

a

Domestic Abuse Policy and Guidance

Contents

Purpose.....	1
Scope.....	2
Definition of Domestic Abuse	2
Disclosure and Confidentiality of Domestic Abuse	3
Signs of Domestic Abuse	3
Employee’s Responsibility.....	4
Line Manager’s Responsibility.....	4
Possible Workplace Adjustments	6
Employees who are Perpetrators of Domestic Abuse	6
Assistance for Perpetrators of Domestic Abuse	7
Additional Support Mechanisms.....	8
Appendix A - Identifying Domestic Abuse	9
Appendix B - Understanding Employee Choices.....	10
Appendix C - Available Support Mechanisms / Organisations	11

Purpose

The County Council has a duty of care under the Health and Safety at Work Act 1974 to ensure the health, safety and welfare of its employees. This policy seeks to support and assist employees who are the victims or perpetrators of domestic abuse.

The Council recognises that domestic abuse is a serious issue which affects many people’s lives and is committed to supporting employees to tackle this issue. It is essential therefore that the working environment promotes the view that domestic abuse is unacceptable and should be dealt with at the earliest stage possible.

From April 2011, Domestic Violence Homicide Reviews became a statutory requirement under Section 9 of the Domestic Violence, Crime and Victims Act (2004). Therefore, employers are encouraged to carry out accurate and reliable record keeping regarding the support and information provided to employees.

The policy is designed to raise awareness and provide a framework to ensure that every employee who is experiencing or has experienced domestic abuse feels confident raising it with their line manager in the knowledge that they will treat the matter sensitively, effectively, confidentially and will respond empathetically to affected employees.

Domestic abuse can have enormous effects on employee’s health and wellbeing which may lead to effects on performance, staff turnover, increased levels of

absence and poor decision making. Furthermore effects of domestic abuse can be detrimental to the high quality and effective services that the Council delivers.

By increasing awareness of the signs and indicators of domestic abuse, and providing appropriate information and guidance as well as providing a safe and supportive working environment, the Council can help to support an employee experiencing domestic abuse.

In addition, the council can assist the perpetrators to address the consequences of their violence on others.

[Back to contents](#)

Scope

This policy applies to all employees of Leicestershire County Council, including temporary/fixed term staff employed under the conditions of service of the National Joint Council for Local Government Service Employees and centrally employed Teachers.

Agency staff, contractors and others working on its behalf whether paid or unpaid (for example casual contracts, those on work experience, volunteers etc) are expected to adhere to this policy.

[Back to contents](#)

Definition of Domestic Abuse

Domestic violence and abuse is defined by the Home Office as *“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 a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim”.

This 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.

Please note that the definition of Domestic Abuse described above becomes effective from March 2013.

Throughout this policy the generic term domestic abuse will be used to cover all of the above.

[Back to contents](#)

Disclosure and Confidentiality of Domestic Abuse

By maintaining confidentiality, the Council can encourage employees to discuss their situation and consequently help an individual experiencing domestic abuse make positive changes as well as reduce risks to themselves and others.

However, confidentiality can only be maintained as far as it is reasonable practical within our duties as an employer. The Council can 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.

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 action being taken due to a decline in performance, poor timekeeping or absenteeism.

[Back to contents](#)

Signs of Domestic Abuse

Signs that an individual is experiencing domestic abuse are varied, but can include adverse performance, poor timekeeping, absence issues, becoming withdrawn, a change in personality, 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 A](#).

Whilst some victims may present many signs of domestic abuse, others may display no signs of violence or abuse. Nevertheless it is important that line managers are familiar with these indicators. Equally, consideration should be taken as to whether the signs of domestic abuse could be due to other underlying issues, such as a medical condition.

Identifying that an employee is experiencing difficulties at an early stage can lead to appropriate assistance being offered and in turn, could mean that the employee is able to deal with their situation far more effectively and quickly.

Employees experiencing domestic abuse are especially vulnerable once they attempt to leave abusive relationships and may be more vulnerable of abuse going to or coming from work or while they are at work as the perpetrator knows where they can be located. This may also have implications to the health and safety and an increased risk of violence in the workplace and to other employees.

[Back to contents](#)

Employee's Responsibility

Employees are encouraged to inform someone if they are experiencing domestic abuse such as a line manager, work colleague or Trade Union representative.

Employees are reminded that they have a responsibility to ensure their behaviour at work reflects the aims and values of the Council.

Whilst we understand it is difficult for a victim / perpetrator to admit to work colleagues and / or managers about an employee's personal situation, a manager will only be able to support and assist an employee if they are made aware of such circumstances.

[Back to contents](#)

Line Manager's Responsibility

Managers need to take a sensitive approach when dealing with employees who are / have experienced domestic abuse. The following are practical key points for managers to consider 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.
- Ensuring that any discussion about the employee's situation takes place in private and that confidentiality is respected (as far as the law allows).
- Understand that the employee may not wish to approach line managers, and they may prefer to involve a third party such as a colleague, Trade Union representative etc.
- 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.
- Do not make assumptions about what action is appropriate because of someone's marital status, relationship status, ethnic background, age, sexuality or disability, but be aware of any barriers and contextual issues which may affect them.
- Be aware 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 ([Appendix C](#)) that are available and encourage employees to access appropriate agencies to provide

additional support, information services and specialist confidential counselling services. If requested by the employee, assist them to make contact.

