



**East Herts Council**

**Domestic Abuse Policy and Procedure**

**Policy Owner: Safeguarding Group**

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## 1. Introduction

- 1.1 East Herts Council is committed to responding sensitively and effectively to those employees needing help and support should they experience domestic abuse, promoting the view that violence against people is unacceptable and will not be condoned.
- 1.2 This policy is underpinned by a commitment to the principles of safeguarding children and vulnerable adults, a duty of care to the Council's employees, and equality and diversity. All those experiencing or affected by domestic abuse will be treated according to their needs.

## 2. Policy statement

- 2.1 East Herts Council work with Survivors Against Domestic Abuse (SADA) to provide support to those affected by domestic abuse and to reduce the incidents of domestic abuse in East Herts.
- 2.2 The Council is committed to ensuring support is available to employees who are experiencing or surviving domestic abuse and recognises that anyone can experience or be a survivor of domestic abuse regardless of their gender identity or sexual orientation.
- 2.3 The Council recognises the scope of domestic abuse and that it has a responsibility for the wellbeing of staff; understanding that domestic abuse can have a major impact on individuals, who may hide the circumstances of their situation from others including their children, colleagues and family members.
- 2.4 This policy is inclusive of all people affected by domestic abuse, irrespective of their age, race or ethnicity, religion, disability, sex or sexual orientation.
- 2.5 This policy aims to:
  - positively assist and support employees who are experiencing or surviving domestic abuse;
  - assist managers in supporting staff when incidents of domestic abuse are reported;

- reduce absences from work resulting from domestic abuse; and assist in improving performance by positively offering practical support to employees who are affected;
- remove fears of stigmatisation at work of members of staff experiencing domestic abuse;
- demonstrate the Council's commitment to challenging the social issue of domestic abuse.

2.6 Guidance will be reviewed on an annual basis by the Head of Housing and Health and the Service Manager – Community Wellbeing and Partnerships.

### **3. Definitions of Domestic Abuse**

4.1 For the purpose of this policy, the cross-government definition of domestic abuse has been adopted. This is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to, psychological, physical, sexual, financial and emotional abuse.

4.2 This definition, which is not a legal definition, includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, as well as teenage to parent abuse and elder abuse when committed within the family or by an immediate partner. It is clear that victims are not confined to one gender or ethnic group.

4.3 Domestic abuse involves misuse of power and exercise of control by one adult over another adult; usually within the context of an intimate relationship or within a family. It is rarely a one-off incident. Evidence suggests it is a pattern of abuse and intimidation that becomes more severe over time.

4.4 Domestic abuse occurs in all groups and sections of society and may be experienced differently, due to race, sexuality, gender re-assignment, disability, age, religion, culture, class, mental health or caring responsibilities.

4.5 Examples of domestic abuse:

- Physical assault or threats of physical assault
- Sexual assault or threats of sexual assault;
- Emotional or psychological abuse
- Denial of rights or restriction of personal freedom
- The imposition of social isolation or movement deprivation;
- Forced marriage.

## **4. The impact of domestic abuse on the workplace**

- 5.1 Employees experiencing domestic abuse may be harassed, stalked, or even physically assaulted while at, or travelling to and from, work.
- 5.2 Perpetrators may be using workplace resources such as time, phones, e-mail or other means to threaten, harass or abuse their current or former partner.
- 5.3 The impact of domestic abuse can greatly impact on an employee's working life, contributing to lateness, absenteeism and poor performance.
- 5.4 Employees experiencing domestic abuse are especially vulnerable while they are at work because once they attempt to leave an abusive partner the workplace can become the only place where they can be located and harmed.

## **6. Individual support**

- 6.1 All employees have the right to work in a supportive and confidential environment that does not discriminate against or stigmatise them if they are experiencing domestic abuse.
- 6.2 As an employee you are not obliged to tell anyone at work about your domestic situation but there are a whole range of people within the Council that you may find it helpful to talk to, for example; your line manager or HR staff. You may also wish to access support through SADA or the employee assistance programme (EAP).

- 6.3 Where disclosures are made, staff will respond sympathetically, confidentially and will respect the right of the individual to make their own decision on the course of action at every stage
- 6.4 Where domestic abuse has been reported, line managers will treat unplanned absences and temporary poor time-keeping sympathetically.

