



Melton  
Borough  
Council

## Policy on supporting employees experiencing domestic abuse

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### Approvals

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## Policy on supporting employees experiencing domestic abuse

### 1. Purpose and statement of intent

Melton Borough Council is committed to supporting employee health and wellbeing at work. We are committed to creating a workplace culture where employees understand that everyone has the right to a life free from abuse and violence in any form. This policy applies equally to all genders and applies to all employees of Melton Borough Council.

Every employee who is experiencing or has experienced domestic abuse has the right to raise the issue with the Council in the knowledge that we will treat the matter effectively, sympathetically and confidentially.

This policy covers the internal and external support available to employees experiencing domestic abuse, including internal points of contact for support, special leave provisions and signposting to external sources of advice and help.

The purpose of this policy is to:

- support employees experiencing domestic abuse;
- ensure employees have the confidence to raise issues with their manager and to reassure employees that the council will take their concerns seriously
- aid managers seeking to help team members experiencing domestic abuse;
- contribute to the health and wellbeing of employees in order that employees experiencing domestic abuse can enjoy fulfilling lives both at work and home
- assist colleagues of those experiencing domestic abuse; and
- reinforce our corporate social responsibility objectives by demonstrating that we value, and are prepared to support, staff during difficult periods.
- Raise awareness of domestic abuse and the impact it has on the individual and the organisation.

### 2. What is Domestic Abuse?

Domestic Abuse is defined 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 abusive behaviour:

- physical or sexual abuse;

- violent or threatening behaviour.
- controlling or coercive behaviour;
- economic abuse; and psychological, emotional or other abuse.

The policy applies equally to all employees whatever their gender and covers psychological, emotional and financial abuse in addition to physical abuse.

A further detailed definition of domestic abuse is provided at Appendix A.

### **3. Internal support**

In order to support employees who experience domestic abuse, we will:

- provide nominated contacts in the workplace to act as a confidential first point of contact; they will be known as “DA Champions”
- offer access to counselling via the employee assistance programme, Care First, and publicise the availability of this support regularly through ongoing health and wellbeing initiatives;
- offer access to counselling and other support to employees perpetrating domestic violence who seek help from us; and
- undertake to raise workplace awareness of domestic abuse issues through a programme of regular information initiatives.

Employees may wish to seek internal support and have confidential conversations with:

- their line manager
- a trained mental health first aider at work
- a member of Human Resources
- a trade union representative, officer, or official

### **4. Disclosure and Confidentiality**

Employee information obtained as part of this policy and associated procedures is considered to be confidential. Confidential information will only be shared with parties who have a legitimate need to know and will not be shared with any other party unless there is a legal right to do so.

Employees who disclose experiencing abuse can be assured that the information they provide is confidential and will not be shared with other members of staff without their permission. The Council will respond sympathetically, confidentially and effectively to any member of staff who discloses that they are suffering from domestic abuse.

Where domestic abuse in a same sex relationship is disclosed, due regard will be paid to the double disclosure of confidential information if the individual recipient of abuse is not out at work.

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 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, unless we are required to do so by

law, or the information is necessary for the protection of children or vulnerable adults or where the Council needs to act to protect the safety of employees.

In circumstances where the Council has to breach confidentiality, it will seek specialist advice before doing so. If it decides to proceed in breaching confidentiality after having taken advice, it will explain with the employee why it is doing so.

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.

All records concerning domestic abuse will be kept strictly confidential. No local records will be kept of absences related to domestic abuse and there will be no adverse impact on the employment records of victims/survivors of domestic abuse.

Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.

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.

The council treats personal data, which is collected and used in association with this policy, in accordance with the council's data protection policy. Information about how employee data is used and the basis for processing data is provided in employee privacy notice available on MIKE.

## **5. Employee Assistance Programme**

We are committed to providing support through the employee assistance programme, Care First. Care First provides confidential, impartial advice and support 24 hours a day, 365 days a year. The service is free to access whenever is needed. All counsellors are members of, and accredited to, the British Association for Counselling and Psychotherapy (BACP), with extensive experience and expertise in a variety of subjects including domestic abuse. The free counselling service phone number 0800 174 319.