- Carry out a risk assessment and, as far as is reasonably practical, put appropriate risk management measures in place.
- Ask the employee what they want to do and offer support, but do not try to persuade an employee to take any form of action they feel uncomfortable with. Individuals need to decide for themselves what action is right for them.
- Do not assume that because an employee returns to or stays in an abusive relationship that the abuse is not severe or does not still take place.
- Respect the choices and decisions the employee may make about their situation. Often it is difficult for them to leave the perpetrator due to financial, childcare responsibilities and threats of violence. Additionally, fear of loss of contact with their children and false allegations are factors which affect an individual's decision.
- Be aware that a victim may make many attempts before they finally leave a violent relationship.
- Consider carrying out a workplace risk assessment for both the victim and other employees. Remember that those experiencing domestic abuse are best placed to assess the danger to themselves, their children and other employees.
- Monitor the situation on an ongoing basis. As well as keeping in touch with the employee if there is a period of absence, maintaining confidentiality at all times.
- Keep any documentation of disclosure secure, especially if the perpetrator works for the Council.

When dealing with domestic abuse situations, managers should take into account and understand reasons why an employee may return to their abuser or remains in an abusive relationship. For further details please refer to [Appendix B](#).

Where there is potential cause for concern or risk of abuse to a child or vulnerable adult, the line manager should explain to the employee that they will need to share that information with the relevant organisation e.g. safeguarding, police etc.

Although line managers should try to provide as much support as possible to the individual experiencing domestic abuse, the employee ultimately should have a clear understanding of what is expected of them with regard to their performance and attendance.

Whilst dealing sympathetically with the issue, managers should also be aware of the Council's policies (i.e. Flexible Working, Leave Arrangements, Capability and Attendance Management policy and procedures) for dealing with working/leave arrangements along with dealing with unsatisfactory performance and attendance. Managers should ensure that appropriate records are kept of all discussions.

[Back to contents](#)

Possible Workplace Adjustments

There are a number of workplace adjustments that may be made to support the employee to change their circumstances to increase the employee's safety as well as their efficiency at work. 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.
- Discuss the possibility of moving the employee to a different work location on a temporary basis.
- Check that the employee has arrangements for safely getting to and from home.
- Identify an emergency contact should the organisation be unable to contact the employee.
- If the employee is absent, a method of communication should be arranged with line managers so that they are aware that the employee is safe, whilst maintaining the confidentiality of the employee's whereabouts.
- Diverting telephone calls and e-mails to a separate folder.
- Alerting reception if the abuser / alleged abuser are known to come to the workplace.
- With consent of the affected employee, advise colleagues of the situation and agree what the response should be if the abuser / alleged abuser contacts the office.
- Provide a flexible approach to facilitate access to external agencies and to attend any external appointments and meetings, such as counselling sessions, visits to a solicitor, appointments with social work and housing agencies and attendance at court.

For further information please refer to the [Flexible Working policy](#) and [Leave Arrangement policy](#).

[Back to contents](#)

Employees who are Perpetrators of Domestic Abuse

Perpetrators of domestic abuse have a responsibility to ensure their behaviour at work reflects the aims and values of the Council and whilst any sanction primarily is a matter of the criminal justice system and not the Council, a caution or conviction may directly impact on the perpetrators ability to perform the role for which they are employed or may amount to breaches of the [disciplinary policy](#). Domestic abuse by an employee will be viewed as a serious matter.

Employees must understand that conduct either at work or outside work could lead to disciplinary action against them due to the impact it may have on the employee's suitability to carry out their role and / or potentially bringing the Council into disrepute which could lead to the employee being dismissed from the Council.

Factors that may be taken into account 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 invoking disciplinary proceedings.

If a manager becomes aware of an incident in which an employee is the perpetrator of domestic abuse, advice should be sought from HR Services so that action, if appropriate, can be agreed.

If after the investigation it is believed that an allegation was made maliciously or vexatious then appropriate disciplinary action may be taken against the complainant.

However, where perpetrators of domestic abuse have misused workplace resources such as telephone, e-mail, normal mail, IT systems and fax to harass, threaten or abuse their current/former partners or involve other colleagues (who may not be aware of their motives) in assisting them to do so, then this would be considered to be a breach of the Council's [E-Communications policy](#) and advice can be sought from HR services to determine whether disciplinary proceedings should be invoked in these circumstances.

In all cases where disciplinary action is being contemplated, the matter shall be investigated in line with the [Disciplinary policy and guidance](#).

[Back to contents](#)

Assistance for Perpetrators of Domestic Abuse

The Council recognises that perpetrators of domestic abuse may wish to seek assistance in changing their behaviour. Any employee who identifies that they need support of this nature should be provided with details of relevant support agencies by their manager (see [Appendix C](#) for a list of these agencies). Requests for time off to attend appropriate intervention appointments will be considered in line with the [Flexible Working Policy](#).

