



Housing Domestic Abuse Policy

Date of Creation	September 2025
Owner (Service)	Housing, Property and Communities
Reviewer Head of Service	Head of Housing, Property and Communities
Approver Executive Director	Executive Director Education, Housing and Communities
Date Approved	12 March 2026 for implementation on 1 April 2026
Approver (Committee)	Housing and Community Safety Committee
Next Review Date	2029 or earlier if required by legislative or guidance changes

Version History

Version	Date	Author	Changes Made	Approved By
1.0	29.09.25	Housing Policy	Initial draft document	Housing & Community Safety Committee 18.11.25
2.0	12.03.26	Housing Policy	Final document, post consultation, for approval	Housing & Community Safety Committee 12.03.26

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Executive Summary

Moray Council fully recognises the critical role it plays as a social landlord in preventing and responding to domestic abuse across our Moray communities. This Domestic Abuse Policy firmly embeds Scotland's national Equally Safe strategy and framework to prevent and eradicate domestic violence. While the policy supports anyone experiencing domestic abuse, it also recognises that domestic abuse is a form of gender-based violence that disproportionately affects women and girls. As a result, the policy takes a gender-informed, trauma-sensitive approach, ensuring all responses reflect an understanding of the gendered nature and power dynamics of abuse.

Moray Council is committed to helping the person experiencing abuse make informed housing choices based on their individual circumstances, enabling them to remain in their home and community should this be their preferred option, where it is safe and appropriate to do so. Our framework will focus on person-centred tenancy solutions, including the removal of the perpetrator from joint tenancies and exclusion from the property where appropriate, timely rehousing options when remaining in the home is not safe or desirable while minimising any disruption, particularly for survivors with caring responsibilities or those at risk of homelessness.

The complexity of domestic abuse demands a co-ordinated multi-agency response. Moray Council works collaboratively with key statutory and third-sector partners to ensure survivors receive comprehensive, tailored support. This approach ensures that housing responses are embedded within a wider risk framework of assessment, safeguarding, and support planning.

Moray Council's Housing Service is fully committed to:

- a zero-tolerance, trauma-informed and victim-centred response in a drive to help eliminate domestic abuse and gender-based violence in Moray
- the Scottish Government's Equally Safe vision of a Scotland where everyone, regardless of gender, can live free from violence, abuse, and fear.

This housing policy will play a key part in achieving this, by ensuring that those experiencing abuse / survivors are believed, supported, safe and protected while perpetrators are held accountable.

1. Scope of policy

- 1.1 This policy details the framework Moray Council's Housing Service, in its key role as a social landlord, will follow to ensure the safeguarding, support and housing security of any individual experiencing domestic abuse. The Housing service will take a zero tolerance, person-centred approach while working collaboratively across the Council and partners to provide a co-ordinated response, enabling victims / survivors to access what they need to live free from violence and abuse.
- 1.2 The Housing service is committed to delivering services with empathy, dignity and respect, that are responsive to the needs of individuals who may have experienced trauma, while understanding the lasting impact on wellbeing, behaviours and the ability to engage with services.
- 1.3 In recognition of the key role housing has in enabling individuals to escape domestic abuse, this policy:
- presents a safe, sensitive and trauma-informed housing response, recognising when a person may be affected by trauma, making adjustments with them in a collaborative way to take this into account and responding in a way that supports their recovery while avoiding adding to that trauma in our response.
 - aligns with national strategy, legal obligations, and partnership commitments, while supporting victims / survivors' right to safety and recovery; and
 - sets out the Housing Service's commitment to a gendered and rights-based approach to supporting women, children and any individuals experiencing domestic abuse regardless of their sex, gender or relationship.
 - ensures that any risks identified that could jeopardise a positive outcome will be escalated to the Head of Housing, Property and Communities who may exercise urgent discretion and authorise any actions necessary to safeguard individuals and ensure an appropriate and timeous response.
- 1.4 The policy applies to:
- all Moray Council tenants currently living in a property owned by the Housing Service; and
 - any individual seeking housing options, homeless or housing information and advice as a result of domestic abuse.

