



# **WORKPLACE DOMESTIC VIOLENCE POLICY**

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## 1.1 Introduction

Domestic violence can affect the health and self-confidence of an employee who may feel unable to confide in others or seek help. It is therefore paramount to be aware of domestic violence as a possible cause when an employee is depressed, distracted, lacking in self-confidence or visibly injured. Suffering from domestic violence can lead to a drop in an employees work performance, increased absence and elevated stress.

Newcastle under Lyme Borough Council condemns domestic violence and recognises that it is both a crime and unacceptable, we are committed to the welfare of our employees and we will support and assist any employee who is experiencing problems related to domestic violence. We recognise that often a work place can be the first place of identification of domestic violence and it is therefore essential that our Domestic Violence Policy is strong and victim centred.

Domestic violence varies both in frequency and intensity. Given that the pattern of domestic violence is one of escalation, there is no level of abuse, which should be viewed, as acceptable or insignificant.

The Council recognises further, that to condemn domestic violence we must tackle perpetrators of this crime within our organisation too. Whether that be encouraging attendance at perpetrator programmes running across the Borough or taking disciplinary action in line with the Council's Dignity at work Policy if appropriate.

This Policy will apply to everyone working for Newcastle under Lyme Borough Council, in whatever capacity, including elected members and everyone has the right to raise the issue of domestic violence with their employer in the knowledge that they will treat the matter effectively, sympathetically and confidentially.

The Council further recognises that domestic violence is an equalities issues and undertakes not to discriminate against anyone who has been subjected to domestic violence/abuse both in terms of current or future employment.

## 1.2 Purpose

The Council is committed to reducing domestic violence and this Policy sets out the actions that will be taken in responding to employees who are experiencing domestic violence and where there are concerns that an employee may be a perpetrator.

We will create a safer workplace and we will also send out a strong message that domestic violence is unacceptable we will do this by creating awareness and providing useful guidance and support to managers and colleagues when supporting members of staff who disclose that they are experiencing this form of abuse.

We recognise that our employees will be amongst those affected by domestic violence either as a survivor, an individual who is still living with domestic abuse, someone has been impacted by a domestic violence homicide or as an individual who perpetrates domestic violence.

By having a policy in place to assist staff experiencing domestic violence it is possible to create a safe and supportive environment where the workplace can become a place of safety.

### 1.3 Aims of the Policy

- To demonstrate Newcastle under Lyme Borough Council's commitment to support employees experiencing domestic violence responding sensitively and effectively.
- To create a safe and supportive culture in the Council to encourage reporting.
- To raise awareness and understanding of domestic violence throughout the Council
- To contribute to the health and well-being of employees
- To increase awareness of managers in recognising that an employee may be experiencing domestic violence and to provide advice and appropriate victim centred action.
- To offer clear, confidential, sympathetic and consistent advice to employees experiencing domestic violence
- To establish and publicise support for employees experiencing domestic violence.
- Remove fear of stigmatisation.

### 1.4 Definition

Domestic violence 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, includes so called ‘honour’ based violence, female genital mutilation (FGM) and forced marriage.

Domestic violence can happen to anyone regardless of age, gender, race, sexuality, wealth and geography. Although the majority of domestic violence happens to

women we as a Council understand that domestic violence can happen to both men and women.

Domestic violence/abuse can include abuse by a son, daughter or any other extended family members as well as current or ex partners.

### 1.5 The Legal Implications

- Employers have a duty of care under the Health and Safety at Work Act 1974 to ensure as far as is reasonably practicable the health and safety at work of their employees.
- The Management of Health and Safety at Work Regulations 1999 also requires employers to assess the risks of violence to employees and make arrangements for their safety by effective planning, organisation and control.

Newcastle under Lyme Borough Council recognises its legal responsibilities in promoting the welfare and safety of all our staff.

