

Domestic Abuse and the Implications in the Workplace Policy

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1. Policy Statement

- 1.1 Wyre Council recognises that domestic abuse is a widespread problem that can not be ignored and that everyone has the right to a life free from abuse in any form. The council has signed up to the White Ribbon campaign as a demonstration of its commitment to stop domestic violence.
- 1.2 The council is opposed to and does not tolerate domestic abuse. We are committed to ensuring that any employee who is the victim of domestic abuse has the right to raise the issue with their employer in the knowledge that they will receive appropriate support and assistance.
- 1.3 All employees have the right to raise the issue of domestic abuse with the council in the knowledge that the issue will be treated with sensitivity and confidentiality and that an effective support system will be available to them. The council may be an employee's first and only contact regarding a domestic abuse issue. It is therefore essential that employees who experience domestic abuse feel safe and supported in order that they can talk about their experiences.
- 1.4 Employees experiencing domestic abuse will be expected to take a responsible attitude towards ensuring their own health and safety and that of their colleagues when the abuse impacts upon the workplace.
- 1.5 The council acknowledges that while it is mainly women who experience domestic abuse this policy applies equally to men who need advice or support.

2. Aims of the Policy

- 2.1 To demonstrate the Council's commitment to and support for any employee experiencing domestic abuse.
- 2.2 To provide advice about appropriate action to take should anyone be experiencing domestic abuse.
- 2.3 To publicise support for anyone experiencing domestic abuse.
- 2.4 To set out what the Council may do if an employee is found to be a perpetrator of domestic abuse.

3. Definition

- 3.1 The official 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 members 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 pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”

- 3.2 This definition includes honour based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.
- 3.3 The majority of domestic abuse is committed by men towards women. It can also involve men being abused by their female partners, abuse in same sex relationships, and by young people towards other family members, as well as the abuse of older people in families. Domestic abuse occurs irrespective of social class, racial, ethnic, cultural, religious or sexual relationships or identity.

4. Impact of Domestic Abuse in the Workplace

- 4.1 Employees experiencing domestic abuse may receive harassing or repeated calls, texts, unwelcome notes left on their cars or unplanned and unannounced visits at work.
- 4.2 They may also be stalked or physically assaulted while at or travelling to and from work. Colleagues may also be followed to or from work and/or be subject to questioning about the employees contact details or location.

5. Manager's Role

- 5.1 A manager may become aware or suspect that an employee is experiencing domestic abuse although the employee might not feel able to raise the issue with anyone. Managers should be alert to signals such as frequent absence from work, poor performance or a partner frequently making contact.

In these cases offering appropriate support may mean that the employee is able to deal with their situation more effectively. The issues surrounding domestic abuse can be complex and sensitive and if managers have concerns they should seek advice from Human Resources.

- 5.2 Managers must have a sensitive approach and ensure that employees are offered support if the issue of domestic abuse has been disclosed to them. Managers are advised:
 - a) To ensure privacy and confidentiality as far as possible;
 - b) To ensure a non-judgemental approach, taking the employee seriously and above all, listening and believing what they are told;
 - c) That an employee may wish to involve a third party i.e. a friend, rather than their line manager;

- d) That additional issues such as age, gender, sexuality, ethnicity, race and disability may also face the employee and managers should be aware of this;
- e) To support the employee in whatever they decide to do by exploring the support and options available to them.
- f) Ensure the employee has information regarding the Council's Employee Assistance Programme..
- g) Refer to Occupational Health and signpost to other external agencies as appropriate.

5.3 Managers must maintain a secure environment for all employees. In cases of domestic abuse the Council's risk assessment procedure should be followed and an individual risk assessment carried out as appropriate To ensure a secure environment it may be necessary to consider, with the employee concerned, the possibility of informing colleagues of any potential risk.

5.4 Colleagues should always be reminded of the confidentiality of the issue and information should only be disclosed with the express permission of the employee concerned.