2. Definition(s)

- 2.1 This policy adopts the following Scottish Government's definition of domestic abuse (as gender-based abuse) 'which 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).'

The term gender-based abuse is used because women and girls are disproportionately affected by certain types of abuse.

This definition will apply to anyone experiencing domestic abuse including men, lesbian, gay, bisexual, transgender people and gender non-binary people (LGBT+)

The Domestic Abuse (Scotland) Act 2018 as amended by the Domestic Abuse (Protection) (Scotland) Act 2021 further expands the legal definition to include a pattern of controlling, coercive, threatening, degrading and/or violent behaviour by a partner or ex-partner. This includes various forms of abuse such as physical, sexual, psychological and financial abuse. A pattern of abusive behaviours is 2 or more incidents of abuse that a reasonable person would think would cause the victim / survivor to suffer physical or psychological harm, including fear, alarm and distress.

3. Strategic context

3.1 This policy aligns with the following national and local strategies and plans that collectively support the prevention of domestic abuse and the provision of effective, trauma-informed housing responses:

- [Equally Safe Strategy](#) (Scottish Government and COSLA): recognises domestic abuse as a form of gender-based abuse that violates human rights. The national strategy aims to eradicate abuse against women and girls through early and effective intervention, maximising the safety and well-being of women, children, and young people, while embedding a trauma-informed approach to prevention and recovery.
- Moray Council Corporate Plan 2024-2029: prioritises tackling poverty and inequality and building thriving, resilient, empowered communities, which are key foundations for preventing and responding to domestic abuse.
- Local Strategic Frameworks: including the Local Housing Strategy, Rapid Rehousing Transition Plan, Moray 2027, the Council's Corporate Plan, priorities from the Moray 10 Year Plan and the Health and Social Care Moray Strategic Plan. These collectively support sustainable housing solutions and integrated support for those affected by domestic abuse.
- The Council's Local Outcomes Improvement Plan (LOIP): supports strategic objectives such as building a better future for children and young people, empowering and connecting communities and improving overall wellbeing. These objective are particularly relevant to supporting children and vulnerable individuals affected by domestic abuse.
- The Council's Community Safety Strategy 2022 – 26: enhances partnership work via the Community Safety Hub, dynamic case reporting and proactive identification and tackling of emerging safety needs, including domestic abuse.

4. Objectives and principles of the policy

4.1 The overall aim of the Domestic Abuse Policy is to prevent and alleviate all forms of domestic abuse through a sensitive, effective and person-centred approach. Where abuse does occur, the policy seeks to provide reasonable, considered, responsive and sustainable solutions that minimise its impact on affected households and support recovery in a dignified and empowering manner.

- 4.2 The specific objectives of the Housing Domestic Abuse Policy are to:
- increase the awareness and understanding of domestic abuse amongst residents, employees and stakeholders;
 - facilitate early identification of domestic abuse and respond effectively and consistently to all reports;
 - acknowledge that those who experience domestic abuse often have additional vulnerabilities which increase the risk and nature of abuse;
 - provide an effective and trauma informed service to those who have experience/are experiencing domestic abuse;
 - empower victims /survivors to make informed choices by providing information on the options available to them;
 - ensure that in responding to domestic abuse, barriers are removed and procedures followed so as not to exacerbate any risk. For example, staff trained to recognise domestic abuse and not confuse it with antisocial behaviour;
 - offer flexible safe, supportive and effective interventions which reduce the risk of harm;
 - ensure that housing solutions are sustainable through the provision of housing support and other relevant services; and
 - promote and engage in joint working arrangements with other Council services and external partners and agencies.