## **6. External support**

We will signpost external sources of help and support for employees and managers, including information on:

- [Respect](#), which provides practical information and advice on domestic abuse for perpetrators, the abused, health and social care professionals, and family and friends;
- [the National Domestic Violence Helpline](#), which provides advice for those experiencing domestic abuse;
- [Business in the Community's domestic abuse toolkit](#) which helps ensures all employees feel supported and empowered by their workplace to deal with domestic abuse; and

## **7. Your line managers' role**

Line managers have a crucial role to play in enabling employees experiencing domestic abuse to seek help. We provide information and advice for all managers in handling sensitive issues (including domestic abuse), and are committed to raising awareness of domestic abuse in teams, and operating procedures for handling instances of domestic abuse.

The role of your line manager is to:

- identify employees experiencing difficulties as a result of domestic abuse (for example, holding regular conversations where wellbeing is an integral part of such conversations, and by fostering an open management culture that enables team members to disclose sensitive issues);
- provide support in the first instance, including specific advice on the options available, but also recognise the limitations of their role (referring to professional counsellors or experts where necessary);
- protect confidentiality in all instances (except in the requirements of child protection or other safeguarding instances);
- refer individuals to internal or external source of help and support,
- ensure that the safety of all employees in the team is protected; and
- enable the affected employee to remain at work during a difficult period in their domestic life, for example by using the special leave policies and procedures.

## **8. Attendance**

We recognise that those experiencing domestic abuse may need to be absent from work at times and will assist them by using our special leave policies.

Special paid leave may be needed for relevant appointments, including with support agencies, solicitors, social workers, counselling sessions, to rearrange housing or childcare, and for court appointments, as well as for educational courses developed to support victims/survivors of domestic abuse. Individual absences can be discussed and agreed between the employee and the line manager, with HR support where appropriate.

Absences will not count towards attendance management or capability triggers and should not be used against victims/survivors in disciplinary procedures.

## **9. Safe Leave**

All employees are entitled to take up to 10 days Safe Leave during each holiday year if experiencing domestic abuse or violence in order to access help and support. This will not affect entitlement to holidays or the level of sickness absence. This can be taken as one block or in increments. Any Safe Leave taken will be at full pay, which will be calculated in the same way as holiday pay. Employees who wish to take Safe Leave should request such leave by speaking to their line manager.

## **10. Security and safety**

We will protect the safety and security of all employees at work, including those affected by domestic abuse and their colleagues.

We encourage employees to disclose that they are at risk from domestic abuse in order to receive this protection and we will seek to enable employees to disclose such facts by fostering a supportive and open management culture.

## **11. Equalities**

We are committed to promoting dignity and respect at work and implementing reasonable adjustments as may be required in carrying out this policy and associated procedures.

If an employee requires a policy or any supporting information in an alternative format, for example due to a disability or cultural reason, these may be made available upon request.

The council currently has an Equalities Action Plan in place, currently working on 3 areas which includes, recognition of barriers and minority backgrounds.

The Equalities Action Plan is reviewed and actions completed by the Corporate Equalities Group, which includes the Portfolio Holder (Member) for Equalities and our shared Equalities Officer, with Leads from teams across Melton Borough Council, who have taken responsibility for Equalities actions within their service areas.

## **12. Wellbeing**

We are committed to providing a healthy and safe place of work and the wellbeing of all of our employees is paramount. The application of this policy should take into account employee wellbeing.

Domestic abuse includes any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are personally connected to each other. The 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 or psychological, emotional or other abuse, regardless of whether the behaviour consists of a single incident or a course of conduct. For the purpose of the Domestic Abuse Act, domestic abuse can include behaviour directed at another person such as a child.

### **Physical or sexual abuse**

- Physical abuse can involve shaking, smacking, punching, kicking, grabbing and biting, starving, tying up, stabbing, suffocation, throwing things, using objects as weapons, female genital mutilation, 'honour violence'. (Physical effects are often on areas of the body that are covered and hidden.)
- Sexual abuse can involve forced sex, forced prostitution, ignoring religious prohibitions about sex, refusal to practice safe sex, sexual insults, sexually transmitted infections, preventing breastfeeding, forced to be filmed or photographed naked.