5.5 Additional courses of action could include:

- a) reminding reception and switchboard staff in particular, but all employees in general, that personal details of employees are not to be divulged;
- b) changing work times and patterns, along with office layout to ensure the employee is not visible through the windows or front reception points;
- c) offering changes in specific duties e.g. removal from reception duties, or redeployment to another post if changes cannot be easily made;
- d) agreeing what to tell colleagues and advising them what response they should give if the abuser telephones or calls at the work place;
- e) reviewing systems for recording whereabouts of employees during the working day and minimising the risks to lone workers from outside visits/meetings;
- f) recording all incidents of violence or threatening behaviour via the Council's Incident Reporting Procedure. Incidents can include persistent phone calls, emails or visits by the alleged perpetrator. Details of witnesses to incidents should also be recorded. If legal proceedings follow, the records could be used as evidence;
- g) considering offering paid or unpaid leave or any other flexible working options for employees experiencing domestic abuse in accordance with the Council's Flexible Working and Work Life Balance Policy;
- h) changing payment arrangements, and/or contact details;
- i) encouraging staff to seek advice of the professionals and providing advice on useful contacts;
- j) referral, with employee's consent, to appropriate counselling services.

- 5.6 Attendance at court may be necessary if criminal charges are brought. Leave will be granted in accordance with the Council's Leave and Work Life Balance Policy.

6. Confidentiality

- 6.1 Managers will reassure employees of confidentiality as far as is practicable and will not share with other members of staff without their permission.
- 6.2 There are, however, some circumstances in which confidentiality cannot be assured. These occur when there are concerns about children or vulnerable adults or where the council needs to act to protect the safety of employees.
- 6.3 In such cases specialist advice will be sought and the employee will be advised as to why the breach is required seeking their agreement where possible.

7. Safety

- 7.1 The council will prioritise the safety of employees if they make it known that they are experiencing domestic abuse.
- 7.2 When an employee discloses domestic abuse a risk assessment will be carried out taking into consideration the specific circumstances. This will help 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.
- 7.3 The council will remind staff of the importance of not divulging personal details of other employees, such as addresses, telephone numbers or shift patterns/location.

8. The Council's Approach to Employees who are Alleged or Actual Perpetrators of Domestic Abuse

- 8.1 Employees should be aware that domestic abuse is a serious matter that can lead to criminal convictions.

8.2 Conduct at Work

Perpetrators of domestic abuse might use workplace resources such as telephone, fax or email to threaten, harass or abuse their current or former partners, and may involve other colleagues who may or may not be aware of their motives in assisting them.

Such abuse requires an effective employer response because it could be damaging and potentially dangerous for those being abused, as well as possibly bringing the Council into disrepute if the abuse is allowed to continue.

Similarly, proven harassment and intimidation of Council employees by their partner or ex-partner who also works for the Council will be viewed seriously and may lead to disciplinary action being taken.

8.3 Conduct Outside of Work

Conduct outside of work (whether or not it leads to police action/a criminal conviction) can also lead to disciplinary action against an employee because of its employment

implications and because it undermines the confidence the Council (as an employer) has in the employee.

8.4 Taking Action

Acts of verbal or physical abuse by our employees on or off duty are unacceptable and impact not only on our employment relationship with those employees, but also damages the reputation and good standing of the council.

Under our normal disciplinary procedure, acts of harassment or bullying of fellow employees, clients, customers, suppliers or members of the public visiting the organisation, violent, threatening or abusive behaviour is considered to be gross misconduct and will lead to formal investigation that can lead to dismissal.

Employees should also be aware that conduct outside of work could lead to disciplinary action being taken because of its impact on the employment relationship and the reputation of the council.

We also recognise that perpetrators of domestic abuse may wish to seek help and support voluntarily. We commend staff accepting accountability for their actions and we commit to providing them with access, when appropriate, to specific support or counselling services e.g. domestic abuse perpetrator training or anger management training.

9. Equality Impact Assessment and Monitoring

- 9.1 The operation of this policy will be monitored for its impact on different staff groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

10. Data Protection

- 10.1 In implementing this policy, the Council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with Data Protection Act requirements.