- 4.3 The panel principles of the Domestic Abuse Policy are:
- Participation – ensure the voices of those affected by domestic abuse voices are heard when they engage with us ensuring trauma-informed communication and support to empower them to express their information and views safely.
 - Accountability – through monitoring data, actions and outcomes of domestic abuse cases, provide clear information to tenants about their rights, and ensuring staff are trained to deal sensitively with such cases for consistent service provision through enhancing current procedures.
 - Non-Discrimination and Equality – provide Housing services that adhere to equality, human rights and the rights of the child to meet the needs of diverse survivors.
 - Empowerment – to help victims /survivors make informed choices about their housing need while ensuring they have access to the correct support
 - Legality – are comply with legislation and guidance while promoting best practice;

5. Legal provisions

- 5.1 This policy has been developed in line with the following legislation:
- Housing (Scotland) Act 2025 requires staff are trained to support victims / survivors, while including them in the decision about where they want to live.
 - [Domestic Abuse Protection \(Scotland\) Act 2021](#) – Part 2 comes into force on 1 August 2026 giving power to apply to court to end a perpetrator’s sole tenancy or their interest in a joint tenancy.

- [Domestic Abuse \(Scotland\) Act 2018](#) - criminalised controlling, coercive and psychological behaviour as a course of conduct offence, where ongoing harmful and abusive actions in a relationship, which in isolation might not seem as serious, are examined together, focusing on behaviour over time.
- [Domestic Abuse \(Scotland\) Act 2011](#)
- [Housing \(Scotland\) Act 1987](#) as amended by the Housing (Scotland) Act 2001,
- the [Housing \(Scotland\) Act 2010](#) which provides housing support to homeless households, with triggers for housing support including risk from domestic abuse.
- the [Housing \(Scotland\) Act 2014](#) regarding a streamlined eviction where a tenant is convicted of an offence.
- [Homelessness etc. \(Scotland\) Act 2003](#) as amended.
- [Antisocial Behaviour \(Scotland\) Act 2004](#)
- [Matrimonial Homes \(Family Protection\) \(Scotland\) Act 1981](#)

5.2 Other relevant legislation, guidance and regulatory requirements is set out in **APPENDIX A.**

6. Equalities, rights and socio-economic requirements

6.1 Moray Council, as a social landlord, will comply with the Equality Act 2010, Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, Human Rights Act 1998, Fairer Scotland Duty (socio-economic inequality) and the United Nations Convention on the Rights of the Child (UNCRC) by:

- Making reasonable adjustments for disabled individuals.
- Understanding and addressing barriers faced by marginalised groups.
- Assessing domestic abuse cases sympathetically, respectfully and sensitively through a non-discriminatory, non-judgemental lens.
- Monitoring domestic abuse cases to ensure safety, housing security through the right to adequate housing, avoiding disproportionate impacts on protected groups.
- Taking a trauma informed, survivor-led approach that considers impact on all victims / survivors within the household.

6.2 The Equality Act 2010 requires the Council to eliminate discrimination, harassment and victimisation, advance equality of opportunity and to foster good relations between those who share a relevant protected characteristic and those who do not. Outcome 1 of the Scottish Social Housing Charter on Equalities ensures social landlords perform all aspects of their housing services to ensure individual needs are recognised and service users are treated fairly with respect and receives fair access to adequate housing and housing services.

6.3 In delivering the Domestic Abuse Policy, the Housing Service is committed to ensuring that full consideration will be given to the Council's Public Sector Equality Duty (PSED) when assessing all domestic abuse approaches and application to meet its duties under the Equalities Act 2010. It includes the Housing Service's responsibility to find ways to understand the rights and needs of customers and or tenants who are victims / survivors of domestic abuse and delivering services that recognise and meet these needs which may include

making reasonable adjustments. Each stage of the decision-making process the equality duty will be considered, focusing sharply on enhanced consideration for a domestic abuse case.

- 6.4 Domestic abuse violates human rights. This includes the right to respect for private and family life enshrined under Article 8 of the European Convention of Human Rights (ECHR) and Article 9 of the UN Convention on the Rights of the Child (UNCRC). It is also relevant to other rights including Article 2 (right to life) and Article 3 (freedom from torture and inhuman or degrading treatment). The Domestic Abuse Policy will strive to ensure that when responding to domestic abuse, the Council upholds the best interests of children, helps them to be safe and secure at home, and recognises the impact of domestic abuse on other rights. By taking a victim centred approach to domestic abuse, the policy will help to secure these rights.
- 6.5 The Housing Service will:
- communicate with tenants and customers in clear, concise plain language to help with the understanding of important information;
 - develop and provide advice / information in alternative formats where necessary; and
 - provide free interpretation and translation services, where required.

