

POLICY ON DOMESTIC ABUSE
(Covering all employees including teaching staff)

Contents

Section

1	<u>INTRODUCTION</u>
2	<u>SCOPE</u>
3	<u>DEFINITION OF DOMESTIC ABUSE</u>
4	<u>CONFIDENTIALITY AND SHARING INFORMATION</u>
5	<u>INFORMATION AND SUPPORT FOR EMPLOYEES WHO ARE EXPERIENCING DOMESTIC ABUSE</u>
6	<u>INFORMATION FOR EMPLOYEES WHO ARE PERPETRATORS OF DOMESTIC ABUSE</u>
7	<u>INFORMATION FOR MANAGERS</u>
8	<u>COMMUNICATING THE POLICY</u>
9	<u>REVIEW OF THE POLICY</u>
10	<u>LOCAL COLLECTIVE AGREEMENT</u>
APPENDIX 1	<u>Identifying Domestic Abuse</u>
APPENDIX 2	<u>Dealing with a Victim of Domestic Abuse</u>
APPENDIX 3	<u>Possible Workplace Adjustments</u>
APPENDIX 4	<u>Dealing with Perpetrators of Domestic Abuse</u>

1. Introduction

- 1.1 The Council recognises that domestic abuse is a serious issue which affects all sections of society, and also the lives of many adults and children. It has the potential to affect any employee of the Council, whether as victims, survivors or perpetrators of domestic abuse.
- 1.2 The Council has a duty to ensure the health, safety and welfare of employees at work, and seeks to support and assist employees experiencing problems, including those who are experiencing domestic abuse and those who carry out domestic abuse.
- 1.3 Domestic abuse can adversely impact on a victim's or perpetrator's work performance and ultimately on service provision. It can affect an employee's punctuality, attendance and staff turnover.
- 1.4 By increasing awareness of the signs of domestic abuse, and providing a safe and supportive working environment, the Council can help an individual experiencing domestic abuse to increase their safety and to make changes in their home or work life to help them to adjust positively to their circumstances and construct lives free from abuse. In addition, the Council can assist perpetrators to address the consequences of their violence on others.
- 1.5 In certain circumstances, the perpetration of domestic abuse may have an effect on contracts of employment eg if the perpetrator of domestic abuse is also a Council employee and / or the nature of the perpetrator's work is incompatible with such behaviour.
- 1.6 Additionally, we will provide information, support and guidance to employees who approach the Council for help in addressing the problems affecting them as a direct result of domestic abuse, whether as a victim or as a perpetrator.
- 1.7 Any support measures put in place will be monitored to ensure that they are reasonable in relation to their impact on the individual's situation, and to ensure that a balance is maintained between the welfare of the victim, the workloads of others and the continuation of effective service provision.

[Return to Contents](#)

2. Scope

- 2.1 The Domestic Abuse Policy applies to all Council Employees.
- 2.2 The key stakeholders who can assist employees affected by domestic abuse include Line Managers and Human Resources staff. Additionally, it is acknowledged that affected employees, as victims or survivors or as perpetrators have a part to play in acknowledging that they require assistance and seeking support.

[Return to Contents](#)

3. Definition of Domestic Abuse

3.1 Domestic abuse is defined as:

"Threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender, age or sexuality¹."

3.2 While it is usually women who report experiencing domestic abuse, this definition acknowledges and includes female violence towards men and violence between partners or ex-partners in close, same-sex relationships.

3.3 It is also acknowledged that abuse can be directed towards older people and that perpetrators need not be partners or family members.

3.4 Additionally, it is recognised that an individual can be subject to domestic abuse from more than one perpetrator within their particular personal circumstances.

3.5 Typically the abuse involves a pattern of abusive or controlling behaviour that tends to get worse over time.

3.6 Signs that an individual is experiencing domestic abuse are varied, but can include adverse performance, timekeeping and attendance issues, repeated injuries or unexplained bruising or explanations that do not match the injuries displayed. A more detailed summary of the ways in which domestic abuse can exhibit itself at work is contained in **Appendix 1**.

[Return to Contents](#)

4. Confidentiality and Sharing Information

4.1 Domestic abuse is a sensitive issue and people experiencing it are often reluctant to discuss it with managers or colleagues.

4.2 By maintaining confidentiality, the Council can help an individual experiencing domestic abuse make positive changes and increase their safety.