Where an employee has identified themselves, or is known to the Council, as a perpetrator of domestic abuse then this will be treated confidentially, unless there is a risk to the employee, child, vulnerable adult or another individual's safety.

Where disciplinary procedures are invoked against the employee, but they are attending an abuser assistance programme either on a voluntary or court mandated

basis, consideration may be given to suspending any disciplinary process pending the outcome of the programme.

[Back to contents](#)

Additional Support Mechanisms

Employees who are experiencing or are the perpetrators of domestic abuse can seek advice and support from their line manager. 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.

The Council's Wellbeing Counselling Service is available to provide confidential support and advice to employees wishing to discuss issues / concerns surrounding domestic abuse. This service may also be able to signpost employees to other sources of additional support and guidance in line with the individual's circumstances.

The following link provides information about services for victims of domestic abuse in Leicestershire including information to managers on how referrals can be made:

http://www.leics.gov.uk/index/community/yjsc/community_safety/domestic_violence_info/support_referrals.htm

[Back to contents](#)

Appendix A - Identifying Domestic Abuse

Signs that an individual is experiencing domestic abuse can include:

- Poor timekeeping without clear explanation
- High absence levels without clear explanation
- Changes in an employees behaviour
- Uncharacteristic anxiety, depression, distraction or problems with concentration
- Uncharacteristic deterioration in the quality of work performance
- The receipt of repeated upsetting/harassing calls, faxes or 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
- Low self esteem
- Working diligently as a way of pushing aside feelings of terror or anger - perfectionism

Please note that this is not a checklist. Individuals experiencing domestic abuse suffer a broad range of physical and emotional consequences and some victims may display no signs of violence or abuse. . 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 or possibly an indication of some other issue (i.e. medical condition).

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

- Employees being stalked, physically assaulted whilst travelling to and from work or at work;
- Employees may be followed to or from work or subjected to questioning about how to contact the victim or where s/he can be found;
- An employee may misuse their position by assisting perpetrators to locate their partners etc.

[Back to contents](#)

Appendix B - Understanding Employee Choices

It can be frustrating when an employee returns to their abuser or remains in an abusive relationship. There are many reasons for this which managers should take into account in understanding and dealing with domestic abuse situations. They are:

- Fear for life (and / or their children's lives)
- They can not afford to move out
- They feel responsible for keeping the family together
- They want the violence to stop, not the relationship
- The fear that friends / family / others will not believe them
- They are made to feel guilty and that the abuse is their fault
- The perpetrator may threaten to kill the victim / victim's family / children / themselves
- Low self esteem
- Promises of change from the perpetrator
- Their personal resilience of their own lives has been so eroded that they do not have the confidence to take independent actions or decisions
- Lack of knowledge of support services
- Poor responses from agencies in the past

[Back to contents](#)

Appendix C - Available Support Mechanisms / Organisations

Support and advice is available for Leicestershire residents affected by domestic abuse. Telephone and face to face support services are available to victims and their families. Services can offer initial guidance and advice to victims and their families, and information is available to professionals. The link provides contact details for services and information on local referral pathways:

http://www.leics.gov.uk/index/community/yjsc/community_safety/domestic_violence_info/support_referrals.htm

Contact Name	Contact Details	Comments
Employee's Own GP		To inform your GP so that appropriate referrals can be made.
LCC's Wellbeing Counselling Service	Simon Bamkin – Tel: 0116 305 7504 Alison Earl – Tel: 0116 305 6178	
AVP Britain	www.avpbritain.org.uk	AVP is for everyone who wants to handle conflict, deal with strong feelings like anger and build better relationships.
Broken Rainbow	Tel: 0300 999 5428 www.broken-rainbow.org.uk	This is support for lesbian, gay, bisexual and transgender people
DVIRP	Tel: 0116 255 0004 www.dvirp.co.uk	DVIRP offer telephone and face to face support for men and women who are over 16 and living in Leicester, Leicestershire and Rutland who have been affected by Domestic Violence.
Everyman Project	Tel: 0207 263 8884	This is to help men address their anger and reduce domestic violence

	www.everymanproject.co.uk	
Karma Nirvana	www.karmanirvana.org.uk	Karma Nirvana is a registered Charity that supports victims and survivors of forced marriage and honour based abuse.
National Domestic Violence Helpline (24 hours)	Tel: 0808 2000 247 www.nationaldomesticviolence.org.uk www.womensaid.org.uk www.refuge.org.uk	This is run in partnership with Women's Aid and Refuge. The Womens Aid website address given has the facility to search for local services. Similarly, the National Domestic Helpline can provide details of local services.
Respect	Monday – Friday 10am – 1pm and 2pm – 5pm Tel: 0845 122 8609 www.respect.uk.net www.respectphoneline.org.uk/phoneline.php	This is the national association for professionals working with people to end their abusive behaviour
Samaritans	Tel: 0845 790 9090 www.samaritans.org.uk	

[Back to contents](#)