7. Confidentiality and data protection

- 7.1 The Council will treat all service users with courtesy, sensitivity and complete confidence and ensure that any information given to it will be used in accordance with the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. Relevant privacy notices advise how personal information may be collected, used, stored, shared and securely disposed of, the legal basis for doing so and what their Data Subject Rights are.
- 7.2 The Council will ensure:
- victims /survivors are not required to disclose or discuss the reason for their visit in public areas;
 - any interviews will take place in a private interview room;
 - option of requesting a member of staff of a specific sex / gender is offered; and
 - a process which avoids victims /survivors having to repeat their case / history with different members of staff.

8. Partnership, co-ordination and collaborative working

- 8.1 The Housing service is committed to working collaboratively internally and externally, at both strategic and operational levels with key statutory and third-sector partners to ensure survivors receive comprehensive, tailored support. The main partners include:

Violence Against Women and Girls Partnership (VAWGP) which supports Moray's multi-agency 'Moray Protects' framework and commits to delivering the national Equally Safe Strategy. The partnership work specifically to coordinate multi-agency and multi-disciplinary responses across Moray, Aberdeenshire and

Aberdeen City to effectively tackle gender-based abuse. Partnership priorities reinforce the importance of early education, prevention, intervention and resilient multi-agency / disciplinary support networks, risk assessment planning, safeguarding and support and safety recommendations alongside perpetrator accountability.

Police Scotland – Including regular Multi-Agency Risk Assessment Conferences (MARAC), which is a co-ordinated process used to manage the highest risk domestic abuse cases alongside the Multi-Agency Tasking and Co-ordination (MATAC) process of identifying and tackling serial perpetrators of domestic abuse.

Specialist domestic abuse services including Moray Women’s Aid, Moray Rape Crisis, Abused Men in Scotland (AMIS), Victim Support to design responses that suit local context and needs to ensure that victims / survivors receive the expert help and support they need.

NHS Grampian – Also have a vital role in responding to domestic abuse. Staff are empowered and trained to identify, assess, and respond to domestic abuse, working confidently in a multi-agency environment to support individuals and protect children at risk, providing direct care for physical injuries and / or offering mental health support.

Adult and Child Protection Services – for adults and children at risk of harm or abuse.

9. Prevention and early intervention

9.1 The Housing Service commits to working in full collaboration with Moray Violence Against Women and Girls Partnership, preventing incidences of domestic abuse and wherever possible to assist in the delivery of the national Equally Safe outcomes.

9.2 To aid prevention and early intervention in instances of domestic abuse, the Housing Service will:

- Ensure, where appropriate, that a joint tenancy is considered at initial sign-up stage to help facilitate the easier transfer of the tenancy.
- Review the Scottish secure tenancy agreement (SST), short SST and homeless occupancy leases with a view to including a statement about action that may be taken against perpetrators of domestic abuse, including eviction.
- Develop a structure of domestic abuse champions, from various roles across the service, adopting an ‘eyes and ears’ approach. Clear referral pathways will be established to ensure that any concerns from staff relating to domestic abuse, including operational, maintenance and support staff, are reported promptly and to the appropriate person to ensure prompt action.
- Develop and regularly review information resources to continually promote the zero-tolerance stance which will include details of where to access practical, specialist and legal help and support.

- Update the Tenants' Handbook, Housing Options Guide, webpages and information to include any helpful resources including [Disclosure Scheme for Domestic Abuse Scotland \(DSDAS\)](#).

