**Domestic Abuse**

North West Leicestershire District Council (the council) has a responsibility and is committed to provide all staff with a safe and effective working environment.

The council recognises that domestic abuse is a significant problem which has a devastating impact on people’s lives and is committed to supporting employees to tackle this issue. The council promotes the view that all forms of domestic abuse is unacceptable and should be dealt with at the earliest stage possible.

Any employee who experiences domestic abuse should be able to raise the issue at work, without fear of stigmatisation or victimisation. Employees should be appropriately supported within the workplace and guided to access any advice and specialist services they may need. This procedure represents a commitment to support employees in tackling the issue.

The council recognises that domestic abuse occurs in every social class and across all age groups, regardless of gender, sexuality, disability, race or religion.

The council’s commitment extends to assisting employees who may need to provide support to a family member or close friend who is experiencing such abuse.

The council is committed to ensuring that all employees, not just those experiencing domestic abuse, are aware of its position in this area. This procedure ensures that both victims and perpetrators of domestic abuse are aware of the support that is available within the organisation.

1. **Scope**

This policy applies to all employees of North West Leicestershire District Council

1. **Purpose**

Through the application of this policy and the associated supporting guidance the Council aims to:

• Ensure that all employees who ask for help in addressing domestic abuse issues are able to access appropriate advice and support.

• Ensure that all managers can access guidance on how to support and assist employees asking for help in relation to domestic abuse and are aware of how to support and advise employees who may be perpetrators of domestic abuse.

• Provide confidence to employees seeking assistance that their situation will be handled sympathetically and confidentially.

• Reduce absence from work resulting from domestic abuse and have a positive impact on employees’ mental and physical health and wellbeing. This includes staff who are supporting family members with domestic abuse.

1. **Definitions**

The new 2021 statutory definition of domestic abuse is ‘the behaviour of one person towards another where: both people are aged 16 or over and are personally connected to each other and the behaviour is abusive

Behaviour is ‘abusive’ if it consists of any of the following:

* physical or sexual abuse
* violent or threatening behaviour
* controlling or coercive behaviour
* economic abuse
* psychological, emotional or other abuse

It does not matter whether the behaviour consists of a single incident or a course of conduct. Anyone can be a victim of domestic abuse. It can happen in all kinds of relationships - regardless of age, race, sex, sexuality, disability, wealth, gender identity, and lifestyle.

### The Domestic Abuse Act 2021 also now recognises children as victims of domestic abuse if they have seen, heard or experienced the effects of domestic abuse

This definition includes honour - based violence, forced marriage and female genital mutilation.

The impact of domestic abuse can range from loss of esteem to loss of life.

Domestic abuse happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity. When dealing with domestic abuse it is important to recognise differences between all protected characteristics. It follows that different approaches and resources are needed when addressing domestic abuse.

Domestic abuse can involve:

* Controlling behaviour - 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 - 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.
* Physical injury – this can be as a result of a wide range of different behaviour and can include punching, slapping, hitting, biting, pinching, kicking, pulling hair, pushing and strangling. It can also include withholding access to medication, medical care or forcing alcohol or drug use.
* Harassment - a crime involving behaviour that takes place more than once, and the perpetrator’s actions must have an unwanted effect on the victim. Under the Protection from Harassment Act 1997, it is an offence for a person to pursue a course of conduct that amounts to harassment of another person, and that they know (or ought to know) amounts to harassment. The Act defines harassment and states: “References to harassing a person include alarming the person or causing the person distress.” A ‘course of conduct’ in the case of harassment of a single person must involve conduct on at least two occasions.
* Stalking - there is no specific legal definition of stalking. However, it is helpful to know that in cases of stalking there is a pattern of unwanted, fixated and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress.

1. **Disclosure and confidentiality**

Where possible any disclosure of domestic abuse will be kept confidential. By maintaining confidentiality, the council can encourage employees to discuss their situation and as a result 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 reasonably practical within our duties as an employer. The council can only involve other agencies or share information with the consent of the employee concerned. Disclosure without consent may be made in exceptional circumstances:

* If it is believed the employee and /or colleagues are at risk of serious injury or death.
* If it is believed that there is a substantial risk of harm to any children involved in, or witnessing, the violence / abuse.

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.

As far as possible, information will only be shared on a need to know basis.

