

Domestic Violence and Abuse Policy and Guidelines



EAST RIDING
OF YORKSHIRE COUNCIL

Lead Directorate and Service:	Corporate Resources - People Services
Effective Date:	Adopted by Wawne Primary School – Summer 2022
Contact Officer/Number:	Employment Services Advice Centre/ 391221
Approved By:	CMT: Min 12559 Cabinet: 7.9.10, Min: 3986 Full Council: 13.10.10 CMT: 16.6.14, Min: 15755 CMT: 3.9.18, Min: 18217 CMT: 10.1.22, Min: 20328, Cabinet: 19.4.22, Min: 72/22, Full Council: 22 June 2022

Contents

Domestic Violence and Abuse Policy	1
1. Scope	1
2. Background	1
3. Definitions for the Purposes of this policy	1
4. Policy Statement.....	1
5. Policy Aims	1
Guidelines	3
1. Recognising Domestic Abuse.....	3
2. Approaching the Employee.....	3
3. Confidentiality	4
4. Ensuring Safety	4
5. Providing Support and Assistance.....	5
6. Financial Issues	6
7. Wellbeing Support.....	6
8. What to do if a perpetrator is employed by the Council.....	6
9. Refer to Appropriate Advice Organisations	7
10. Links with other Policies	7

Domestic Violence and Abuse Policy

1. Scope

This policy applies to all employees of the Council except school based employees unless adopted by the respective school governing bodies.

2. Background

We recognise that domestic abuse is a serious social and criminal issue leading to significant human and financial consequences for individuals, families, communities and organisations. It can be experienced equally by any individual regardless of any protected characteristic (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity race, religion or belief, sex, sexual orientation) and can occur in same sex and LGBTQ+ relationships.

3. Definitions for the Purposes of this policy

Domestic abuse is defined as 'any incident of threatening behaviour, violence or abuse between individuals who are or have been intimate partners or family members regardless of age, gender or sexuality'. Abuse can be:

- Psychological
- Physical
- Sexual
- Economic
- Emotional

The list is not exhaustive, but examples of abuse can be violent or threatening behaviour, verbal abuse, harassment, stalking, financial abuse, online abuse, forced marriage, female genital mutilation (FGM) and honour-based abuse.

It can include controlling behaviour and/ or coercive behaviour: -

Controlling behaviour is a range of acts designed to make a person subordinate or dependant 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 assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

4. Policy Statement

We recognise that domestic abuse and violence should be treated with the same degree of seriousness as any other form of harassment, violence or abuse and **will not** be tolerated.

We will support and take all reasonable steps to minimise risks to the safety of any employee whilst at work if we know they have experienced or are experiencing domestic abuse.

Managers will advise employees of relevant organisations where they can receive support and signpost employees to the Health and Wellbeing Champions for additional support and assistance.

5. Policy Aims

Abuse is unacceptable therefore it is essential that as an employer, we have a role in minimising the risk of abuse in the workplace. All employees have the right to work in an environment which assists them to reach their full potential and retain their dignity at work.

Managers will endeavour to support those experiencing domestic abuse in a sympathetic, non-judgemental, confidential manner.

We recognise that employees may be the perpetrators of domestic abuse. The

Employee Code of Conduct makes it clear that activities outside work can have an impact on an employment relationship within the Council.

Where it is alleged that an employee is a perpetrator of domestic abuse, this will be thoroughly investigated and may result in disciplinary action.

Guidelines

1. Recognising Domestic Abuse

Employees who experience domestic abuse will not always tell their colleagues or manager of their situation. Managers need to promote openness about abuse and encourage employees to talk about it.

It is more likely that the manager will become aware of the situation through associated issues such as absence monitoring or poor performance.

Signs that someone may be experiencing difficulties may include:

Work Productivity

- A change in the employee's working patterns eg uncharacteristically late or high absenteeism rate without explanation.
- Reduced quality and quantity of work; missing deadlines, a drop in usual performance standards.
- Change in the use of the phone/email; eg a large number of personal call/texts, avoiding calls or a strong reaction to calls/texts or emails.
- Spending an increased number of hours at work.
- Frequent visits to work by the employee's partner.
- Needing time off for appointments

Changes in behaviour

- Uncharacteristically depressed, anxious, more emotional, distracted or having trouble concentrating.
- Out of character conduct.

- Being withdrawn.
- Obsessed with leaving work on time.
- Secretive about home life.

