

Domestic Abuse and Gender Based Violence Policy



Policy Statement

The City of Westminster recognises that its employees will be amongst those affected by Domestic Abuse and Gender Based Violence (GBV) either as an individual who is currently living with violence and abuse, someone who has been impacted by a domestic violence homicide or as an individual who perpetrates GBV. This policy is for anyone affected by these abuses, regardless of gender. GBV is the national term which covers abuse against women and girls, men and boys and all gender identities.

We believe that violence is unacceptable and a breach of human rights since everyone has the right to live free from fear and abuse. We are committed to developing a workplace culture in which there is zero tolerance for violence and which recognises that the responsibility for GBV lies with the perpetrator.

This policy sets out the actions that will be taken in responding to employees who are experiencing GBV and where there are concerns that an employee may be the

perpetrator of abuse. The purpose of this policy is to outline the Council's policy and procedures to prevent, manage, and respond to those affected by GBV.

Definition of Gender Based Violence

GBV is both a form of discrimination and a violation of human rights. Locally we have adopted the United Nations Declaration on Elimination of Violence against Women^[1], which defines violence as:

'Any act of gender-based violence that results in or is likely to result in physical, sexual or psychological harm or suffering [...] including threats of such acts, coercion or arbitrary deprivation of liberty.' (1993, Article 1)

The definition incorporates a wide range of abusive behaviours including physical, sexual, financial, emotional and psychological abuse.

Anyone can experience GBV, regardless of their gender, age, race, culture, sexuality or religion, however we know that it disproportionately affects women and girls. Examples of this type of violence is (click for definitions):

- [Domestic violence and abuse \(including coercive control\)](#).
- [Sexual violence including rape](#)
- [Sexual harassment](#)
- [So called 'honour'- based violence \(HBV\)](#).
- [Forced marriage](#)
- [Faith-based abuse](#)
- [Female genital mutilation \(FGM\) or cutting](#)
- [Prostitution and human trafficking](#)

What are the possible signs of Gender Based Violence?

Although every situation is unique, there are some common signs that may indicate if someone is experiencing abuse. This list is not exhaustive:

Victim alert signs	Perpetrator alert signs
<ul style="list-style-type: none"> - Poor attendance - Poor performance or changes in quality of work/performance - Uncharacteristic moods and depression - Signs of repeated injuries - Inappropriate or excessive clothing (e.g. wearing jumpers/long sleeves in hot weather) - An obsession with time - Avoidance of socialising - Being unable to attend business trips or functions - Being dropped off and picked up from work - Receiving repeated texts or phone calls at work (being checked up on) - Reluctance to turn off mobile phone at work - Substance use/dependence (as a means of coping with the abuse) - Having to keep receipts/evidence of spend - May cry or be anxious at work - Uncharacteristic depression, anxiety distraction, problems with concentrating, avoids eye contact 	<ul style="list-style-type: none"> - Uncharacteristic late/absent behaviour with no explanation - Uncharacteristic moods/depression - An obsession with time - Avoidance of socialising - Constant text messaging/telephoning a partner - Sexual jealousy or possessiveness - Recent mental health relating to violence - Substance use/dependence - Inappropriate sexist jokes or harmful attitudes

Prevalence of Gender Based Violence

The difficulty of capturing an accurate statistical picture of GBV is nationally recognised. Reasons for this are the hidden nature and consistent under-reporting of GBV issues, alongside inconsistent approaches to data collection across organisations. However, we know that:

- An estimated 2 million adults aged 16 to 59 years experienced domestic abuse in the year ending March 2018, equating to a prevalence rate of approximately 6 in 100 adults. Women were around twice as likely to have experienced domestic abuse than men (7.9% compared with 4.2%). This equates to an estimated 1.3 million female victims and 695,000 male victims.[\[2\]](#)

- 2 women are killed every week in England and Wales by a current or former partner – 1 woman killed every 3 days.[\[3\]](#)
- More than 1 in 5 women have been subject to stalking or harassment at some point in their lives.[\[4\]](#)
- Approximately over 750,000 children in the UK experience domestic abuse. [\[5\]](#)
- In addition, 2018-19 data tells us that in Westminster:
 - There were 238 individuals who were identified as being at 'high risk' of harm
 - Over 2,600 allegations of domestic abuse were reported to the police
 - There were 299 sexual offence allegations
 - 58 women were support at Chelsea and Westminster Female Genital Mutilation clinic.