### 1.6 The Facts

- One in Four women and one in six men will experience domestic violence in the course of their lifetime.
- Domestic violence accounts for one quarter of all violent crimes.
- Repeat victimisation is common. No other type of crime has a rate of repeat victimisation as high
- On average, two women per week are killed by a male partner or former partner. Domestic violence is the largest cause of morbidity in women aged 19-44, greater than war, cancer and motor vehicle accident.
- In the UK in any one year more than 20% of employed women take time off work because of domestic violence.
- 2% of women lose their job as a direct result of domestic violence.
- Research suggests that up to 50% of women have at some stage given up their job as a result of being abused.

### 1.7 What is Domestic Violence/Abuse

Domestic violence is the abuse of power over one person by another. It can take many different forms including physical, sexual, emotional, verbal and financial abuse, it is known as both domestic violence and domestic violence.

The list below gives examples of the types of domestic violence, it is important to be aware that domestic violence can come in various forms, the list below is just some of the examples of types of abuse:

- **Destructive Criticism and verbal abuse:** shouting/mocking/accusing/name calling/verbally threatening
- **Pressure tactics:** sulking, threatening to withhold money, disconnect the telephone, take the car away, threat to commit suicide, take the children away, report to welfare agencies unless their demands are complied with.
- **Disrespect:** persistently insulting in front of others, not listening or responding when spoken to, interrupting phone calls, taking money from purse without asking, refusing to help with child care or housework, humiliating, criticising, putting people down.

- **Breaking trust:** lying, jealousy, withholding information, having other relationships, breaking promises and shared agreements.
  - **Isolation:** monitoring or blocking telephone calls, preventing movements, forbidding seeing other people – friends/relatives, monitoring money.
  - **Harassment and stalking:** following someone, checking up, opening mail, checking telephone calls, intentionally embarrassing.
  - **Threats:** making angry gestures, using physical size to intimidate, shouting, destroying possessions, breaking things, punching walls, wielding a weapon, threatening to kill or harm a partner or ex partner or their children, threatening to hurt family or friends.
  - **Sexual violence:** using force, threats or intimidation to make you perform sexual acts, having sex with someone that doesn't want to, any degradation treatment based on sexual orientation.
  - **Physical violence:** punching, slapping, hitting, biting, pinching, kicking, pulling hair out, pushing, shoving, burning, strangling.
  - **Denial :** Claiming it's the partners fault, saying their partner has brought it on themselves, insist it will never happen again? Deny they did anything, Play down what has happened.
- \* **Other forms of domestic violence - Female Genital Mutilation, Forced Marriage and Honour Crimes.**

Whilst the above can be forms of abuse it is also important to state that domestic violence is power and control of another and forms a pattern of abusive and controlling behaviour, it is rarely a one off and usually escalates in frequency and severity over time.

### 1.8 Possible Signs of domestic violence

Domestic violence can greatly impact on the working life of someone who is being abused, some signs of abuse are:

- Uncharacteristic depression, anxiety, distraction or problems with concentration
- Changes in the quality of work performance for no apparent reason
- The receipt of repeated upsetting calls/faxes/e-mails, or the individual being a victim of vandalism or threats.
- Nervous when receiving phone calls.
- Unusual number of calls from home and strong reaction to the calls
- Obsession with time or avoiding lunch breaks or socialising outside work.
- Late for work and needing to leave early
- Secretive about home life
- Needing regular time off for appointments
- Increased hours being worked for no apparent reason
- Repeated injuries, or unexplained bruising or explanations that do not fit the injuries displayed.
- Partner may be dropped off & picked up outside of work or frequently met at lunchtime.
- Isolating themselves from colleagues.
- Flowers/gifts sent to work for no apparent reason.
- Insufficient money.
- May be quiet, avoid interaction, not engage in conversation.

- Worries a lot about leaving their children.
- Visible injuries/bruising with unlikely explanations.
- Change in dressing – excessive clothes in the summer.
- Increase in make up – to cover up injuries/where someone's been upset.
- May be anxious/cry at work.
- Frequent medical absences.
- Staying longer hours but not taking flexi.