### **Violent or threatening behaviour**

- Violent or threatening behaviour is any act or threat of physical, verbal, or psychological aggression or the destruction or abuse of property by any individual, this can include intimidation or intentional behaviour that causes another person to fear injury or harm. Stalking is included in this description.

### **Controlling or coercive behaviour**

- 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.

### **Economic abuse**

- Economic abuse means any behaviour that has a substantial adverse effect on somebody's ability to acquire, use or maintain money or other property, or obtain goods or services.
- Economic abuse can also include not letting a person work, undermining their efforts to find work or study, refusing to give them money, taking their money, asking for an explanation of how every penny is spent, making them beg for money, gambling, not paying bills.

### **Psychological, emotional or other abuse**

- Intimidation, insulting, isolating a person from friends and family, criticising, denying abuse, treating them as inferior, threatening to harm children or take them away, forced marriage. Swearing, undermining confidence, making racist remarks, making a person feel unattractive, calling them stupid or useless, eroding their independence, threatening suicide if the person leaves them.

This definition includes issues such as so called 'honour based violence' (HBV), female genital mutilation (FGM) and forced marriage (FM).

Domestic abuse and other forms of violence against women are most commonly perpetrated by men against women. However, the Council recognises that controlling and abusive behaviour can also occur in same sex relationships and can be perpetrated by women against men. Domestic abuse can happen to anyone, regardless of gender, sexuality, ethnic group or religion.

Domestic abuse is rarely a one-off incident and it is the cumulative and interlinked types of abuse that have a particularly damaging effect on the victim. Once it has started it often becomes more frequent and more violent. On average, a victim/survivor of domestic abuse is assaulted 35 times before they report the matter to the police.

Many forms of Domestic Abuse are a crime and as such any allegations are dealt with seriously by the police.

The Domestic Abuse Act 2021 sets out the legislation in relation to Domestic Abuse. This includes legal protection for victims/ sufferers which may include access to housing.

The Serious Crime Act 2015 specifically details how non-violent coercive behaviour where the individual fears the application of violence is a serious crime. The act explicitly criminalises patterns of coercive or controlling behaviour where they are perpetrated against an intimate partner or family member.

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

### **Trauma & Domestic Abuse**

The Council recognises that anyone who is a victim or survivor of domestic abuse has experienced a trauma and may require ongoing support. This may affect how an individual reacts or responds to situations and it is important that line managers and colleagues are aware and can support individuals where needed.

Trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual wellbeing. Therefore, by its nature domestic abuse is a traumatic experience.

Professionals supporting victims and survivors of Domestic Abuse are now using a "trauma informed" approach to support individuals. Being "trauma informed" means being able to recognise when someone may be affected by trauma, collaboratively adjusting how we work to take this into account and responding in a way that supports recovery, does not cause further harm and recognises and supports people's resilience. The key principles underpinning trauma-informed practice, services and systems are safety, collaboration, trust, empowerment, choice and respect diversity.

Whilst living through trauma is relatively common, the experience and its impact is often hidden. Domestic abuse may impact a survivor's coping responses, and experiences of coercive control may impact their relationships with others and create barriers for seeking help and engaging with services.

Trauma may present itself in the following ways:

- Difficulty with emotional regulation, irritability
- Hyper-arousal, flashbacks, nightmares, startle reaction



- Memory and concentration problems
- Anxiety and finding it difficult to relax
- Pain,
- Sleep disturbances, illness,
- Substance abuse issues
- Short attention span
- Easily distracted slowed thinking, difficulty with decisions
- Intrusive thoughts, confusion
- Changed sense of self, others, and the world loss of sense of time and space
- Trouble with abstract concepts, complex directions.

Post-traumatic stress disorder (PTSD) can develop in anyone after experiencing or witnessing a major life-threatening event. This can include domestic abuse as it exposes the person to extremes of fear, helplessness, and vulnerability. Not every person who experiences trauma will go on to experience symptoms of PTSD, however domestic abuse statistics show the high percentage of PTSD in domestic abuse survivors.

## Guidance for Officers

### Step One – Recognise the problem

Warning signs of domestic abuse are:

#### Work productivity

- Change in the employee's working patterns for example frequent absence, lateness or needing to leave work early
- Reduced quality of work for example missing deadlines or drop in usual performance standards
- 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 or emails
- Spending an increased number of hours at work for no reason
- Frequent visits to work by the employee's partner, which may be indicative of coercive and controlling behaviour.