Disclosure of abuse

Staff experiencing or affected by domestic abuse or GBV do not have to keep their experiences to themselves; there is help and support available. They may choose to disclose, report to or seek support from a union representative, a line manager, human resources, or a colleague. Line managers and union representatives will not counsel victims, but offer information, workplace support, and signpost to other support organisations.

Confidentiality

Employees who disclose experiencing abuse can be assured that the information they provide is confidential and will not ordinarily be shared with other members of staff without their permission.

There are, however, some circumstances in which confidentiality cannot be assured. These occur when there are safeguarding concerns about children or vulnerable adults, or where the employer must act to protect the safety of employees, for example employees experiencing mental ill health or employees in insecure accommodation.

In circumstances where the managers think they may need to breach confidentiality they should seek advice with HR before doing so. If managers decide to proceed in breaching confidentiality after having taken advice, they will discuss with the employee why they are doing so, and they will seek the employee's agreement where possible.

As far as possible, information will only be shared on a need-to-know basis. All records concerning GBV will be kept strictly confidential. No local records will be kept of absences related to GBV and there will be no adverse impact on the employment records.

Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.

Employees experiencing domestic abuse may choose to be accompanied at meetings by a supportive colleague or trade union representative.

Absence from work

The Council will make every effort to assist an employee experiencing GBV. If an employee needs to be absent from work due to any violence they have experienced, the length of the absence will be determined on a case-by-case basis through agreement between the employee and their line manager.

Managers are encouraged to first explore paid leave options that can be arranged to support the employee without having to take unpaid leave where possible. Depending on circumstances it may be possible to arrange flexible working hours so that the employee can attend appointments with the police, solicitors, social workers, or counsellors or to seek new accommodation, arrange childcare, look for new housing, etc. This should be done in consideration with the needs of the service. Arrangements which the manager and employee may also consider include annual leave, time off for family emergencies and compassionate leave. Please refer to [Appendix 3 for links to other HR Policies](#).

Providing support for employees

Managers are expected to respond sensitively to staff who report incidents of GBV. It is not the place of the manager to become involved with negotiations with the perpetrator.

In the first instance an employee can reveal to their line manager that they are experiencing GBV, but support may be provided through others such as Human Resources, trade unions, and Occupational Health Service.

Employees can also access counselling services and health and well-being support through the council's [Employee Assistance Programme](#).

Good practice in responding sensitively includes:

- Ensuring privacy for any conversations about the issues – using an office or room where interruptions can be avoided.
- Respecting confidentiality.
- Being non-judgemental and mindful of the stigma associated with GBV.
- Understanding that the employee is not to blame for the abuse they are subjected to.
- Exploring with the employee what support can be offered. Do not dictate courses of action or make assumptions about what will be in their best interests.
- Support the employee to seek the advice of relevant agencies.
- Be available and approachable to employees experiencing GBV.
- Listen, reassure and support individuals.
- Discuss the specific steps that can be taken to help this person stay safe in the workplace.
- Ensure the employee is aware of the options available to them and the council's policy.

Support Available:

- Special paid leave for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments. This is covered by the council's [Special Leave Guidance](#).
- Temporary or permanent changes to working times and patterns.
- Changes to specific duties, for example to avoid potential contact with an abuser in customer facing role.
- Redeployment or relocation.
- Measures to ensure a safe working environment, for example changing a telephone number to avoid harassing phone calls.
- Using other existing policies, including flexible working.
- Access to the Employee Assistance Program during work time.
- HR – for advice on council's policies.
- Community Safety Team – for advice on external support available.
- Trade Union Representatives.
- Occupational Health.