10. Remain in current home

10.1 Where possible, if a victim /survivor of domestic abuse wants to remain in their own home, the Housing Service will provide support for them to do so. This may include but is not limited to:

- Providing advice and information based on their circumstances, including tenancy and occupancy rights, to ensure they understand their rights and can make informed decisions;
- The option to temporarily move into an alternative safe space, such as a sanctuary, to allow a period of respite to make informed decisions on the action they want to take;
- Working in partnership with specialist agencies to prioritise the victim's / survivor's safety. This may include undertaking an assessment of the property if required and making? recommendations on how to improve safety at the property. The recommendations may be shared with other landlords, if relevant, for safety measures to be put in place;
- Supporting personal safety planning;
- Providing support to retain or regain tenancy rights;
- Liaising with Benefits to establish the victim's / survivor's entitlements; and
- where appropriate, supporting the rehousing of the perpetrator ensuring any alternative accommodation avoids any further risk to the victim(s) / survivor(s).

Moray Council tenants

10.2 The Housing Service will offer tenants who are victims / survivors of domestic abuse advice, assistance and support based on their circumstances. This includes:

- supporting victims / survivors to recognise they are actually victims of domestic abuse;
- stay in their home, should they want to. This could include transferring the tenancy to their own name where possible and ensuring the property has relevant safety and security measures such as lock changes, smart doorbells, etc. where appropriate;
- providing appropriate information and advice to ensure they understand their rights and can make informed decisions;
- finding relevant assistance in terms of legal information and advice;
- making referrals to Moray Women's Aid or Abused Men in Scotland for specialist domestic abuse support;
- supporting them to move, should they want to. Housing's Allocations Policy includes the award of domestic abuse points, enabling access to suitable safe and secure alternative accommodation. This approach prioritises rehousing through the allocations process rather than the homeless pathway, helping to avoid further unnecessary trauma at an already traumatic time; and

- consideration of a management transfer, where domestic abuse points does not give sufficient priority to secure alternative accommodation.

11. Housing options

11.1 The Housing Service recognises that one of the most dangerous times for victims / survivors is when they try to leave their abuser. Leaving does not necessarily mean that victims / survivors are safe. Abuse can continue after they leave their abuser. The early intervention approach will assist victims / survivors to avoid the potential trauma of emergency accommodation, living in an unfamiliar area (away from existing support networks), and reducing the likelihood of financial hardship associated with homelessness.

11.2 The Housing Service will endeavour to maximise choice and safety through a housing options approach which will aim to provide a range of housing options to meet the individual needs of victim / survivors and, where possible, avoid them becoming homeless, if that is their choice. However, the Housing Service understands that for some victims / survivors, the trauma experienced in their accommodation may mean that it is not an option for them to remain there.

11.3 Individuals who approach the Housing Service for housing assistance due to domestic abuse will receive a housing options interview. This will adopt a trauma informed approach and will explore a range of housing options and provide advice tailored to their individual circumstances and assessed needs.

Victim(s) / survivor(s) will be:

- given in-depth housing advice, to support them to make an informed choice about their housing options, including options to remain at home or access temporary accommodation;
- where appropriate, offered safe and secure temporary or supported accommodation which meets their needs and that of their children;
- supported to access / referrals made to relevant specialist support agencies and / or refuges, should a place be available;
- assisted to access legal advice;
- offered guidance and support to make a homeless application, if this is their preferred option; and
- Supported to apply for housing and given information the domestic abuse points. This priority can empower victims / survivors, giving choice while preventing homelessness.

11.4 The Housing Service recognises that children who witness domestic abuse are victims / survivors in their own right. It will ensure that appropriate safeguarding referrals are made and so that the voice of the child can be heard.

12. Homelessness

12.1 In line with the Homelessness Policy and Rapid Rehousing Transition Plan, the Housing Service will seek to prevent homelessness where possible and when it does occur, to reduce its impact and resolve homelessness as quickly as possible.