4.3 However, confidentiality can only be maintained as far as it is reasonably practicable within our duties as an employer. The Council will only involve other agencies or share information with the consent of the employee concerned, unless we are required to do so by law or the information is necessary for the protection of children or vulnerable adults.

[Return to Contents](#)

5 Information and Support for Employees who are experiencing Domestic Abuse

5.1 Employees who are experiencing domestic abuse can seek advice and support from their Line Manager or from Human Resources. Advice and support will also be available from trade union representatives. Additionally,

¹ Based on Home Office definition

the Council operates a confidential telephone advice line which can provide advice and assistance to employees.

- 5.2 As an employer, the Council will seek to assist employees to access support programmes and to help themselves out of their abusive circumstances by attempting to make positive changes to increase their safety.
- 5.3 The Council can also help by providing a flexible approach to facilitate access to external agencies and to attend any external appointments and meetings for example to attend counselling sessions, visits to a solicitor, appointments with social work and housing agencies and attendance at Court. Consideration will be given to granting special leave with pay in these circumstances, dependent on an individual's circumstances.
- 5.4 Additionally, there are a number of workplace adjustments that can be made to increase an employee's safety at work e.g in the event that a perpetrator attempts to make unwanted contact with an employee experiencing domestic abuse whilst the employee is in their workplace, or in the event that the employee works in the community, and this is known to the perpetrator.

[Return to Contents](#)

6 Information for Employees who are Perpetrators of Domestic Abuse

- 6.1 Conduct both inside and outside work may lead to disciplinary action against an employee, dependent on the seriousness of the alleged / proven misconduct, caution or offence. Factors that would be considered include the seriousness of the alleged / proven misconduct, caution or offence, its relevance to the work the employee undertakes for the Council, and its impact upon the employment relationship between the Council and the employee. In such cases, the facts will be considered and a view taken as to whether the allegation / conduct is sufficient to warrant invoking disciplinary procedures.
- 6.2 In circumstances where, following an allegation of domestic abuse by an employee against another employee, it is determined that the allegation is unfounded, subsequent consideration may be given to the employee's intentions when raising these concerns. If after investigation it is believed that an allegation was made maliciously or vexatiously then appropriate disciplinary action may be taken against the complainant.
- 6.3 The Council recognises that perpetrators of domestic abuse may wish to seek help on a voluntary basis in order to address their abusive behaviour. Alternatively, it may be the case that such help may be mandatory, given as a part of a court sentence or other disposal.
- 6.4 Requests for time off to attend appropriate intervention appointments would be considered sympathetically, subject to the needs of the Service. Typically, time off would be provided by agreeing to unpaid leave, use of annual leave, flexi-leave, and temporarily changing shift patterns.

[Return to Contents](#)

7 Information for Managers

- 7.1 It is unlikely that employees experiencing domestic abuse will tell people at work of their situation or approach their manager with their problems in the first instance.
- 7.2 It is far more likely that a Manager will become aware of the situation through their awareness of possible signs of domestic abuse. Details of possible signs that someone is experiencing domestic abuse are contained in **Appendix 1**.
- 7.3 Identifying that an employee is experiencing difficulties at an early stage can lead to appropriate help being offered. This in turn could mean that the employee is able to deal with their situation far more effectively.
- 7.4 There may be circumstances when it will be appropriate for a manager to encourage an employee to disclose what is happening to them so that appropriate help and support can be provided and to prevent the possibility of disciplinary action being taken due to poor performance / timekeeping/ absenteeism.
- 7.5 However, both employees and managers should recognise that employees experiencing domestic abuse benefit most from the intervention of trained professionals, and that the line management role will be to assist employees to access local domestic abuse programmes, specialist confidential counselling services, and to provide support to the employee.
- 7.6 Some key issues for managers to consider when dealing with a victim of domestic abuse are outlined in **Appendix 2**. Details of possible workplace adjustments to help provide support are outlined in **Appendix 3**.

Additionally, **Appendix 4** outlines key issues for managers to consider when dealing with an employee who is a perpetrator of domestic abuse.

Further advice can be sought from Human Resources.