# The impact of domestic abuse in the workplace

It should be noted that there may be incidents which occur in the workplace or specifically affect the work of a member of staff. The majority of domestic abuse victims are targeted at work. According to Everyone’s Business data 2018 -75% of those experiencing domestic abuse are targeted at the workplace, 58% of people enduring domestic abuse miss at least 3 days work a month due to abuse

Possible signs of domestic abuse include:

* Unexplained injuries
* Changes in behaviour including uncharacteristic depression, anxiety, distraction or problems with concentration
* Changes in the quality of work for no apparent reason
* Arriving late or leaving early
* Poor attendance or high presenteeism without an explanation
* Needing regular time off for appointments
* Inappropriate or excessive clothing
* Reluctance to take advantage of career progression/opportunities

# The impact of domestic abuse on work colleagues

Domestic abuse also affects people close to the victim and this can include work colleagues.

Some effects may include:

* Being followed to or from work
* Being subject to questioning about the victim’s contact details or locations
* Covering for other workers during absence from work
* Trying to deal with the abuse and fear for their own safety
* Being aware of a colleague’s situation can cause them distress and have a wider impact on team productivity and mental health.

# The impact of domestic abuse on the employer

Some effects may include:

* Negative impact on productivity, performance and morale
* Staff turnover, as employees may have to leave work or move away to escape abuse, or are pressurised by their abuser to leave.
* Financial costs in relation to reduced productivity and time and staff resources needed to support the victim. Domestic abuse is estimated to cost British business over £1.9 billion a year.

**8. Domestic Abuse and Safeguarding**

When an employee reports a domestic abuse situation the person who is informed should talk with a safeguarding officer or an HR Adviser, or consider making a safeguarding referral. Support can be given to make this, and there is a box to tick to indicate that the referral involves a member of staff, which means it will be dealt with by a lead safeguarding officer only.

When making a referral the employee should be talked to about this, explaining that the matter will be treated confidentially and it will help them access support. Safeguarding Officers will be able to make referrals to domestic abuse services and other agencies.

**If it is felt that there is an immediate risk always call the emergency services first.**

**9. Guidance for Employees**

If domestic abuse is affecting your health and wellbeing, your work or you are at risk of further abuse whilst carrying out your work duties, you should speak to someone such as your Line Manager, Senior HR Adviser, a Designated Safeguarding Officer, work colleague or Trade Union representative. Whilst we understand it is difficult for a victim of domestic abuse to admit their personal situation to work colleagues, only by doing so will the council be able to support and assist an employee.

It is important to remember that victims of domestic abuse are not to blame and there are emotional and practical support services available to help you and any children you have on issues such as housing, finances, legal orders and personal safety. Please see section on [Areas of Support Available](file:///C:\Users\jdale\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\10UOZSDF\Areas%20of%20Support%20Available) for further details.

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.

Appendix One gives some indicators that you may be experiencing domestic abuse.

**10. Guidance for Managers**

If you think someone is the victim of domestic abuse, Appendix Two lists some of the indicators.

Employees who experience domestic violence may not necessarily wish to tell people at work about their situation or approach their manager about their problems in the first instance. It is therefore more likely that a manager will become aware of the situation through associated issues, such as absence, poor performance or other signs of domestic abuse.

The manager’s role is not to deal with the abuse itself but to make it clear that members of staff will be supported and outline what help is available – see Appendix Three for sources of support.

When dealing with possible domestic abuse situations managers should follow the following guidelines:

* **DO** be sensitive/non-judgemental/ practical/supportive/discrete.
* **DO** prioritise safety over work efficiency.
* **DO** allocate some private time and space to listen.
* **DO NOT** seek proof of abuse.
* **DO NOT** contact the abuser
* **DO NOT** compel a victim to accept support
* **DO NOT** adopt the role of being a support worker yourself
* If the employee or any colleagues are in immediate danger, call 999.

Managers should familiarise themselves with the support options that are available and encourage employees to access appropriate agencies who can provide additional support, information and specialist confidential counselling services. Managers can obtain advice and guidance from any of the council’s designated safeguarding officers. If requested by the employee, they should assist them to make contact.

Consider carrying out a [workplace risk assessment](https://leics.sharepoint.com/sites/intranet/HDI/Documents/HR/risk-assessment-template.doc). Remember stalking affects both victims and their colleagues and violence can be directed towards both. 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.

It is important to 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. A victim may make many attempts before they finally leave an abusive relationship.

Monitor the situation on an ongoing basis. Keep in touch with the employee if there is a period of absence, maintaining confidentiality at all times.