Physical Indicators

- Lack of sleep/fatigue.
- Repeated injuries or unexplained bruising or explanations that do not fit the injuries.
- Change in physical appearance or use of makeup usage/additional makeup.
- Inappropriate or excessive clothing.

Other Indicators

- Partner or ex-partner stalking employee on social media.
- Partner or ex-partner exerting an unusual amount of control or demands over work schedule.
- Isolations from family/friends.

However, effects of domestic abuse will vary and these indicators alone should not be used to identify whether or not someone has been abused. Equally these signs may indicate other well-being issues are present.

2. Approaching the Employee

If domestic abuse is suspected, managers should discuss this in private with the employee. Initially the approach should be on a general level and to identify and implement appropriate support.

If an employee does not feel comfortable discussing this issue with their manager then another appropriate person should

be made available (the employee may wish to only speak to a person of the same gender). The Health and Wellbeing Champions can also provide additional support and assistance.

Managers must avoid blaming the employee experiencing the domestic abuse or making assumptions. Victims should be believed, and their accounts not questioned. Not being believed can cause significant harm to the victim and prevent them from accessing support.

Any direct questions should be asked with care and sensitivity, reinforcing that as far as possible, confidentiality will be respected.

3. Confidentiality

If an employee confides in their manager or colleague that they are experiencing domestic abuse, the individual should be reassured that as far as possible the information will be kept confidential.

An exception to this is where child or vulnerable adult protection issues arise, for instance, if an employee gives information that suggests that their child, another child or a vulnerable adult is at risk from abuse (whether physical, emotional, sexual or neglect). In this instance, the manager should inform the employee that they are seeking further advice from the Children's Safeguarding Hub or Safeguarding Adults Team and that they will have a duty to pass information to this department.

Managers have a duty to maintain a secure environment for all staff. This duty might be easier to fulfil if relevant colleagues are aware of potential risks. However, it is essential that the individual agrees what information is shared with colleagues and how. Staff should be reminded that this information is confidential and that any unauthorised breaches could lead to disciplinary action

being taken. The consequences of breaching confidentiality could have serious effects for the person experiencing domestic violence.

4. Ensuring Safety

The responsibilities of employers, employees and others for the health and safety of persons at work are defined by the Health and Safety at Work Act 1974 and associated regulations and codes of practice.

The Employee Personal Protection Safety Guidance will be used in most cases of violence in the workplace; however, it should be considered that some incidents may involve domestic abuse. This includes any incidents involving partners, ex-partners or other family members, visiting the workplace, abusive phone calls, emails, texts, social media, and/or intimidation or harassment of an employee or work colleagues by the alleged perpetrator.

These issues could be addressed by the following measures:

- Improving security measures such as ensuring that access to buildings is open to authorised staff only.
- Reminding reception staff or switchboard not to divulge information about employees, especially personal details such as addresses, telephone numbers, or working patterns.
- Offering temporary or permanent changes in the workplace, work times and patterns, helping to make the employee less at risk at work and on their journeys to and from work. This could include changes to the office layout to ensure that the employee is not visible from reception points or from ground

floor windows or allowing them to work in the office instead of at home.

- Offering changes in specific duties such as answering the telephone or working in reception areas, or in exceptional circumstances, redeployment to another post if an alternative is not easily found.
- Agreeing what to tell colleagues and how they should respond if the abuser rings or calls at the workplace. Providing colleagues or receptionists attendants with a photograph of the abuser and other relevant details such as car registration numbers may help them to maintain security in the workplace.
- Making sure the systems for recording staff whereabouts during the day are adequate and if the work requires visits outside the office, considering how the risks can be minimised (e.g. changing duties or allowing another colleague to accompany them on certain journeys).
- Recording any incidents of abuse in the workplace, including persistent phone calls, e-mails or visits to an employee by their partner/ex-partner. Managers should also take down details of any witnesses to these incidents. These records could be used if the employee wishes to press charges or apply for an injunction against the alleged perpetrator. In serious cases the Council may apply for an injunction if the actions of an alleged perpetrator impinge on the health and safety of staff.
- Managers will need to take into account whether such measures are operationally appropriate. However, ensuring that employees are safe

should be of primary consideration throughout the process.

5. Providing Support and Assistance

Managers or employees requiring support or advice relating to any domestic abuse matters should contact the Domestic Violence and Abuse Partnership (DVAP) in the first instance for expert advice. Contact details for DVAP and other support organisations are listed below.