It is important to note that the above is not a checklist. Some victims may display no indicators. Victims of domestic violence suffer a broad range of physical and emotional consequences. A more important sign is when an individual behaves in a way that is unusual for them.

The Council will train managers, counsellors and trade union representatives on this Policy and are made aware of the effect domestic violence can have on an employee's life and career.

## **2.1 What can you expect from Newcastle under Lyme Borough Council?**

Employees experiencing domestic violence know their abusers better than anyone else and when it comes to their own safety the following should be considered with the employee:

- *Support*

We are concerned about your health, safety and welfare and we will respond in an effective, confidential and sympathetic manner to any employee disclosing that they are experiencing domestic violence.

- *Time Off*

You may need time to attend counselling sessions or court hearings or to make alternative living arrangements etc, you may be entitled to time off in accordance with the Flexible Working Hours Policy, any employee experiencing domestic violence who is not covered by this scheme will need to speak to their line manager or HR.

Any periods of absence or sickness as a direct result of domestic violence will still be managed under the Council's Attendance Management Policy and procedure, however, support will be offered during these periods.

- *Counselling*

Confidential counselling is available through specialist support services like ARCH, there are telephone numbers within this policy for the individuals who can deliver this service.

- *Adapted Working Arrangements*

A change in working hours, work location, work patterns or other temporary measures for protecting your safety will be available to you as far as reasonably practical. The Council will fully consider any security arrangements for you, such as screening of telephone calls and not giving information about your work arrangements to callers.

The Council recognises domestic violence may have a negative impact on your work performance and you will not be discriminated against because of domestic

violence. However it is important that you discuss any problems and needs with your manager, points of contacts or your trade union representative.

- *Money*

There may be ways in which the Council can help with financial issues for example changing the method by which you receive your salary or issuing an advance of pay.

- *Publicity*

We employ a Community Safety Officer who leads on domestic violence and is based within the Partnerships Team this Officer has a responsibility to ensure that approaches to domestic violence across the Borough are coordinated and working effectively. Further to this the Officer should ensure that domestic violence preventative material is distributed appropriately throughout Newcastle and more relatively the Civic Offices.

- *Support Programmes*

We work in close partnership with ARCH Domestic Violence Outreach Team and through your Point of Contact, manager or trade union representative you may be able to access their Freedom Programme. The council will also offer the opportunity to access confidence building or assertiveness training courses, as domestic violence can affect an employees self esteem.

- *Confidentiality*

The Council recognises that confidentiality is essential for an employee experiencing domestic violence. In most circumstances whatever you tell your line manager will remain confidential and will not be revealed to anyone without your permission.

However, there are some circumstances in which confidentiality cannot be assured, these occur when there are concerns about children or vulnerable adults or where the employer needs to act to protect the safety of employees.

In circumstances where this organisation has to breach confidentiality it will seek specialist advice before doing so. If it is decided to proceed in breaching confidentiality after taking advice, it will be discussed with you why it is doing so and your agreement will be sought where possible. (Please refer to the Safeguarding Policy)

In cases where Social Care are informed they recognise that living domestic violence is frightening for adults and children. Social Care will want to support you in protecting your children and they will work with you to see if there is any help they can offer before things get worse.

If an employee discloses to colleagues they will be reminded that this information must remain strictly confidential and any breaches of this may result in disciplinary action.

- *Points of contact*

Points of contact are available within the Council who have had specific training in domestic violence, you may wish to speak to them if you don't wish to speak to your line manager, a list of their names is available at the end of the Policy.



### **3.1 Are you suffering domestic violence? - Who can you turn to?**

If you are being abused by your current or ex partner, there are things that you can do and there is help available, you don't have to suffer in silence.

There are individuals and organisations that can give you both practical and emotional support, inside and outside of the Council. You can talk to your manager, HR, domestic violence points of contacts or your trade union representative.