Keep any documentation of disclosure secure and ensure appropriate records are kept of all discussions including actions agreed and any incidents of violence or threatening behaviour in the workplace. This information may subsequently help in any legal proceedings.

Where there are concerns for the safety of children and vulnerable adults, the line manager should explain to the employee, the need to share the information with the relevant organisation e.g. safeguarding, police etc.

Disclosures should not impact on the employee’s work record, provided their performance is maintained as agreed.

**11. Possible workplace adjustments**

There are a number of workplace adjustments that may be made to support the employee. The following is a list of possible adjustments that could be considered to help individuals experiencing domestic abuse:

**Safety while at work**

* Review lone working arrangements. The employee may be at risk of injury or abuse from the perpetrator if working alone.
* If the employee is required to carry out duties beyond their normal place/s 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.
* Where reasonably practical consider the possibility of moving the employee to a different work location or changing work patterns on a temporary basis.
* Review working from home arrangements – it may be unsuitable for an individual to work from home.
* Alerting reception if the abuser / alleged abuser is known to come to the workplace.

**Contact arrangements**

* 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.

**Communication safety**

* Changing the personal telephone number to avoid harassing phone calls.
* Diverting direct dial telephone calls away from the victim, and arranging for e-mails to go to a separate folder, so they can be screened, and the abuser cannot target the individual whilst they are at work
* With consent of the affected employee, advise colleague, so the abuser cannot target the individual whilst at work of the situation and agree what the response should be if the abuser / alleged abuser contacts the office.
* Remind all staff NOT to reveal an employee’s personal details or their whereabouts to anyone, including family members.

**Safety to and from work**

* Check that the employee has arrangements for safely getting to and from home.
* Encourage flexibility in start and finish times.
* Encourage the individual to change the route they come into work.
* Provide a secure escort to and from vehicles / transport links
* If the abuser does not live with the victim you could offer temporary Safe & Well Lifeline to be fitted to give them access to central control in case of an emergency – these are provided by the Housing Support Team in Housing Management.

**Managing responsibilities at work**

* Provide a flexible approach to help them gain access to external agencies and to attend any appointments and meetings, such as counselling sessions, visits to a solicitor, appointments with social work and housing agencies and attendance at court.
* Adjust workload (extend deadlines, reassign responsibilities)
* Consider additional support/ supervision/ debriefing sessions

Many of these workplace adjustments and safeguards may be temporary and line managers should discuss safety and review changes in circumstances with the employee at regular intervals.

Absence as a result of dealing with issues of domestic abuse should not be recorded as sickness on i-Trent. Instead they should be recorded under other absence and the appropriate drop down box selected.

**12. Recording**

Any written records, including workplace adjustments should be stored securely, but held outside of official employee records.

If a decision is made to disclose without consent, the reasons and actions should be documented.

There should be a workplace record of all incidents of violence, threatening behaviour or breaches of security in the workplace, as they may be needed for evidence purposes. The records should be clear and accurate and include dates, times, locations and any witnesses. If the individual has an order against the perpetrator (such as a non-molestation order) any breaches should be recorded.

**13. Employees who are the perpetrators of domestic abuse**

The Council recognises that they have a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds and are clear that abuse is always unacceptable. There may be signs of uncharacteristic or other types of behaviour that may be of concern. Perpetrators may also use workplace resources such as telephones and emails to threaten, harass, stalk or abuse their current or former partner, through which, work colleagues may become aware of the abuse. The abuse may also come to light as a result of allegations made, notification by the police or the employee needing time off to attend court.

Whilst the council recognises that domestic abuse is unacceptable, we will be supportive and encourage any perpetrators to seek assistance in changing their behaviour. Any employee who identifies that they need support of this nature should be signposted to a relevant support agency

Requests for time off to attend appropriate intervention appointments will be considered in line with the Attendance policy

Domestic abuse by an employee will be viewed as a serious matter. If a manager becomes aware of an incident in which an employee is the perpetrator of domestic abuse, advice should be sought from Human Resources so that appropriate action, if any, can be agreed. Acts of domestic violence can be a criminal offence, however whilst an allegation or even a prosecution for domestic abuse may result in employment being terminated, this will not automatically be the case.

Should the perpetrator’s actions or statements suggest that an adult or child is at risk, managers should contact a safeguarding officer.