## 7. Managers and Supervisors

7.1 Managers may be the first person to become aware that an employee is experiencing domestic abuse because they have the role of monitoring and investigating sickness, attendance and work performance. Some additional indicators to consider are:

- uncharacteristically late or high absenteeism rate without explanation;
- inappropriate or excessive clothing;
- repeated injuries or unexplained bruising or explanations that do not fit with the injuries;
- changes in the quality of work performance for no apparent reason;
- receiving repeated upsetting calls / texts / emails or being victim of vandalism / threats;
- member of staff becoming withdrawn or showing changes in personality;
- lack of money;
- obsession with time or avoiding lunch breaks or socializing outside of work;
- needing time off for appointments

**The effects of domestic abuse will vary and the examples given are only potential indicators and should not be used alone to identify whether or not someone is a victim of domestic abuse.**

7.2 Managers who become concerned that a member of staff may be experiencing domestic abuse should:

- be supportive, available and approachable;
- take time to listen
- take the employee seriously
- use empathy and ensure a non-judgmental approach;
- ask any direct questions with care and sensitivity, reinforcing that, as far as possible, confidentiality will be respected;

- hold discussions in a private place;
- encourage the employee to seek the advice of other relevant agencies;
- signpost staff to support available through the EAP and SADA;
- agree a communication plan with the individual when time off is needed;
- not act as a counsellor - this should be left to trained professionals;
- seek advice from the HR team where unsure

**More details guidance for managers is shown in Appendix 1.**

### **7.3 Confidentiality**

- 7.3.1 The council will only involve other agencies; or divulge information with the consent of the person concerned; unless required to do so by law or where there is an immediate risk to the safety of an individual.
- 7.3.2 Managers have a duty to maintain a secure environment for all employees. This may be made easier if colleagues are aware of potential risks. In situations where others may be put at risk, and at the express wish of the member of staff in question, managers can agree with the individual what information can be disclosed. Colleagues privy to this information must be reminded that the information is confidential and that there are risks to the member of staff if it is disclosed.
- 7.3.3 Staff should be reminded of the importance of not divulging an individual's personal details; such as addresses, telephone numbers and shift patterns; to other employees or unknown people requesting the information.

### **7.4 Providing Support**

- 7.4.1 Managers should treat distracted behaviour, poor time-keeping and unplanned absences sympathetically where there is the suggestion that it may be the result of domestic abuse.
- 7.4.2 Line managers may offer employees experiencing domestic abuse a broad range of support. This may include but is not limited to:
- leave for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments;
  - temporary or permanent changes to working times and patterns;
  - changes to specific duties, for example to avoid potential contact with an abuser in a customer facing role or if they are a fellow employee;

- redeployment or relocation deemed appropriate and reasonable;
- getting places on assertiveness training courses;
- using other existing policies including Work Life Balance options.
- access to occupational health interventions, e.g. counselling

## 7.5 Keeping employees safe

7.5.1 The Council will actively provide support to employees to try and minimise the risk to their safety while at work, if they make it known to us that they are experiencing or surviving domestic abuse.

7.5.2 Managers will take *reasonable* measures to ensure both the member of staff *and others* immediate safety and security at work, considerations include:

- improving security, changing keypad numbers or reminding staff of any restricted access arrangements which may apply;
- changing duty arrangements such as reception or answering the phone;
- changing the layout of the room so that the individual cannot be seen through reception/entrances or through a window;
- changing specific duties to avoid potential contact with an abuser;
- agreeing with the person experiencing domestic abuse what to tell colleagues and how they should respond to contact from the abuser;
- providing colleagues with a photograph and other relevant details;
- ensuring systems for recording staff whereabouts are adequate and risk assessments are carried out for lone working or work out of the office;
- considering arrangements for when a member of staff has to leave work;
- ensuring incidents are recorded using incident report forms. Details of all witnesses should be recorded;
- seeking redeployment for staff if they request a change of location;
- considering a change of working hours or other temporary measures;
- avoiding requests to work overtime without reasonable notice;
- establishing how to contact the member of staff outside of work; contacting them at home may not be appropriate.