- 12.2 Where a victim / survivor of domestic abuse feels it is not safe for them or their family to remain in their current home and decides to submit a homeless application, the Housing Service will:
- Provide a suitable safe alternative accommodation, based on assessed need and risk, as a sanctuary for respite. Accommodation will be monitored to establish if a move to more suitable alternative accommodation is required. Where the temporary accommodation is required, it will be affordable and of an acceptable standard;
 - Signpost / make referrals to relevant support services;
 - Continue to provide a comprehensive and holistic housing options service.
 - Explain the options available under Housing's Allocations Policy, ensuring the person has a current and up to date housing application.
 - Explain and where appropriate support the victim / survivor to access alternative and safe housing options. For example, housing with another social landlord or in the private rented sector.
 - Support the person to move into a new home and where relevant signpost them to appropriate sources of support.

13. Financial considerations

- 13.1 The Housing Service recognises that financial limitations and / or pressures can both exacerbate domestic abuse as well as being a barrier to reporting abuse or receiving help. Recognising that financial barriers should never prevent someone from seeking safety or accessing housing assistance, Housing will provide support and flexibility to victims / survivors, appropriate to their individual circumstance. Examples may include:
- Provide removal and / or storage facilities to enable victims / survivors and their children to keep their possessions
 - Consider any financial advice and assistance available to ensure victims / survivors do not experience any further financial hardship due to their housing situation.
 - Consider applicable benefit easements for individuals fleeing domestic abuse, including support for overlapping tenancies (where entitlement to housing benefit may be awarded in certain circumstances) and income-assessed crisis assistance via the Scottish Welfare Fund.
 - In accordance with Section 20 of the Housing (Scotland) Act 1987, ensure that victims / survivors of domestic abuse are not held financially liable for property damage resulting from abuse, or required to pay rent in advance as a condition a Council house tenancy. This may constitute discrimination based on income, disproportionately affecting women who have experienced financial abuse and barriers to employment.
 - Review housing policies and procedures, including those on rent arrears, allocations and rechargeable repairs to ensure that victims / survivors are not adversely affected by housing debt incurred because of the perpetrator's actions. This includes withholding an offer of housing until there are repayment arrangements in place, which may disproportionately disadvantage victims / survivors, particularly those who have experienced financial abuse.

13.2 The Housing Service will also support individuals who may experience additional and significant barriers when attempting to escape an abusive relationship, including those arising from immigration status:

- The fear of approaching services for support or advice due to the real potential of deportation; and / or
- No recourse to public funds (NRPF).

13.3 The principles of the Domestic Abuse Policy will apply regardless of such circumstances, and the Housing Service will work with relevant partners, including national organisations who have expertise in these areas to support these individuals through such complex, challenging situations.

14. Enforcement action against perpetrators

14.1 The Housing Service commits to taking appropriate enforcement action against perpetrators of domestic abuse. This includes using legal powers afforded to social landlords and supporting victims / survivors in accessing protective measures. The actions will be taken with a trauma-informed approach, ensuring the safety and housing stability of survivors. The Housing Service will maintain robust and accountable records of incidents and actions to support enforcement and legal proceedings. Actions may include:

Tenancy enforcement

- Legal action, including eviction action, where the perpetrator breaches the tenancy conditions.
- Section 14 of the Housing (Scotland) Act 2014 allows a streamlined eviction process. Where there has been a recent criminal conviction punishable by imprisonment for tenancy related antisocial or criminal behaviour within the previous 12 months, Housing can end the tenancy for the perpetrator and / or convert their SST to a SSST.
- Transferring a tenancy from the perpetrator to the victim / survivors
- Ground 15, Schedule 2 of the Housing (Scotland) Act 2001 allows Housing to seek repossession of the tenancy where a tenant's spouse, civil partner, former spouse, civil partner or cohabitee (including a same-sex cohabitee) asks to transfer the tenancy to them because they or the tenant no longer wants to live together. The ground to recover possession from the tenant, where it is reasonable to grant the order for repossession and suitable alternative accommodation, will be provided for the existing tenant.
- Offering a perpetrator a short Scottish secure tenancy (SSST) instead of a Scottish secure tenancy (SST).
- Ensure that the victim / survivor is not penalised or displaced as a result of any action taken against the perpetrator.
- Supporting the victim / survivor to use legal remedies afforded to them.