### **3.2 Role of Domestic Violence Points of Contact**

- To ensure that they have as much up to date information as is possibly available before the session takes place.
- To ensure sessions are not interrupted
- To create an environment of support and understanding to encourage employees to come forward and ask for help
- To actively listen and believe each employee who requests help and assistance, remembering that it is not easy to ask for help and that by asking for support this could increase the victim's vulnerability.
- To be patient, non judgemental and supportive, always reassuring the employee that they are not to blame.
- To ensure that the employee is aware of all the options available to them, being mindful that the victim may not be ready to engage yet but they should have the information.
- To always respect the decision of the employee.
- To reassure the employee that any records kept will not be kept on their personnel file or affect promotion prospects in the future
- Keep information confidential (subject to the requirements of child and adult protection).
- To be aware that dealing with Domestic Violence demands a multi-agency approach.
- To assist the employee to think through an emergency check plan/leaving list.

### **4.1 Perpetrators of Domestic Violence in the Workplace**

Any act of domestic violence is unacceptable and will not be condoned. Perpetrators of domestic violence might be using workplace resources such as telephones, fax or emails 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.

The Council will not tolerate this abuse and we will take disciplinary action in line with the Dignity at Work Policy, this could also include a change of duties or withdrawing access to certain computer programmes.

Domestic Abuse such as the above could be damaging and potentially dangerous for those being abused as well as possibly bringing the service and council into disrepute if the abuse is allowed to continue.

If an employee approaches the Council about their abusive behaviour, we will provide information about the services and support available to them.

A perpetrator's conduct outside of work may result in the Council taking action under the Council's Disciplinary Procedure.

#### **4.2 What if the Victim and Perpetrator both work for the Council?**

In a situation where both the victim and perpetrator work for the Council action will be taken where appropriate, safety will be a priority when considering what changes to make. Action may need to be taken to ensure the perpetrator and victim do not come into contact in the workplace.

#### **5.1 Guidance for Managers**

Management have a responsibility to take the lead in implementing an effective workplace Domestic Violence Policy and a culture, which does not tolerate domestic violence. As a manager it is important that you respond positively to an employee disclosing a problem with domestic violence. Discussing this issue will have taken a great deal of courage and your response may be a crucial factor in determining whether an employee seeks help. Research shows that victims of domestic violence wish somebody had asked them about it, therefore managers will ask the question where appropriate.

#### **Managers are to ensure that –**

- All employees are familiar with and act in accordance with this Policy
- Health and Safety risks to staff are minimised in workplaces and immediate vicinity.
- They routinely remind staff never to divulge personal information about employees to callers.
- Employees experiencing domestic violence are taken seriously and dealt with sensitively and according to the Policy.
- Any discussions that take place happen in private.
- They are not judgmental.
- Employees working with those experiencing domestic violence and abuse are adequately trained and are given appropriate support and supervision in their work.
- They acknowledge that staff dealing with people experiencing domestic violence may find work stressful and difficult.
- Respect a person's decision if they choose to go back to or stay with the perpetrator – the most dangerous time for a victim is when they leave and this shouldn't be underestimated.

#### **Managers will be trained to:**

- Identify if an employee is experiencing difficulties
- Ask the question where appropriate, you are advised to have a conversation with the Community Safety Domestic Violence lead before these discussions take place.
- Provide initial support
- Offer referrals to support services.
- Discuss ways to help the person stay safe in the workplace

- Consider options such as diverting phone calls and emails, allowing staff to use assumed names.
- Be aware that there may be additional issues facing employees to seeking help because of their ethnic background, religion, age, sexual orientation or disability which may make them feel more vulnerable when talking about their situation.
- Ensure that communication is maintained with the employee during any absence, whilst remembering to maintain confidentiality of their whereabouts.
- Have an agreed method of communication with the employee should they be absent so they know they are safe.
- Understand that they are not counsellors.
- Where the employee is a perpetrator of domestic violence, make them aware that domestic violence is a serious issue, which can lead to criminal convictions and of the “zero tolerance” policy of the Council.
- Understand and refer to Child and Vulnerable Safeguarding Policy and responsibilities.