[Return to Contents](#)

8. Communicating the Policy

- 8.1 The Council will raise awareness of domestic abuse through a variety of methods, including:
- Preparation and distribution of information publicising the Council's Policy.
 - The provision of information about agencies that can offer advice, information and support.
 - A poster and leaflet campaign to raise awareness of the issues of domestic abuse.
- 8.2 Whilst it is acknowledged that these steps will be effective in the short term in raising awareness, the Council is committed to continue to communicate and raise awareness of domestic abuse in the longer term using methods deemed to be the most effective and appropriate.

[Return to Contents](#)

9. Review of Policy

9.1 The policy will be subject to annual review.

[Return to Contents](#)

10. Local Collective Agreement

10.1 This document is a local collective agreement between the Council and the recognised trade unions. Every effort will be made by both parties to ensure that this document will be maintained as a local collective agreement and adjusted by agreement to meet changing future needs. In the event of a failure to reach agreement both parties reserve the right to terminate this local agreement by giving four months notice in writing. In such circumstances the terms of the local agreement will cease to apply to existing and future employees.

[Return to Contents](#)

Appendix 1

Identifying Domestic Abuse

Signs that an individual is experiencing domestic abuse can include:

- poor timekeeping without explanation
- high absenteeism rate without explanation
- uncharacteristic anxiety, depression or problems with concentration
- uncharacteristic deterioration in the quality of work performance
- the receipt of repeated upsetting calls/faxes/e-mails
- individual being a victim of vandalism or threats
- obsession with time;
- needing regular time off for appointments
- inappropriate or excessive clothing;
- repeated injuries, or unexplained bruising or explanations that do not match the injuries displayed
- increased hours being worked for no apparent reason

Please note that this is not a checklist - some victims may display no signs of violence or abuse. Individuals experiencing domestic abuse suffer a broad range of physical and emotional consequences. Additionally, it is essential to understand that any of the above may arise from a range of circumstances, of which domestic abuse **may** be one.

Other ways in which domestic abuse can exhibit itself at work can include:

- Employees experiencing domestic abuse may receive harassing or repeated telephone calls, faxes, unwelcome notes on their cars, or unplanned/unannounced visitors at work.
- May be stalked, physically assaulted whilst travelling to and from work or at work.
- Children using Council nurseries / schools / childcare facilities may also be in danger of abuse or abduction.
- Colleagues may be followed to or from work or subjected to questioning about how to contact the victim or where s/he can be found.
- Perpetrators may also be using workplace resources – phones, faxes, email etc to threaten, abuse their current or former partner.
- An employee may misuse their position by assisting perpetrators to locate their partners etc.

[Return to Contents](#)

Appendix 2 - Dealing with a victim of domestic abuse

The following are practical key points to bear in mind when dealing with possible domestic abuse situations, to encourage disclosure and/or discussion of abuse:

- Create an environment where employees feel safe to talk about what they are experiencing. Be a good listener and believe what they are saying. Although total confidentiality might not be possible in all cases, respect the confidentiality of the individual concerned.
- Provide a sensitive non judgemental response and reassure the employee that they are not to blame, there is no justification for this treatment of them and that there is help and support available, both through the organisation and links with specialist agencies.
- Do not make assumptions about what action is appropriate because of someone's marital status, relationship status, age, ethnicity, sexual preference or disability.
- Be aware of any additional issues for any employee because of their marital status, relationship status, ethnic background, age, sexuality or disability.
- Be aware that that an individual can be subject to domestic abuse from more than one perpetrator within their particular personal circumstances.
- Be well informed about the support options that are available and discuss these with the employee, including how to contact local domestic abuse support and information services and specialist confidential counselling services. If requested by the employee, assist them to make contact.
- Respect the choices and decisions the employee may make about their situation – often it is difficult for them to leave due to financial, childcare responsibilities and threats of violence. Additionally, fear of loss of contact with their children, and false counter-allegations are factors which affect an individual's decision.
- Be aware that a victim may make many attempts before they finally leave their violent partner.
- If you are a Manager, be both reasonable and flexible with working hours, workloads and discuss the option of paid time off to make arrangements, for example meetings with solicitors, making financial arrangements, making alternative arrangements for childcare, appointments with schools, social work and housing agencies, and attendance at Court.
- If you are a Manager, consider carrying out a workplace risk assessment for both the victim and other employees.
- If you are a Manager, develop a mutually agreed workplace safety plan with the employee - remember that those experiencing domestic abuse are best placed to assess the danger to themselves and their children.
- Keep in touch with the employee during any period of absence, maintaining confidentiality of their whereabouts at all times.