Part 2 of the Domestic Abuse (Protection) (Scotland) Act 2021 allows the removal of perpetrators from the home and restrict contact, even if the perpetrator is the sole tenant and apply for recovery of possession of the tenancy from the perpetrator. The aim will be to transfer the tenancy solely to the victim, should they want to stay in the property. This will also apply to joint tenancies.

The Matrimonial Homes (Family Protection) (Scotland) Act 1981, S13 also offers the following protection and provisions:

Married couples - the non-tenant spouse or joint tenant can apply to the court to become the sole tenant.

Civil partners - the non-tenant or joint tenant can apply to the court to become the sole tenant of the home. At this stage the court considers factors before in deciding to grant the transfer such as conduct of the partners and the needs of any children.

The Antisocial Behaviour (Scotland) Act 2004 sets out powers that can be used in conjunction with the above Housing and Matrimonial Homes legislation to assist with legally removing perpetrators of domestic abuse.

Housing Needs of the Perpetrator

14.2 Perpetrators who are willing to move on a voluntary basis and / or end their interest in the tenancy voluntarily will be offered alternative accommodation located an appropriate distance from the victim(s) / survivor(s).

14.3 Those found guilty of committing domestic abuse will be offered a short Secure Scottish tenancy (SSST) which will be located an appropriate distance from the victim(s) / survivor(s). The Housing Service will:

- work closely with Community Safety and Public Protection Partners to ensure perpetrators are dealt with as effectively as timely as possible;
- ensure MARAC recommendations are followed
- ensure any pathway referrals are made for support and / or any other relevant signposting.

15. Training

15.1 The Housing Service is committed to ensuring all relevant staff across the Housing Service where appropriate:

- receive robust, accredited and relevant domestic abuse training, to ensure staff recognise and understand the signs and dynamics of domestic abuse and coercive behaviours, can respond appropriately and are equipped to help victims / survivors to recognise their experience as abuse. Training will be tailored to the responsibilities of each role, with enhanced training provided to staff in key positions.
- are kept up to date with any legislative developments and/or national guidance that may impact on the service response, actions available, and the information and advice it provides in relation to domestic abuse cases.
- maintain the privacy and confidentiality of victims / survivors and perpetrators at all times, while taking responsibility to avoid service-generated risks. Developing protocols for safe disclosures and information-sharing This ensures the service provides a safe, appropriate and trauma-informed response to domestic abuse.
- maintain a training register to support the delivery cyclical refresher training and staff knowledge is maintained to an acceptable level.

15.2 Domestic Abuse champions have been appointed within Housing teams across the service to support and provide guidance to staff dealing with domestic abuse cases. This will assist to:

- bridge gaps in knowledge, experience or direction;
- ensure that staff feel confident and well supported when responding to domestic abuse; and
- facilitate vital pathways between victims, survivors and perpetrators and the specialist support services available to them.

16. Risk management

16.1 Housing staff will follow appropriate risk assessment processes to identify the level of risk in domestic abuse cases. Responses will be tailored to the current circumstances and the immediacy of the situation, ensuring that action taken is proportionate and timely and aligns with legislative and best practice.

16.2 Housing have dedicated staff appointed to represent the service in relation to MARAC and MATAAC. Highest risk cases will be referred on to the MARAC meetings to ensure multi-agency risk management planning and subsequent co-ordinated approach by partner agencies.

16.3 The Housing Service will ensure that staff follow relevant Moray Protects adult and child protection procedures where there are any identified risk(s) due to domestic abuse.

17. Quality assurance

17.1 A random sample of domestic abuse cases will be quality assured by the appropriate senior staff to ensure appropriate and relevant advice given, actions taken and/or referrals made. Any identified outcomes from this assurance work will be used for staff development purposes and where appropriate to inform operational procedure reviews.