### **5. 2 Recording Information**

Any discussions that take place between a Manager and an employee must be documented as clearly as possible. The records need to be clear and accurate and kept securely, paper copies should be locked away and information kept on a computer must be password protected.

**N.B Please Appendix 1, 2 and 3 which are flowcharts to illustrate practical processes.**

### **Role of Colleagues:**

Newcastle-under-Lyme Borough Council encourages 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 is made aware of this policy and that there is internal and external support available. Encourage them to talk to the Councils point of contacts in confidence.

### **6.1 Implementation, Monitoring and Review**

The Council will include the Domestic Violence Policy in all inductions of new staff, current employees will receive training on the Policy and management and HR staff will receive more specialised training.

The council will ensure that training for managers is timely with the implementation of this policy as we recognise that without such the Policy will be ineffective.

The Council will publicise the updated Domestic Violence Policy for staff to boost awareness through utilizing the intranet, informing staff at team meetings and E-voice.

Any breaches of the Policy will be dealt with through the Council’s disciplinary procedure.

Prior to this Policy being launched a staff survey will be sent out to gather information on peoples experiences and perception of domestic violence, another survey will be sent out after the launch and after training has taken place.

The Policy will be reviewed after one year to ensure that it is working effectively and to update it if necessary. Trade Unions and Health & Safety representatives will be consulted regarding any proposed changes.

This Policy has been written taking guidance from Women's Aid, Refuge and the Local Government association best practice guidelines for Work Place Policy.

### 7.1 Useful Numbers:

North Staffs Domestic Violence Helpline	01782 205500
Local Domestic Outreach Team	01782 222421
24hr National Helpline	0808 2000 247
Elizabeth House Refuge	01782 713737
Victim Support	0845 30 30 900
Sexual Assault Referral centre	0300 7900 166
Childline	0800 11 11
Male National Domestic Violence Helpline	0808 801 0327
Broken Rainbow (LGBT)	0845 2604 460
Newcastle Housing Advice (Emergency out of hours number 01782 615599)	01782 635200
Advocacy After Fatal Domestic Abuse (AAFDA)	07768 386922
Police	101
Police Emergency	999
Forced Marriage Unit	0207 008 0151
National Stalking Helpline	0808 802 0300
National Centre for Domestic Violence	0844 8044 999

### Within Newcastle under Lyme Borough Council

#### Points of contacts:

Catherine Fox	Ext 2238
Sarah Moore	Ext 2496
Michelle Bailey	Ext 2597
Paul Pickerill	Ext 4760

### Union Representatives:

#### Unison

Kim Graham	Ext: 2465
Jackie Ciatello	Ext 4444

#### GMB

Gary Morgan	Ext 4640 / 2750
Paul Pickerill	Ext 4760

**Websites:**

[www.archnorthstaffs.org.uk](http://www.archnorthstaffs.org.uk) – information about local domestic violence services, safety plans and contacts.

[www.womensaid.org.uk](http://www.womensaid.org.uk) - for information about services available, your legal rights, campaigns etc

[www.lgbt-dv.org](http://www.lgbt-dv.org) - a web-site developed for survivors of same sex abuse

[www.aafda.org.uk](http://www.aafda.org.uk) – Action After Fatal Domestic Abuse

[www.stalkinghelpline.org](http://www.stalkinghelpline.org) – for information if your being stalked either physically or cyber stalked.

[www.mensadvice.org.uk](http://www.mensadvice.org.uk) – Advice for men in abusive relationships.

[www.gov.uk/forced-marriage](http://www.gov.uk/forced-marriage) - Information on forced marriage and honour violence.