7.5.3 Risk assessments and management control measures should include all foreseeable risks. A risk of domestic abuse in the workplace is reasonably foreseeable once an employee has raised the issue with the line manager.

7.5.4 Where the perpetrator and victim both work for the Council, reasonable steps will be taken to stop any abuse and to ensure the victim and their colleagues are not at risk from the perpetrator entering the work place.



## **7.6 Absence**

7.6.1 Absence from work due to domestic abuse will be considered on an individual basis in collaboration with the employee, line manager and HR.

7.6.2 Employee, managers and supervisors are encouraged to explore paid leave options that can be arranged to help the employee cope with the situation without having to take a formal unpaid leave of absence. Depending on circumstances these options may include:

- granting leave or arranging temporary flexible working hours so the employee can attend relevant appointments with support agencies;
- adjustments to the sickness triggers under the Absence Management Policy.

None of the above excludes employees from adhering wherever possible to the Council's absence reporting procedure or Attendance Policy.

## **8. Recording Information**

8.1 In agreement with the staff member, Managers will record a summary of discussions and agreed outcomes. This will be kept confidential, removed once the incident has been resolved and will not form part of routine management/personnel record.

## **9. Dealing with Perpetrators of Domestic Abuse**

9.1 Verbal or physical abuse by Council employees on or off duty are unacceptable. They can impact on the Council's employment relationship and damage the reputation of the Council.

9.2 The Council will ensure that there is no collusion with the behaviour of employees who are perpetrator. Disciplinary action may be taken against staff who are abusive to Council employees or on Council property or time.

9.3 Employees will be made aware that conduct outside of work may breach the Council's Code of Conduct and bring the Council into disrepute. This could result in the initiation of the disciplinary procedure.

- 9.4 Employees who are perpetrators may wish to seek help and support. Those seeking help will be offered assistance in finding local sources of help, such as perpetrator re-education programmes available locally/regionally.
- 9.5 If a member of staff is convicted of domestic abuse offence which conflicts with their role at the Council, appropriate action should be taken and advice sought from HR. Factors to consider include:
- the nature of the conduct and the role of the perpetrator at work;
  - the extent to which it involves contact with employees/service users.

## **10. Monitoring and policy review**

- 10.1 This policy will be reviewed every three years or sooner if there are any changes in legislation or best practice requiring amendments to be made

## **11. Key contact details**

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## APPENDIX 1

### **Good Practice Guidelines - Supporting someone experiencing Domestic Abuse**

If a member of staff comes to you and is alleging domestic abuse they should be believed unless there is clear evidence to the contrary.

#### **You should**

- Find a safe place to talk
- Check if they are happy to talk to you or would prefer to speak to someone else;
- Listen carefully and provide space to talk. Assure them of your confidentiality unless there are child protection issues which must be reported.
- Be sensitive and discuss their fears.
- Accept that what is being said is the truth.
- Keep your personal opinions to yourself, do not be judgmental.
- Remember their options may be limited by a lack of access to resources.
- Ask the member of staff what they want you to do, if anything, and respect their decision.
- Ask the member of staff if they want to report it to the police and/or need to see a GP/Occupational Health for medical attention – again this is their choice. If the person is injured they should be encouraged to do this and have any injuries assessed and documented with their consent
- Give information - not advice.
- Be prepared to offer the same standard of support on all occasions no matter how many times the same member of staff comes forward. Because of the persistent nature of domestic abuse victims often find it very difficult to leave abusive relationships.
- Assist them in making contact with agencies that may be able to help

#### **You Should Not**

- Expect too much – they may not want you to do anything other than listen.
- Mislead the individual into thinking you can do more than you can realistically do as their manager.
- Give a new address or phone number to anyone, including payroll or put their new details on any documents other people may have access to.
- Set pre-conditions for supporting them; rush them to make a decision to force them to take action.
- Act as a go-between.

**Remember**

Offering basic information about services is helpful whether they are used immediately or not. Victims need a link to the larger community, and may be unaware that they need or deserve these services as they probably minimize the abuse.

Pressuring the victim to leave the abuser is not helpful. Violence usually escalates after an attempt to leave. Leaving the situation is a step that should be carefully planned after support and must be taken at the victim's pace.

Admitting the abuse is happening is the first step to stopping it.

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