If the employee is working in a regulated activity, certain offences must be reported to the Disclosure and Barring Service (DBS). HR will advise managers whether the Council has a duty to make a referral and is usually the case where there is an offence against a child or vulnerable adult. DBS have the power to bar individuals from working with certain groups and any such restriction could have an impact on an employee’s continued employment with the council.

In cases where both the victim and the perpetrator of domestic abuse work for the council it is important to be led by the victim. If agreed, every effort should be taken to ensure that the victim and perpetrator do not come into contact in the workplace. It is important 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, withdrawing the perpetrators access to certain computer programmes or offices. It may be necessary to consider disciplinary proceedings against the employee who is perpetrating the abuse. This would also be the case where they have misused workplace resources or involved other staff who may not be aware of their motives.

Where an employee has identified themselves, or is known to the Council as a perpetrator of domestic abuse then this will be treated confidentially.

In all cases where disciplinary action is being considered, the matter shall be investigated in line with the disciplinary policy.

Where the individual is subject to disciplinary procedures as a result of their actions, 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. Attendance on such a programme should also be monitored to ensure completion.

**Appendix One**

**How do I know if I am experiencing abuse?**

If you answer yes to one or more of the following questions, you may be in an abusive relationship:

• Has your partner tried to keep you from seeing your friends or family?

• Does your partner constantly check up on you or follow you?

• Does your partner constantly belittle or humiliate you, or regularly criticise or insult you in front of other people?

• Does your partner accuse you unjustly of flirting or of having affairs?

• Has your partner prevented you from continuing or starting a college course, or from going to work?

• Are you ever scared of your partner?

• Have you ever changed your behaviour because you are afraid of what your partner might do or say to you?

• Has your partner ever deliberately destroyed any of your possessions?

• Has your partner ever hurt or threatened you or your children?

• Has your partner ever kept you short of money so you are unable to buy food and other necessary items for yourself and your children?

* Does your partner prevent you having access to your own money?

• Has your partner ever forced you to do something that you really did not want to do, including sexually?

* Does your partner verbally abuse you in front of your children?

**Appendix Two**

**How do I know if my colleagues are experiencing domestic abuse?**

There are some common signs, which might indicate that a member of staff could be experiencing, or has experienced, domestic abuse. The list below is indicative but not exhaustive:

**Work productivity signs**

* Frequent self-certified sickness absences and/or frequent hospital visits.
* A change in a person’s working patterns, for example frequent lateness or needing to leave early.
* A change in the use of the telephone, for example a large number of personal calls and strong reaction to these calls.
* Changes to the quality and quantity of work.
* Poor attendance or high presenteeism (working unnecessarily long days or volunteering to come in on days off) without explanation.
* Change in the use of the phone/email: for example, a large number of personal calls/texts, avoiding calls or a strong reaction to calls/texts/emails.

**Changes in behaviour or demeanour**

* A sustained change in behaviour and attitude – e.g. becoming very quiet, insular anxious, frightened, tearful, aggressive, distracted etc.
* Lack of confidence and very low self-esteem.
* Isolating themselves from other colleagues
* Secretive regarding home life
* Worried about leaving children at home with the abuser
* Obsessive about timekeeping

**Physical signs**

* Visible bruising / single or repeated injury with unlikely explanations.
* A sustained change in the amount of make-up used.
* A change in the way a person dresses, for example clothes that do not suit the climate, which may be to hide injuries.
* Substance use / misuse
* Fatigue / sleep disorders

**Other signs**

* Partner or ex-partner stalking employee in or around the workplace.
* Partner or ex-partner exerting unusual amount of control or demands over work schedule.
* Flowers/gifts sent to employee for no apparent reason.
* Isolation from family/friends.
* Marked decrease in financial situation (although there may be many other explanations for this).

**Appendix Three**

**Sources of help**

It is important to remember that professional support and intervention is best for people experiencing domestic abuse. The line manager’s role is to support the employee in the workplace and to assist them in accessing professional support.

The council’s employee support line is available to provide confidential support. Additional support can be found from the following organisations:

**Local Support available**

**UAVA United Against Violence and Abuse**

A consortium of three local specialist providers of domestic abuse and sexual violence services - Women’s Aid Leicestershire Ltd, FreeVA and Living Without Abuse.

Their website has further contact information and can provide help for you or someone you know who is experiencing violence or abuse.

Website:[uava.org.uk](http://www.uava.org.uk/)

**Telephone Helpline**: 0808 80 200 28

**The Jenkins Centre**

Local service based in Leicester offering services to perpetrators of domestic abuse wanting to change their behaviour.

