

Domestic Abuse at Work Policy

Domestic Abuse at Work Policy	Applies to all Council employees
Last Amended: November 2020	Document Owner: Human Resources

Introduction

This document describes the Council's policy and procedure on domestic abuse in the workplace, and covers the internal and external support available to employees experiencing domestic abuse.

The Council has a 'duty of care' to their employees, to ensure their health, safety and wellbeing. This includes protecting staff identified as at risk of harm.

Domestic abuse and violence reduces an employee's ability to work and has an economic and attendance impact far beyond any sickness absence resulting directly from the impact of abuse. These indirect costs include time off work talking to lawyers and medical professionals, poor productivity and reduced promotion prospects for the individual as a result of working below his/her potential. Individuals may even lose employment as a result of poor attendance or work performance, or as a result of the need to move to a different area to escape an abuser. Costs to the employer arise from lower productivity due to poor concentration on the part of abused employees, and the possibility of business disruption if a violent partner presents at the workplace.

In cases where an employee is the perpetrator of domestic abuse and violence, the impact to the Council would include reputational risk, loss of time at work if they are suspended, disruption in the workplace if they are re-assigned on another task, and/or working pattern, and/or location during the period of the investigation.

Related policies and documents:

- Performance Improvement Policy
- Disciplinary Policy
- Code of Conduct
- Equality in Employment Policy
- Equality in Service Provision Policy
- Grievance Policy
- Managing Sickness Absence Policy & Procedure
- Whistle-blowing Policy

Contents

1	Policy Statement (p.3)
2	Definition (p.3-4)
3	Why is domestic abuse a workplace issue? (p.4-5)
4	Support for employees (p.6-7)
5	Complaints against employees (p.8-9)
6	Confidentiality (p.9)
7	Training and Support (p.9-11)

1 Policy Statement

The Domestic Violence, Crime and Victims Act 2004 (c 28)

[<https://www.legislation.gov.uk/ukpga/2004/28/contents>] is an Act of the Parliament of the United Kingdom. It is concerned with criminal justice and concentrates upon legal protection and assistance to victims of crime, particularly domestic violence. The offence carries a maximum sentence of 5 years' imprisonment, a fine or both.

The Serious Crime Act 2015 [<https://www.legislation.gov.uk/ukpga/2015/9/contents>]

creates a new offence of controlling or coercive behaviour in intimate or familial relationships (section 76). The new offence closes a gap in the law around patterns of controlling or coercive behaviour in an ongoing relationship between intimate partners or family members. The offence carries a maximum sentence of 5 years' imprisonment, a fine or both.

The Council has adopted a Domestic Abuse at Work policy, which applies to all permanent, contract and temporary staff working for the Council.

The Council recognises that its employees may be amongst those affected by domestic abuse and violence and aims, by developing an effective policy, to create a safer workplace, whilst sending out a clear message of zero tolerance to those who perpetrate it.

The policy demonstrates the Council's commitment to:

- i) Protecting employees who experience domestic abuse from harm through supporting and enabling them to access help;
- ii) Working in partnership with other agencies to appropriately support the employee when the Crown Prosecution Service prosecute their abuser;
- iii) Raising awareness of domestic abuse and violence through provision of training so employees understand how to safely signpost colleagues and family to support;
- iv) Providing guidance for employees and management to address the occurrence of domestic abuse and its effects on the workplace; and
- v) Not discriminate against anyone who has been subjected to domestic abuse and violence, in terms of their existing employment or career development.
- vi) Investigate employees alleged to be perpetrators of domestic abuse, in accordance with the Council's Disciplinary Policy.

2 Definition

The Government definition of domestic violence and abuse is:

'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members¹ regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:

- psychological
- physical
- sexual
- financial
- emotional

'Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim².'

The Government definition, which is not a legal definition, includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

¹Family members are defined as mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in-laws or stepfamily.

²"Victim" is the term used throughout this document in recognition of the fact that a victim of domestic abuse is a victim of crime.