Appendix 3

Possible Workplace Adjustments

People experiencing domestic abuse are especially vulnerable once they attempt to leave abusive partners and may become vulnerable going to or coming from work or while they are at work as the perpetrator knows where they can be located. This can give rise to health and safety issues and an increased risk of workplace abuse.

The following is a list of possible adjustments that could be considered to help individuals experiencing domestic abuse:

- If the employee's duties require work outside their place of work, consider how the risks can be minimised, and consider arranging a method of communication with line managers so that they are aware that the individual is safe;
- Checking that staff have arrangements for safely getting to and from home.
- Identify an emergency contact should the organisation be unable to contact the employee.
- Allowing the individual to change work patterns or workload, and allowing flexible or more flexible working or special leave to facilitate any practical arrangements that are required, such as seeking legal advice, attending counselling and support group meetings or to attend court (Please refer to policies / guidelines on Flexible Working, Special Leave and Family Care Leave.)
- Diverting / screening telephone calls/ obtaining new telephone number.
- Providing alternative email addresses.
- If appropriate, consider allowing staff to use an assumed name at work.
- Alerting reception and security staff if the perpetrator / alleged perpetrator is known to attend or come to the workplace.
- Reviewing security of personnel information held, such as temporary or new addresses, bank or healthcare details, and reminding all employees not to divulge information about other employees.
- If appropriate, exploring the possibility of facilitating a transfer to another post.
- With consent, advising colleagues of the situation on a need-to-know basis and agreeing what the response should be if the perpetrator /alleged perpetrator contacts the office.

Further advice should be sought from Human Resources if you are considering any of the above.

[Return to Contents](#)

Appendix 4

Dealing with a Perpetrator of Domestic Abuse

What action may be taken if a Council employee is proven or accepted to have carried out domestic abuse?

Any sanctions against an alleged perpetrator are a matter for the criminal justice system and not the Council, unless a caution or conviction directly impacts on their ability to perform the role for which they were employed, or breaches the disciplinary code of conduct.

Conduct both inside and outside work may lead to disciplinary action against an employee, dependent on the seriousness of the alleged / proven misconduct, caution or offence.

Factors that would be considered include the seriousness of the alleged / proven misconduct, caution or offence, its relevance to the work the employee undertakes for the Council, and its impact upon the employment relationship between the Council and the employee. In such cases, the facts will be considered and a view taken as to whether the allegation / conduct is sufficient to warrant invoking disciplinary procedures.

Where disciplinary procedures are invoked, and the perpetrator is attending an abuser assistance programme either on a voluntary or court mandated basis, consideration may also be given to suspending any disciplinary sanction pending the outcome of the programme.

[Return to Contents](#)

Conduct Occurring within Work

Perpetrators of domestic abuse might use workplace resources such as telephone, email, normal mail, IT systems and fax to harass, threaten or abuse their current or former partners. They may also involve their colleagues, who may not be aware of their motives, in assisting them to do so.

Such misuse of Council resources may breach the Council's Disciplinary Code, and has the potential to bring the organisation into disrepute.

If a manager becomes aware of an incident in which an employee has misused workplace resources for the purposes outlined above, advice should be sought from Human Resources so that action, if appropriate, can be agreed.

In all cases where disciplinary action is being contemplated, the matter shall be investigated in line with Council procedures.

[Return to Contents](#)

Conduct Occurring Outside Work

If a manager becomes aware of an incident in which an employee has carried out domestic abuse, advice should be sought from Human Resources so that action, if appropriate, can be agreed.

In all cases where disciplinary action is being contemplated, the matter shall be investigated in line with Council procedures.

Assistance for Perpetrators of Domestic Abuse

When a perpetrator has identified themselves, or is known to the Council, then this must be treated confidentially. The safety of the person experiencing the abuse must be paramount and taken into consideration.

Some perpetrators will want to seek assistance in changing their behaviour and should be supported in doing so through the use of:

- Consideration of granting special leave
- unpaid leave
- flexi time
- annual leave
- temporarily changing shift patterns

This will allow the perpetrator to attend appropriate counselling sessions or to comply with a court order to attend an abuser programme.

[Return to Contents](#)