18. Review and complaints process

18.1 Any individual who is not satisfied with the way Housing Staff have dealt with any aspect of their case, should in the first instance contact the Housing Operations Officer or the Senior Housing Needs Officer for an explanation. If the individual is a Moray Council tenant, they should contact their Area housing Officer.

18.2 If person is not satisfied with the explanation provided, they can ask for an appointment with the Housing Needs Operations Manager or the Area Housing Manager who will review the case and provide a further response.

18.3 Where the person is still not satisfied with the way the Housing Service has dealt with their case, the Council also has a corporate [Complaints Policy](#). Explanatory information is available on the Council's website.

19. Performance monitoring and policy review

19.1 Ongoing internal monitoring will be used to inform the Housing service's response to domestic abuse. Statistical monitoring on performance is used to

inform the Annual Return on the Charter (ARC) to the Scottish Housing Regulator and Scottish Government statistical returns.

- 19.2 The Housing Service will monitor the following Scottish Government Statutory Returns in relation to domestic abuse cases. These are the two most common reasons for Housing Options approaches and Homelessness cases respectively:
- Prevent 1 Return (Housing Options cases) - Reason for approach 'Relationship breakdown (violent or abusive)' with recorded 'Outcome' for these cases where the customer chose to 'Remain in their current accommodation'. Highlights potential cases for concern and signposting to relevant agencies.
 - HLI Return (Homelessness) - Cases Assessed – Household fleeing domestic violence and outcome
 - Number of current MC Housing Applications with domestic abuse points
- 19.3 Performance will be reported to the Housing and Community Safety Committee or any other relevant Committee which has the remit to consider Housing, anti-social behaviour, public protection and/or safeguarding issues.
- 19.4 The Housing Service will review the Domestic Abuse Policy in 2029, or earlier if required by changes to legislation or guidance. Any review will be carried out in consultation with representative groups and partners agencies to ensure any review is fully informed.

APPENDIX A

Other Relevant Legislation, Guidance and Regulatory Requirements

[Adult Support and Protection \(Scotland\) Act 2007](#)

[Children \(Scotland\) Act 1995](#) as amended [2020](#)

[Children and Young People \(Scotland\) Act 2014](#)

[Children's Hearing \(Scotland\) Act 2011](#)

[Forced Marriage etc. \(Protection and Jurisdiction\) \(Scotland\) Act 2011](#)

[Protection from Abuse \(Scotland\) Act 2001](#)

[Civil Partnership \(Scotland\) Act 2004, as amended 2020](#)

National Guidance

[Scottish Government working group report – Improving housing outcomes for women and children experiencing domestic abuse](#)

[Domestic Abuse: a good practice guide for social landlords](#) (ALACHO, CIH, SFHA, Shelter and Scottish Women's Aid)

[Prevention of Homelessness Guidance \(2009\)](#) emphasises the need for local multi-agency joint action to meet the needs of those affected by domestic abuse and homelessness

Regulatory framework

The Council observes the Scottish Housing Regulator (SHR) requirements set out in the 'Regulation of social housing in Scotland' Framework which regulates Council provided housing and homelessness services. The Council must also meet the standards set by the Care Inspectorate for its temporary, residential and support services.

Section 31 of the Housing (Scotland) Act 2010 introduced the [Scottish Social Housing Charter](#), setting regulatory standards and outcomes that the Council as a social landlord should aim to achieve when performing its housing activities.

The relevant standards and outcomes are:

Outcome 2 – Communication

Social landlords manage their business 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.

Outcome 6 – 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.

Outcome 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 have a role to prevent homelessness and should ensure that:

- people at risk of losing their homes get advice and information on preventing homelessness.

Outcome 10 - Access to Social Housing

Social landlords will 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 their prospects of being housed.

Outcome 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 from the Council as well as other organisations.

This includes tenants in a domestic abuse situation.

Outcome 12 – Homeless People

Councils perform their duties on homelessness so that:

- people who are homeless or at risk of homelessness get prompt and easy access to help, advice and information; are provided with suitable, good-quality temporary or emergency accommodation when this is needed; and are offered continuing support to help them get and keep the home they are entitled to.