3 Why is domestic abuse a workplace issue?

The Office for National Statistics (ONS) report on Domestic Abuse in England and Wales shows that for the year ending March 2019, an estimated 2.4 million adults experienced domestic abuse in the last year (1.6m women and 0.8m men). In London, there are 145,806 domestic abuse incidents and 89,611 domestic abuse offences over a rolling 12-month period. The breakdown for Havering shows 4,481 domestic abuse incidents and 2,625 domestic abuse offences.

The London Borough of Havering directly employs approximately 1800 women and 900 men. 60% of all employees are residents of Havering. As such it is likely to be a real issue facing our staff.

The controlling nature of most domestic abuse perpetrators means that the abuse will not be confined to their home life. As a minimum, victims are likely to be concerned about what will happen to them when they leave work, and in the worst case scenario, experiencing harassment and stalking whilst at work or suffering the impact of abuse. Research by Sylvia Walby in 2010 found that one-third of all incidents are happening in the workplace – in parking lots, grounds and offices. Many people meet their partners in the workplace, which increases the potential for there to be both victims and perpetrators in the workplace.

Research shows that the risk of serious harm escalates to victims at the point of leaving their home or workplace. It is therefore important to recognise that while many victims will relocate their homes to reduce the risk that they face, most are much less likely to be able to relocate their workplaces. This means that victims can often face the risk of being harassed at work.

Domestic abuse is likely to have a significant impact upon a victim's physical and emotional wellbeing, e.g. depression, anxiety, physical injury. This may manifest itself as sickness absence, poor performance, stress, loss of concentration, and/or low morale.

Indicators

It is not always easy to detect when an employee or colleague is experiencing domestic abuse. Abuse is often associated with physical violence, but it may also be emotional or psychological – and potentially be less visible.

Victims often feel shame and are likely to have experienced blame from their perpetrators, and from messages promoted in the media, on social media, and throughout society, often referred to as victim-blaming. The stigma associated with being victimised can often lead to victims not feeling able to disclose or ask for help.

The indicators below may point towards a problem with domestic abuse, but they could also be the result of a different issue such as ill health.

Managers should be looking out for these issues more generally as an indicator that something might be wrong, without assuming it will be related to domestic abuse.

The more supportive atmosphere an employer can create, the more likely employees are going to feel comfortable disclosing experiences of domestic abuse.

 <h3>Work productivity</h3> <ul style="list-style-type: none">• Change in the person's working patterns, for example, frequent absence, lateness or needing to leave work early• Reduced quality and quantity of work: missing deadlines, a drop in usual performance standards• Change in the use of the phone/email, for example, a large number of personal calls/texts, avoiding calls or a strong reaction to calls/texts/emails• Spending an increased number of hours at work for no reason• Frequent visits to work by the employee's partner, which may indicate coercive control	 <h3>Changes in behaviour or demeanour</h3> <ul style="list-style-type: none">• Conduct out of character with previous behaviour• Changes in behaviour such as becoming very quiet, anxious, fearful, tearful, aggressive, distracted or depressed.• Being isolated from colleagues• Obsession with leaving work on time• Secretive regarding home life• Worried about leaving children at home
 <h3>Physical Indicators</h3> <ul style="list-style-type: none">• Visible bruising, single or repeated injuries without explanation• Change in the pattern or amount of makeup used• Change in the manner of dress, for example clothes that do not suit the climate which may be used to hide injuries• Substance use/misuse• Fatigue/sleep disorders/lethargy• Frequent bouts of sickness, particularly related to digestive or immune health	 <h3>Other Indicators</h3> <ul style="list-style-type: none">• Partner/ex-partner stalking employee in or around workplace or on social media• Partner/ex-partner exerting unusual amount of control or demands over work schedule• Isolation from family/friends.• Continuity issues such as regularly being late, or seeming to be unable to keep to time (not knowing what time of day it is, or what day in the week etc.)• May be overly compliant – agreeing to everything you suggest for example.

The Council has a duty of care to its employees and should take all steps which are reasonably possible to ensure their health, safety and wellbeing. The requirements in relation to domestic abuse and violence are wide-ranging and may manifest themselves in many different ways, such as:

- ensuring a safe work environment;
- protecting staff from bullying or harassment, either from colleagues or third parties;
- protecting staff from discrimination;
- providing communication channels for employees to raise concerns.

