date for when these duties will be enacted for housing providers. The duty will require social landlords to ask tenants and applicants about issues that may place them at risk of homelessness such as domestic abuse. They must:

- Act by taking specific, timely steps to prevent homelessness where risks are identified
- Collaborate with local authorities and other agencies to ensure early intervention
- Have a formal domestic abuse policy in place
- Follow pre-action requirements in arrears cases involving domestic abuse.

9.4 Anti-social Behaviour

Anti-social behaviour (ASB) is conduct that causes nuisance, alarm, or distress to others in the community and reports of anti-social behaviour may in fact be domestic abuse. Miscategorising domestic abuse as ASB can create further risk to the victim survivor in that they may be fearful of seeking help and accessing specialist support if they feel we see them as a perpetrator of ASB as opposed to a victim of domestic abuse. We will investigate ASB fully and in those cases that start as a report of ASB but on investigation are in fact domestic abuse, we will re-categorise as domestic abuse on our case management system to ensure we respond correctly.

Our staff will prioritise safety over tenancy enforcement. Victim survivors may be fearful that their tenancy is in jeopardy and find it difficult to engage with staff. Our approach will ensure the perpetrator is held responsible for any ASB and / or domestic abuse ensuring the victim survivor will not be penalised for behaviour caused by the

perpetrator. We will ensure that safety planning and support for the victim survivor will run alongside any tenancy action against the perpetrator.

10. Legal Rights and Options

There are several criminal and civil remedies in relation to domestic abuse. More information can be accessed on specialist websites including:

- www.scottishwomensrightscentre.org.uk
- Scottish Women's Aid |
- https://scotland.shelter.org.uk/housing_advice/families_and_relationships/domestic_abus

Some of the most used remedies and options are detailed below.

10.1 Domestic Abuse Interdicts

A domestic abuse interdict is a court order that tells someone they must not do something. If a power of arrest is attached to a domestic abuse interdict, breaking the terms of the interdict is a criminal offence. The victim survivor of domestic abuse can apply for an interdict asking the court to make this a dJomestic abuse interdict to protect them against someone who is or was their husband or wife civil partner living with them as if they were married in a relationship with the person. We will record any interdicts on our system and report any breaches to authorities.

10.2 Disclosure Scheme for Scotland (DSDAS)

The Disclosure Scheme for Domestic Abuse Scotland (DSDAS) allows the right for an individual to ask about the background of their partner in relation to domestic abuse. It also allows concerned relatives or friends the right to ask about someone's partner. Information is only given to the person who is entitled to know, not to anyone asking for it. DSDAS also gives Police Scotland the power to tell people that they may be at risk. This means Police can reach out to vulnerable people who may be at risk of harm of domestic abuse by their partner even when they have not asked for the information.

It is useful for our staff to have an awareness of this to advise tenants or make a request. Disclosure Scheme for Domestic Abuse Scotland | Police Scotland.

10.3 Non-Harassment Order

Victim survivors can apply for a non-harassment order which aims to prevent behaviour which that causes harm or distress. To request this order, the victim survivor must feel distressed or alarmed. We will record any orders in place on our case management system and report any breaches.

11. Responding to Perpetrators of Domestic Abuse

Our commitment to domestic abuse is references in the tenancy agreements of the four organisations that make up the Borders Housing Network.

From August 2026 we will be able to apply to the court to terminate a perpetrator's tenancy and transfer the tenancy directly to the victim (as outlined in section 9.3). This is where the home must be the victim's main or only residence and evidence meets statutory definitions of abusive behaviour.

If the abusive person shares a joint tenancy with the victim, from August 2026 we will be able to ask the court to remove the perpetrator from the joint tenancy and allow the victim (and children) to remain in the home.

We will work as part of multi area partnerships such as MARAC and the Multi Agency Tasking Coordination (MATAC) process to respond to perpetrators of domestic abuse and the harm they cause.

Where the domestic abuse is affecting the wider community and impacting on the organisation's housing management function, we will use anti-social behaviour order (ASBO) to prevent the reported perpetrator from entering a certain location.

12. Staff Training

Staff training on domestic abuse is mandatory to ensure any staff member is equipped to respond effectively to domestic abuse for all staff. Training will be included in induction for all new staff and will be repeated every three years.

13. Review and Evaluation

This policy will be reviewed every three years or sooner if there are legislative changes.

All organisations in the Borders Housing Network will gather data on domestic abuse cases and seek feedback from victim survivors to continuously improve our approach to recognising and responding to domestic abuse.

Appendix 1

Helplines and Further Resources

Border Women's Aid

Tel: 01450 218409, email: help@borderwomensaid.co.uk

Supporting women and girls, 16 years plus.

DAAS (Domestic Abuse Advocacy Support Service)

Tel: 01835 825024, email: daas@scotborders.gov.uk

Supports all gender identifications, 16 years plus.

Men's Advice Line (UK-wide)

Tel: 0808 801 0327

Support for men experiencing domestic abuse.

Webchat available.

Police Scotland

Tel: 999 – Emergency
Tel: 101 – Non-emergency

For immediate danger, threats, or ongoing incidents.

Rape Crisis Scotland Helpline

Tel: 08088 01 03 02
Daily from 5pm–midnight

Support for anyone affected by sexual violence.

Text and email support available

Scotland's Domestic Abuse & Forced Marriage Helpline

Tel: 0800 027 1234
24 hours a day, 7 days a week

Emotional support

Safety planning

Advice on housing, legal options, and protection

Webchat and email available.

Scottish Borders Rape Crisis

Tel: 01896 661070, email: For support: support@sbrcc.org.uk, For general information: info@sbrcc.org.uk

The Sunrise service is inclusive to women aged 18+ of any race, ethnicity, sexual orientation, ability, or religion/cultural background. Our Unity service is inclusive to survivors aged between 12-18 of any race, ethnicity, gender identity/expression, sexual orientation, ability, or religion/cultural background.

Respect Phoneline (UK-wide)

Tel: 0808 802 4040

For those worried about their own behaviour

Confidential advice and behaviour-change support.

Samaritans

Tel: 116 123
24/7

Emotional support for anyone in distress.