#### Changes in behaviour

- Becoming very quiet, anxious, frightened, tearful, aggressive, distracted or depressed
- Becoming isolated from work colleagues/not socialising outside of work
- Obsessed about leaving work on time
- Secretive about home life
- Worried about leaving children at home

#### Physical indicators

- Visible bruising or single or repeated injury with unlikely explanations
- Change in manner of dress for example clothes that do not suit the climate which may be used to hide injuries
- Change in the pattern or amount of make-up used.

These are just a few characteristics and it is important to remember that different people will act in different way. You know your team best and will have a level of awareness to recognise when an employee needs support and help.

### Step 2 - Respond

It is important that you believe an employee if they disclose experiencing domestic abuse, it is not appropriate to ask for proof. You must take a sensitive and non-judgmental approach when supporting to an employee who is a victim of domestic abuse. This should include:

- Taking the employee seriously, taking time to listen to them

- Ensuring that any discussion about the employee's situation takes place in privacy and that you respect their confidentiality as far as possible (see confidentiality paragraph in the policy on supporting employees experiencing domestic abuse)
- Understanding that the employee may not wish to approach you and may prefer to involve a third party such as a Domestic Abuse Champion, colleague, Human Resources Officer or Trade Union representative, or seek support outside of the workplace. It may be appropriate to offer the option of speaking to a third party who will be able to advise the employee and/or their line manager on what measures can be taken.
- If an employee does not wish to speak to you, this should be respected, however they should be advised of the difficulties which may arise if you are not aware of the relevant facts and circumstances.
- Being aware that there may be additional issues faced by the employee for example because of their age, gender, sexuality, ethnic origin, disability;
- Being non-judgemental as the employee may need some time to decide what to do and may try various options during this process. Research has shown that it can take a long time to break free of an abusive relationship. It should not be assumed therefore, that because an individual returns or stays in an abusive relationship that the abuse was not severe or did not take place. Surveys have shown that on average a victim will suffer serious assault and abuse around 35 times before it is reported to the police;
- Being aware of what support is available and exploring these options with the employee. However, if the employee does not want to contact other agencies, their wishes must be respected.

### **Step 3 – Provide support**

There are practical steps you must consider taking when you are aware that an employee is experiencing domestic abuse. Think about the actions within your control you can take/put in place to support the employee. The action possible will be dependent on the nature/location of work but could include:

- Improving security measures, such as changing keypad number or ensuring that access to buildings is open to authorised employees only
- Reminding reception staff or switchboard not to divulge information about employees, especially personal details such as addresses, telephone numbers or shift patterns;
- Offering temporary or permanent changes in workplace, work times and patterns, or helping to make the employee less at risk at work and on their journey to and from work. This could include changes to office layout to ensure that the employee is not visible from reception points or from ground floor windows;
- Offering changes in specific duties, such as answering phones or working in the reception area, or in exceptional circumstances transfer to another post.
- Agreeing what information to disclose to colleagues and how they should respond if the abuser rings or calls at the workplace. Providing colleagues with a photograph of the abuser and other relevant details such as car registration number may help maintain an employee's security in the workplace.

- Making sure that the systems for recording employee whereabouts during the days are adequate and if the work requires visits outside the office, consider how risks can be minimised (for example changing duties or allowing another colleague to accompany them on certain journeys).

You will know what is operationally possible within your service/team and it is the Council's expectation that you consider all reasonable options to support an employee and help them at work.

## Step 4 – Signpost to Specialist Agencies

As a supportive manager it is important to be aware of the range of specialist agencies available to victims of domestic abuse both nationally and locally. This knowledge will be critical in supporting an employee seek the help available.