It is important to create a safe environment for employees to disclose domestic abuse, i.e. a working environment where violence against people is not tolerated or condoned and which is committed to challenging negative attitudes.

When an employee reports domestic abuse to their line manager, this must be treated sympathetically and in confidence. It is important to be clear that the line manager's role is not to advise employees on dealing with domestic abuse but to:

- provide a sensitive and non-judgemental approach
- ensure that confidentiality is respected as far as possible
- recognise that the employee may need some time to decide what to do and may try many different options during this process
- discuss measures to prioritise safety in the workplace
- be aware of what support is available and explore these options with the employee
- managers should keep a written note of discussions as they may be required as evidence

Where an employee discloses that they are a victim of domestic abuse and we know they have children, then we have a safeguarding duty to protect the children. In the first instance, the line manager must escalate to the Local Authority Designated Officer.

The range of support that the line manager may provide will depend on the individual circumstances of the case and it is important that they take advice from Human Resources.

The role of a manager is not to deal with the abuse itself, but to make it clear that employees will be supported and to outline what help is available.

The support may include:

- 10 days paid leave to attend relevant appointments (with support agencies, solicitors, to rearrange housing or childcare, or at court)
- temporary or permanent changes to working times and patterns
- changes to specific duties, e.g. to avoid potential contact with an abuser in a customer facing role
- temporary redeployment or relocation
- measures to ensure a safe working environment, examples include:
 - changing a telephone number to avoid harassing phone calls
 - restricting access visibility to calendars and appointments
 - restrict any lone working out in the community etc.
- using other existing policies, including flexible working
- access to counselling/support services in paid time
- an advance of pay

The Council will make every effort to assist an employee experiencing domestic abuse. This may include time off from work, as agreed through discussion with the employee and manager.

Each case will be considered on its merits and managers and employees should agree on a combination of annual leave/flexi-time and paid/unpaid absence; where agreement cannot be reached, departmental management have the right to treat this as sickness absence.

Note: Advice must be obtained from Human Resources where there are any issues as to time off that cannot be resolved at departmental level.

In cases where an employee is the perpetrator of domestic abuse and/or violence, the employee can still access the Occupational Health service and the Council's Employee Assistance Programme. Where appropriate, the employee should be supported to seek relevant help, including being offered additional support by other agencies.

Disclosure

If an employee discloses that they are experiencing domestic abuse, it can be challenging for the manager/colleague too.

The following guidance may help:

- Suggest that you go somewhere quiet and comfortable, away from the office/desk if possible
- Acknowledge the courage of the employee and how difficult it must be to talk
- Confirm the complete confidentiality of the disclosure. As a guide for managers, any information should only be disclosed to anyone else if it is absolutely necessary in providing help and support and with the prior agreement of the person who has disclosed. Exceptions to that are if the manager believes there is an imminent threat to life, harm of children, or threat against the employer. At that point, a manager should contact the police or make a safeguarding referral as appropriate.
- Have an open posture. Reach towards them but be sensitive that they may feel threatened by invasion of personal space
- Be prepared for them to be upset and tearful
- Do not be judgemental.
- Avoid language that indicates blame or fault ("Why don't you leave?" / "How can you let this happen?" / "Why haven't you told anyone before?")
- Allow plenty of time and space for them to speak
- Following disclosure, contact HR for a debrief while respecting the individual's confidentiality

Complaints involving employees can place stress on both the alleged victim and the alleged perpetrator. Therefore, complaints must be dealt with quickly and wherever possible, in a way that minimises the stress and risk to the employees involved.

While individual circumstances and service needs must always be taken into consideration, the presumption is that working arrangements should be adjusted while complaints are being investigated so that the alleged victim and alleged perpetrator are separated, if working in the same proximity (team/location) or work hours/pattern. Reporting arrangements may be changed and either one or both people required to work at a different location.