See Appendix 1 for a further support.

Anti-Discrimination:

Employees can expect that by disclosing GBV they will not be discriminated against both in terms of current employment or future development. Employees who disclosure abuse will not be disciplined for refusing or rejecting support.

Safety Planning

The council will prioritise the safety of employees if they make it known that they are experiencing any form of GBV.

When an employee discloses GBV, the manager will encourage the employee to contact a specialist support agency who can undertake a Domestic Abuse Stalking and Harassment (DASH)[\[6\]](#) risk assessment and make appropriate referrals where necessary (see appendix 1 for a list of agencies). **If there is an immediate risk of harm, please call 999.**

The council will work with the employee and a specialist agency (with the employee's consent) to identify what actions can be taken to increase their personal safety at work and at home as well as address any risks there may be to colleagues.

If the victim and the perpetrator work in the same organisation

In cases where both the victim and the perpetrator of GBV work in the council, the organisation will take appropriate action.

In addition to considering disciplinary action against the employee who is perpetrating the abuse, action may need to be taken to ensure that the victim and perpetrator do not come into contact in the workplace. In some cases, the fact that an employee is a perpetrator of GBV may make certain duties inappropriate and justify temporary redeployment and/or disciplinary action.

Action may also need to be taken to minimise the potential for the perpetrator to use their position or work resources to find out details about the whereabouts of the victim. This may include a change of duties for one or both employees or withdrawing the perpetrators access to certain computer programmes or offices.

The council encourages all employees to report if they suspect a colleague is experiencing or perpetrating abuse. Employees should speak to their line manager about their concerns in confidence. In dealing with a disclosure from a colleague,

employers should ensure that the person with concern is made aware of the existence of this policy.

Perpetrators of Violence & Abuse

GBV perpetrated by employees will not be condoned under any circumstances. The council recognises that it has a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds. Employees should report if they suspect a colleague is a perpetrator of abuse.

If an employee approaches the council about their own abusive behaviour, the council will provide information about the services and support available to them. Managers can raise any concerns with Human Resources.

The council will treat any allegation, disclosure, or conviction of abuse related offence on a case-by-case basis with the aim of reducing risk and supporting change.

The council views the use of violence and abusive behaviour by an employee, wherever this occurs, as a breach of the organisation's Code of Conduct for disciplinary purposes.

The Council's Code of Conduct is intended to inform all staff, irrespective of grade, of the standards of conduct expected of them. It identifies a set of principles governing behaviour by which staff members are expected to abide. Staff members are expected at all times to present high standards of personal integrity and conduct that will not reflect adversely on the organisation and its reputation. In some circumstances it may be deemed inappropriate for the individual to continue in his/her current role(s), due to a caution or conviction. The council views the use of violence and abusive behaviour by an employee, wherever this occurs, as a breach of the council's Code of Conduct Procedure.

These procedures can be applicable in cases where an employee has:

- Behaved in a way that has harmed or threatened his/her partner or family member
- Possibly committed a criminal offence against his/her partner or family member
- Has an allegation of GBV made against him/her
- Presented concerns about their behaviour in relation to GBV

The alleged perpetrator will be:

- Treated fairly and in accordance with council policy
- Helped to understand the concerns expressed and processes involved
- Kept informed of the progress and outcome of any investigation and the implications for any disciplinary process
- Advised to contact their union or professional organisation

There are five potential strands in the consideration of an allegation:

1. A police investigation of a possible criminal offence
2. Disciplinary action by the employer
3. Providing specialist, safety-focused counselling
4. Identifying risk
5. Referral to Local Authority regarding risk to general public/vulnerable people

Any employee who is responsible for giving advice, or who comes into contact with or supports those vulnerable people or children experiencing GBV needs to be particularly aware of the potential consequences if they are found to be a perpetrator.

If a colleague is found to be assisting an abuser in perpetrating the abuse, for example, giving them access to facilities such as telephones, email, or fax machines then an investigation would need to be undertaken to consider if they have committed a disciplinary offence.