**Website:** [jenkinscentre.org](http://www.jenkinscentre.org/)

**Telephone**: 0116 254 0101

You should still call 101, or in an emergency 999, to report domestic or sexual violence to Leicestershire Police

**National Organisations**

**National Domestic Violence Freephone Helpline**

This is a national service for women experiencing domestic violence and for their family, friends, colleagues and others calling on their behalf. It is run in partnership between **Women's Aid** and **Refuge**.

**Website:** [nationaldomesticviolencehelpline.org.uk](http://www.nationaldomesticviolencehelpline.org.uk/),

**Telephone**: 0808 2000 247

There are also links to the individual websites for Women’s Aid and Refuge, which provide a range of information, resources and advice.

**Bright Sky**

This is a free app providing support and information for anyone who may be in an abusive relationship, or those who are concerned about someone they know. The app provides:

• A UK-wide directory of specialist domestic abuse support services and the ability to call national helplines

• A secure tool where incidents of abuse can be logged, without the content being saved on the device

• Questionnaires to assess the safety of a relationship

**Website to download the app**: [hestia.org/brightsky](https://www.hestia.org/brightsky)

**The Men's Advice Line**

The Men's Advice Line: confidential helpline for men experiencing domestic violence from a partner or ex-partner (or from other family members). We help by:

giving you time to tell your story; offering emotional support; providing practical advice; signposting you to other services for specialist help

**Website:** [mensadviceline.org.uk](http://www.mensadviceline.org.uk/)

**Telephone:** 0808 801 0327

**GALOP**

Support Gay, Lesbian, Bi-sexual or Trans people at risk from domestic abuse, sexual violence and Hate crimes.

**Website:** [galop.org.uk](http://www.galop.org.uk/)

**Telephone:** 0300 999 5428

**Karma Nirvana**

Karma Nirvana is a registered Charity that supports victims and survivors of forced marriage and honour based abuse.

**Website:** [karmanirvana.org.uk](https://karmanirvana.org.uk/)

**Telephone:** 0800 5999 247

**Forced Marriage Unit**

The Government’s Forced Marriage Unit (FMU) is dedicated both to preventing British nationals being forced into marriage overseas and to assisting anyone in the UK faced with the prospect of being forced into a marriage.

**Website:** [gov.uk/forced-marriage guidance](https://www.gov.uk/guidance/forced-marriage)

**Telephone**: 020 7008 0151

**National Stalking Helpline**

This organisation offers guidance and support to high risk victims of stalking in England and Wales. Stalking is a pattern of repeated and persistent unwanted behaviour that is intrusive and engenders fear, it is when one person becomes fixated or obsessed with another and the attention is unwanted

**Website:** [national-stalking-helpline](https://www.suzylamplugh.org/Pages/Category/national-stalking-helpline)

**Telephone:** 0808 802 0300

**Samaritans**

Samaritans offers a listening service open 24hrs a day, seven days a week, for people who are struggling to cope and need to talk. They also offer face to face support and support via email and text.

**Website:** [samaritans.org](https://www.samaritans.org/)

**Telephone:** 0845 790 9090

**Rape Crisis**

Rape Crisis Centres offer a range of services for women and girls who have been raped or experienced another form of sexual violence.

**Website:** [rapecrisis.org.uk](https://rapecrisis.org.uk/)

**Telephone:** 0808 802 9999

**The Hideout**

The Hideout is a dedicated website for young people up to the age of 21 where they can find information about relationship abuse and where to get help.

**Website:** [thehideout.org.uk](http://thehideout.org.uk/)

**Respect Phoneline**

A confidential helpline for people who are abusive and/or violent towards their current or ex-partner. Offers information and advice to support perpetrators to stop their violence and change their abusive behaviours.

**Website:** [respectphoneline.org.uk](https://respectphoneline.org.uk/)

**Added May 2022**

**Domestic Abuse Response Alliance (DARA)**

Will represent individuals who are not eligible for legal aid but who cannot afford to pay for private representation. It will provide them with help, support and representation from the outset to the conclusion of their court proceedings, seeking private injunctions against their abuser. DARA provides an invaluable resource to help survivors who would otherwise be at huge risk.

**Website:** [www.daraproject.org](http://www.daraproject.org)

**Contact details for prospective clients:**

[NCDV](https://www.ncdv.org.uk/)  
or [999](tel:999) if you are in immediate danger