Human Resources will advise on the options and the Director will take account of the wishes of the people involved and the service needs in reaching their decision; decisions will make no judgement of guilt and no such conclusion may be drawn.

Employees who have been accused or charged of perpetrating domestic abuse are expected to notify their employer if they are arrested for a domestic violence offence. Employees are also encouraged to seek help, in confidence. However, upon receipt of a disclosure the Council will undertake a risk assessment to determine whether their behaviour brings into question the individual's suitability to the tasks they are asked to carry out in their role.

Where an employee discloses that they are a perpetrator of domestic abuse and we know they have children, then we have a safeguarding duty. In the first instance, the line manager must escalate to the Local Authority Designated Officer.

Employees are encouraged to report any incidents of domestic abuse and violence they experience or witness so that the Council can investigate and resolve the matter. The Council will take all such complaints seriously and an employee who makes a complaint of domestic abuse and violence will be protected and not be penalised or victimised in any way.

Note: The Council will also instigate an investigation if it has grounds to believe that an employee may have been abusing another work colleague, whether or not there has been a formal complaint.

The Council will:

- consider what potential impact the alleged perpetrator's behaviour may have on other employees;
- assess the risk and take appropriate action to reduce or eliminate the risk.

Care must be taken at all times with regard to the disclosure of information to the alleged perpetrator. For example, information about where they are, how they can be contacted or when they are going home.

If the alleged perpetrator is targeting an employee, steps will be taken to mitigate further risks to the victim and other employees. These may include reassigning duties/ roles and restricting the alleged perpetrator's access to information about the person they are targeting (including computer programmes). Some actions may require co-ordination between the managers of the alleged perpetrator and of the person they are abusing. This should be done in consultation with the person experiencing abuse and with guidance from HR.

Sometimes the person experiencing abuse and the alleged perpetrator may choose to seek solutions jointly; their decision should be respected and supported if it is safe to do so. An employee who uses abusive behaviour may no longer be able to carry out certain duties and may require

redeployment. For example, it would be inappropriate for a perpetrator of domestic abuse to be providing advice or services to vulnerable men, women and children and/or the public.

Managers should consider a referral to the Local Authority Designated Officer (LADO) and/or the Designated Adult's Safeguarding Lead (DASL) as appropriate.

Employees found to have committed domestic violence where there is a civil or criminal remedy in place (i.e. caution, criminal prosecution, disclosure, injunction etc.), either inside or outside of work, or using Council facilities and equipment, including e-mail and mobile devices, or social media to threaten, bully or harass employees, or clients will be subject to disciplinary action, in line with the Council's Disciplinary Policy.

6 Confidentiality

The Council will uphold an employee's right to confidentiality whilst also ensuring that they comply with the duty to act on safeguarding concerns if it suspects that children or adults at risk may come to harm or where the employer needs to act to protect the safety of employees. All records concerning domestic abuse will be kept strictly confidential.

All employees are required to comply with the Data Protection Act 2018 and the General Data Protection Regulations 2018, and must not divulge personal details of other employees, such as addresses, telephone numbers or shift patterns.

7 Training and Support

The Council is committed to ensuring all line managers are aware of domestic abuse and violence and its implications in the workplace and will arrange briefing sessions to ensure that they are able to:

- identify if an employee is experiencing difficulties because of domestic abuse and violence;
- respond to disclosure in a sensitive and non-judgemental manner;
- provide initial support – be clear about available workplace support including in-house specialist staff where applicable;
- discuss how the organisation can contribute to safety planning;
- signpost to other organisations and sources of support;
- respond appropriately to perpetrators;
- link with the Council policies in a supportive way;
- understand that they are not counsellors.