If it becomes evident that an employee has made a malicious allegation that another employee is perpetrating abuse then a disciplinary investigation would need to be undertaken.

LADO (Local Authority Designated Officer)

For incidences that involve the safeguarding of children, the Bi-Borough LADO will provide advice and guidance. The LADO will liaise with the police and other agencies and monitor the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

For LADO consultations and referrals please contact the duty Child Protection Adviser on:

Telephone: 020 7641 7668

Email: LADO@westminster.gov.uk

All the contacts for safeguarding in Westminster can be found [here](#).

Appendix 1: Further Support

In an emergency, always dial 999.

If you are not in immediate danger but want to speak to an advisor, there are some local and national services that provide support:

Local Services:

The Angelou Partnership is an independent service commissioned by City of Westminster to deliver the borough's Violence against Women & Girls services.

The Angelou Partnership can offer support ranging from increasing safety and understanding the criminal justice system, to enhancing emotional wellbeing. The partnership can support you over the phone, face to face, or in a group format depending on the needs and preferences of those affected.

0808 801 0660 (Mon - Fri 10am - 4pm; Wed 6pm - 9pm)

0208 741 7008 (Mon - Fri 10am - 4pm; Thurs 4pm - 9pm)

www.angelou.org

National Services:

The Freephone National Domestic Violence Helpline: (run in partnership between Women's Aid and Refuge)	0808 2000 247
Forced Marriage Unit	0207 008 0151 fm@fco.gov.uk
Female Genital Mutilation Helpline	0800 028 3550 www.childline.org.uk
Paladin (for stalking)	0203 866 4107 www.paladinservice.co.uk
NSPCC (for FGM)	0800 028 3550

Karma Nirvana (for so called 'honour' based violence)	0800 5999 247
Support for male victims:	
Men's Advice Line:	0808 801 0327
Victim Support Helpline	0808 168 9111
Support for perpetrators:	
Respect:	0808 802 4040

Appendix 2: Support for Managers:

As a manager you have a responsibility for the health, safety and wellbeing of your employee(s). If you suspect an employee is displaying signs of experiencing or perpetrating GBV then you should raise this with them.

As a manager you are not expected to be a counsellor and deal with the complex issues that arise from victim or perpetrator support. However, you do need to be able to direct an employee to professional support agencies and know what kind of support you can offer in the workplace.

Remember, you are not an expert. You should not take any action without your employees' consent or without consulting someone with expertise in GBV.

In addition to seeking advice from your HR Business Partner below are some additional resources to support managers when having difficult conversations.

- [Having Difficult Conversations](#) training (available via the LearningZone)

Support Pathway:

Appendix 3: Links to other Human Resource Policies

[Health and Wellbeing Hub](#)

[Special Leave Guidance.](#)

[Annual Leave](#)

[Code of Conduct](#)

Dignity at Work ([Grievance](#))

[1]

United Nations Declaration on Elimination of Violence towards Women (1993), [https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/711/88/img/NR071188.pdf?](https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/711/88/img/NR071188.pdf?OpenElement)
[OpenElement](#) (last accessed 20.04.2022)

[2]

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwales/yearendingmarch2018#prevalence-of-domestic-abuse>

[3]

Office of National Statistics, 2015

[4]

https://www.cdc.gov/violenceprevention/pdf/nisvs_report2010-a.pdf

[5]

DH (2002) Women's Mental Health: Into the Mainstream, London: Department of Health.

[6]

The DASH is a tool that is used by practitioners who work with adult victims of violence. It is based on a series of questions that help to identify if someone is at high risk of harm and whose cases should be referred to a Multi-Agency Risk Assessment Conference (MARAC). A MARAC is a local meeting to discuss how to help victims at high risk of murder or serious harm. A domestic abuse specialist (IDVA), police, children's social services, health and other relevant agencies all sit around the same table. They talk about the victim, the family and perpetrator, and share information. The meeting is confidential.

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