The Council's Health and Wellbeing Champions can also assist with advice and support.

The Special Leave policy allows managers to approve up to one working week paid leave and three working weeks unpaid in cases of acute domestic distress. Requests for reasonable time off for employees who have disclosed they are experiencing domestic abuse, should be considered sympathetically. Requests may include appointments during the normal working day such as:

- Appointments with support agencies such as Social Services or counselling services.
- Arranging re-housing.
- Meeting with solicitors.
- Making alternative childcare arrangements including meetings with schools.
- Making support appointments with the Council's DVAP service.

Time-off with pay should be considered if the employee is attending court and is seeking an injunction or order in cases of violence or harassment.

If the domestic abuse has resulted in sickness absence, a reasonable

adjustment should be considered when considering absence warnings prompts.

If the domestic abuse has resulted in performance or conduct issues this should also be taken into consideration when formulating any outcome.

Managers should also explore other support measures where requested, such as temporary negotiated hours or reduced hours and these should be considered in line with service requirements.

6. Financial Issues

If the employee has disclosed that their partner has access to their finances or is exerting financial pressure upon them, the individual may wish to consider updating their salary bank account on Employee Self Service in iTrent once the risks of doing so have been considered. Any changes will take immediate effect so care should be taken when changes are made that bank details are correct.

7. Wellbeing Support

An Employee Assistance Programme (EAP) is available to all employees, which is a 24/7 confidential helpline designed to support individuals through any difficult situation that may affect their home or work life. The contact number for this service can be found on the intranet.

8. What to do if a perpetrator is employed by the Council

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

Our Code of Conduct sets out the standards of behaviour expected of all employees. Conduct outside of work, whether or not it leads to a criminal conviction, in some circumstances can

also lead to disciplinary action being taken against the employee because of the implications and because it undermines the confidence we have in the employee and may have an adverse effect on the reputation of the Council.

Evidence of harassment or intimidation of our employees by a partner, ex-partner or family member who works for the Council will be viewed seriously and may lead to disciplinary action being considered. In any such circumstance full investigation will take place in line with the Council's Disciplinary Procedure. Advice should be sought from People Services in the first instance. The People Services team will work closely with DVAP in these situations.

Should any manager become aware of child protection concerns when informed that an employee has been a perpetrator of domestic abuse then there is a duty to make a child protection referral or a vulnerable adult referral. DVAP can advise on the process required to make a referral where necessary.

Managers or employees requiring support or advice relating to any domestic abuse matters should contact Domestic Violence and Abuse Partnership (DVAP) in the first instance for expert advice. Contact details for DVAP and other support organisations are listed below.

Where the victim and the perpetrator are both members of staff and/or employed in the same department, appropriate action will be taken in accordance with Council policy to avoid contact between the victim and perpetrator in the workplace. This may include consideration of suspension or temporary redeployment, pending investigation.

9. Refer to Appropriate Advice Organisations

DVAP Service Number - (01482) 396368
DVAP Confidential Helpline - (01482) 396330 (DVAP@eastriding.gov.uk)
Victim Support - (01482) 587666
Victim Support Line (National) - 0845 303 0900
Hull Women's Aid Centre - (01482) 446099
Hull Women's Aid Centre (East Riding Emergency Duty Team) - (01482) 241273 (out of hours)
Women's Aid National Helpline - 0808 200 0247
Hull Domestic Abuse Partnership (for those who live in the Hull area) - (01482) 318 759
The National Lesbian, Gay, and Transgender Domestic Abuse line 0300 9995428
The Men's advice line free phone 0808 8010327
mensadviceline.org.uk
The respect phone line free phone 0808 8024040
respectphoneline.org.uk
BITC Domestic Abuse Toolkit
Bright Star App
Emergency Assistance Scheme (financial support) accessed via the ERYC website
Support and information can also be provided by the People Services Team, Health and Wellbeing Champions, Occupational Health Service and the employees Trade Union. There is also information and frequently asked questions available under the A-Z on the East Riding Internet Site.

10. Links with other Policies

Flexible Working Policies.
Code of Conduct for Employees.
Disciplinary Policy and Procedure.
Special Leave Policy and Procedure.
Capability Policy and Procedure.
Equality in Employment Policy and Guidelines.

Harassment/Bullying Policy and Procedure.
Attendance at Work Policy and Procedure.
Employee Personal Protection Guidance.
Retraining and Redeployment Policy.
Wellbeing at Work Policy.