Similarly, it is recommended that all line managers complete Domestic Abuse Awareness Training, organised by the Community Safety team.

https://www.haverling.gov.uk/download/downloads/id/1082/haverling_safeguarding_board_training_programme_-_2020-2021.pdf

Support:

Council			
Service	Description	Telephone	Website / Email
Adults	Adults Safeguarding Team	01708 433550	
Childrens	CYPS (Triage, MASH and Assessment)	01708 433222 (Mon-Fri 9am-5pm) 01708 433999 (outside office hours)	
Community Safety Unit	Havering Domestic Violence Forum		community.safety@havering.gov.uk https://www.havering.gov.uk/info/20096/community/550/domestic-violence
IDVA - Independent Domestic Violence Advocate	The role of an IDVA is to address the safety of the victim who is at high risk of abuse from partners, ex-partners and family members. An IDVA will become involved with the victim at the point of crisis and will work to ensure the safety of the victim and any children involved. This is achieved through safety planning, risk assessments, identifying suitable options and then supporting the victim to achieve these outcomes.	01708 434009/01708 432879	Havering.IDVA@havering.gov.uk
Domestic Abuse / Violence Against Women & Girls (VAWG)	The VAWG officer can offer advice in regards to victims where a MARAC referral is required. These victims are considered to be 'high risk' and require a multi-agency approach to manage their risk.	01708 432879	DomesticViolenceMARAC@havering.gov.uk
Housing Solutions	If you are at risk of homelessness due to violence	01708 432824 (Mon-Fri 9am-5pm) 01708 433999 (outside office hours)	https://www.havering.gov.uk/contactus
Human Resources (Operational HR)	For general guidance and signposting to support	01708 433520 (Mon-Fri 9am-5pm)	Havering.hr@havering.gov.uk
Employee Assistance Programme (EAP)	The Council's Employee Assistance Programme (EAP) is a free and independent service for all employees. Operated by WSM, the service provides confidential freephone access 24 hours-a-day, 365 days-a-year for employees to access counsellors and advisors who can provide both practical and emotional support on a variety of issues.	0800 328 1437	www.employeeassistance.org.uk online access code: Havering

Havering / Local			
Organisation	Description	Telephone	Website
Citizen's Advice Bureau	Citizens Advice Havering provides free, independent, confidential and impartial advice on a wide range of subjects to people living or working in the London Borough of Havering.	01708 763531	https://www.haveringcab.org/
MENDAS	Men's Domestic Abuse Service (MENDAS) are based in Havering and offer support to male victims of domestic abuse and violence. They assist by providing emotional and practical help, advice and information, advocacy support, help to access specialist support, and one-to-one counselling.	01708 397974	https://haveringwomensaid.co.uk/mendas
Women's Aid	Havering Women's Aid are an organisation based in Havering that offer floating support, counselling and group support to women affected by domestic abuse and violence. Support is available to people aged 16 plus who are residents of Havering.	01708 728759	https://haveringwomensaid.co.uk/

London / National			
Organisation	Description	Telephone	Website
The Police	Call the UK police non-emergency number, 101, if you need support or advice from the police and it's not an emergency. If you're deaf or hard of hearing, use our textphone service on 18001 101. Always dial 999 if there is an immediate risk of harm. If you are unable to speak, listen to the instructions of the operator, indicate in some way you are still there by tapping the phone/coughing etc. When prompted dial 55. The operator will know that you are in danger and cannot speak. simply continue to listen to the operators instructions and they will send police to your location. You can also present at a police station or use the online form to make a Clare's Law application.	101 (non-emergency) or 999 (emergency)	https://www.met.police.uk/advice/advice-and-information/daa/domestic-abuse/support-helplines/
Ashiana	Provides temporary, safe housing for South Asian, Turkish and Iranian women aged 16-30 experiencing domestic violence. Helps those who may be suffering from violence and threats of violence at the hands of their family or community (honour-based violence) or from forced marriage.	020 8539 0427 / 020 8539 9656	http://www.ashiana.org.uk/
Childline	Childline is a counselling service for children and young people up to their 19th birthday in the United Kingdom provided by the NSPCC.	0800 1111	https://www.childline.org.uk/