### Local Specialist Agencies

Agency	Telephone Number
LWA – Living Without Abuse	0808 80 200 28
Leicestershire Women's Aid	0808 80 20 028
FREEVA – Free from Violence and Abuse	0808 802 0028

### National Specialist Agencies

Agency	Telephone Number
Refuge ( 24 Hour Helpline)	0808 200 0247
Gingerbread – for single parent families	0808 802 0925
GALOP – LGBT+ victims and survivors	0300 999 5428
<u>Imkaan</u> - UK-based, umbrella women's organisation dedicated to addressing violence against Black and Minoritised women and girls i.e. women which are defined in policy terms as Black and 'Minority Ethnic' (BME).	<u>+44 20 7842 8525</u>
Respect (helpline for domestic abuse perpetrators)	0808 802 4040 0808 801 0327 (men)

<p> <b>Flows – Finding Legal Options for Women Survivors</b> </p>	<p> <b>0203 745 7707</b>  <u>Contact the FLOWS team   FLOWS</u> </p>
<p> <b>Men’s Advice Line</b> </p>	<p> <b>0808 801 0327</b> </p>
<p> <b>Mankind</b> </p>	<p> <b>01823 334244</b> </p>
<p> <b>The Samaritans</b> </p>	<p> <b>116 123</b> </p>

**Other Useful Contacts**

Agency	Telephone Number
<b><i>Unison</i></b>	<u>0116 299 5103</u>
<b><i>Unite</i></b>	<u>0116 253 2020</u>
<b><i>GMB</i></b>	<u>0116 232 4515</u>
<b><i>Credit Union (Clockwise Credit Union)</i></b>	<u>01162423900</u>

## **Employees who are Perpetrators of Domestic Abuse      Appendix C**

Domestic abuse perpetrated by employees will not be condoned under any circumstances nor will it be treated as a purely private matter.

The Council recognises that they have a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds and is clear that abuse is always unacceptable. There may be signs of uncharacteristic or other types of behaviour that may be indicative of a 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.

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. The Council will treat any allegation, disclosure or conviction of a domestic abuse related offence on a case-by-case basis with the aim of reducing risk and supporting change.

Perpetrators of domestic abuse have a responsibility to ensure their behaviour at work reflects the values of the Council and follow the Code of Conduct.

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 HR so that appropriate action, if any, can be agreed.

Should the perpetrator's actions or statements suggest that an adult or child is at risk, managers should refer or report concerns and seek guidance from senior managers and relevant specialist services.

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, in addition to considering disciplinary proceedings against the employee who is perpetrating the abuse, every effort should be taken to ensure that the victim and perpetrator do not come into contact in the workplace and 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 and withdrawing the perpetrator's access to certain computer programmes or offices.

Where perpetrators of domestic abuse have misused workplace resources such as telephone, e-mail, or other IT systems 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 Information security and acceptable use policy and advice can be sought from HR to determine whether disciplinary proceedings should be followed 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.

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

If an employee approaches the Council about their abusive behaviour, the Council will provide information about the services and support available to them and will encourage the perpetrator to seek support and help from an appropriate source.

Where allegations are made against an employee, the Council is committed to ensuring that:

- allegations will be dealt with fairly and in a way that provides support for the person who is the subject of the allegation or disclosure
- all employees will receive guidance and support
- confidentiality will be maintained and information restricted only to those who have a need-to-know
- investigations will be thorough and independent
- all cases will be dealt with quickly avoiding unnecessary delays
- all efforts will be made to resolve the matter within four to six weeks, although some cases will take longer because of their nature or complexity.

The alleged perpetrator will be:

- treated fairly and honestly
- helped to understand the concerns expressed and processes involved
- kept informed of the progress and outcome of any investigation and the implications for any disciplinary process
- advised to contact their union or professional organisation.

If it becomes evident that an employee has made a malicious allegation that another employee is perpetrating abuse then this will be treated as a serious disciplinary offence and action will be taken.

## **Support Available for Perpetrators of Domestic Abuse**

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 contact one of the following support agencies:

### **Respect**

The Respect phone line is a confidential helpline offering advice, information and support to help individual to address their controlling or violent behaviour. This service is run and managed by Respect the national association for professionals working with people to end their abusive behaviour.

Website: [Respectphoneline.org.uk](http://Respectphoneline.org.uk)

Telephone: 0808 802 4040

### **AVP Britain**

AVP is for anyone who wants to handle conflict, deal with strong feelings like anger and build better relationships

Website:[avpbritain.org.uk](http://avpbritain.org.uk)

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. Attendance on such a programme should also be monitored to ensure completion.