London / National			
Organisation	Description	Telephone	Website
Crime Stoppers	Crimestoppers Trust is an independent crime-fighting charitable organisation, allowing people to call anonymously to pass on information about crime.	0800 555 111	https://crimestoppers-uk.org/keeping-safe/personal-safety/domestic-abuse
Crown Prosecution Service	The CPS is committed to taking all practicable steps to help victims through the often difficult experience of becoming involved in the criminal justice system.	not available	www.cps.gov.uk/domestic-abuse
DVIP - Domestic Violence Intervention Project	For over 25 years, we have been helping to make women and children safer. With services across London, we work to stop domestic violence and to reduce the harm it causes to women, children and families.	020 7633 9181	https://dvip.org/
East London Rape Crisis Centre	Rape Crisis Centres provide specialist support and services to women and girls who have experienced sexual violence.	020 7683 1210	https://rapecrisis.org.uk/
Galop	National LGBT+ Domestic Abuse Helpline	0800 999 5428	http://www.galop.org.uk/
GOV.UK	Find out how to get help if you or someone you know is a victim of domestic abuse.	not available	https://www.gov.uk/guidance/domestic-abuse-how-to-get-help
HESTIA	Our refugees continue to take referrals and accept women fleeing domestic abuse into our safe houses. Please contact the National Domestic Abuse Helpline on 0808 2000 247 if you need a refuge space.	020 7378 3100	https://www.hestia.org/domestic-abuse
National Centre for Domestic Violence	A free, fast emergency injunction service to survivors of domestic violence regardless of their financial circumstances, race, gender or sexual orientation. Our award-winning free service allows anyone who has recently suffered or been threatened with domestic violence to apply for an emergency court injunction. We work in close partnership with the police, solicitors and other support agencies (Refuge, Women's Aid etc) to help victims obtain speedy protection.	0800 970 2070	https://www.ncdv.org.uk/
National Domestic Abuse Helpline	(run in partnership between Women's Aid www.womensaid.org.uk and Refuge www.refuge.org.uk). Use this number if you are seeking a refuge space.	0808 2000 247	www.nationaldahelpline.org.uk
NHS	For general guidance and signposting to support	not available	https://www.nhs.uk/live-well/healthy-body/getting-help-for-domestic-violence/
NSPCC	The NSPCC is the UK's leading children's charity, preventing abuse and helping those affected to recover.	0808 800 5000	https://www.nspcc.org.uk/
Respect - Men's Advice Line	The Men's Advice Line is a confidential helpline for male victims of domestic abuse and those supporting them	0808 801 0327	https://mensadvice.org.uk/
Respect	Respect is a pioneering UK domestic abuse organisation leading the development of safe, effective work with perpetrators, male victims and young people using violence in their close relationships.	0808 802 4040	http://respect.uk.net/
Shelter	If you have to leave your home because of violence, abuse or threatening behaviour, get help and find a safe place to stay.	not available	https://england.shelter.org.uk/housing_advice/homelessness/your_situation/domestic_abuse
SIGNHEALTH	Deaf victims of domestic violence can receive advocacy and outreach support from DeafHope, email: deafhope@signhealth.org.uk	020 8772 3241	https://www.signhealth.org.uk/our-projects/deafhope-projects/
Solace Women's Aid	At Solace, we work hard to ensure every woman affected by abuse can be safe and get the support she needs. In Havering they offer 1-2-1 counselling services for female victims/survivors from the age of 14 years.	0808 802 5565	https://www.solacewomensaid.org/
Suzy Lamplugh Trust - National Stalking Helpline	offer online support and advocacy for those specifically experiencing from stalking and harassment.	0808 802 0300	https://www.suzylamplugh.org/
Victim Support 0808 168 9111	East London Victim Assessment and Referral Service	0808 168 9291 then dial 2 Lines are open 8am-8pm Monday to Friday and 9am to 5pm on Saturdays.	https://www.victimsupport.org.uk https://www.victimsupport.org.uk/help-and-support/get-help/support-near-you/london/east-london
Woman's Trust	Woman's Trust is a specialist mental health charity, providing free counselling and therapy for women who have experienced domestic abuse.	0207 034 0303	https://womanstrust.org.uk/
Young Minds	For general guidance and signposting to support	not available	https://youngminds.org.uk/find-help/for-parents/parents-guide-to-support-a-z/parents-guide-to-support-domestic-violence/