

HUMAN RESOURCES POLICY

DOMESTIC ABUSE IN THE WORKPLACE

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1	March 2017	New Policy

Equality Impact Assessment

Date	Issues
02 February 2017	Policy to be made available in alternative formats, font size adjustment, braille, audio etc.

Policy Validity Statement

This policy is due for review on the latest date shown above. After this date, policy and process documents may become invalid. Policy users should ensure they are consulting the currently valid version of the documentation.

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1. Introduction

- The CCG has a responsibility to provide all staff with a safe and effective working environment. For some staff, the workplace is a safe haven and the only place that offers routes to safety.

1.2 The CCG acknowledges that domestic abuse is a significant problem which has a devastating impact on victims and their families. This policy represents a commitment to take all reasonable steps possible to combat the reality and impact of domestic abuse on those being abused and to challenge the behaviour of perpetrators.

1.3 This policy ensures that both victims and perpetrators of domestic abuse are aware of the support that is available within the organisation. It also provides guidance to line managers when supporting staff who are affected by domestic abuse.

1.4 It is important to note that domestic abuse is not condoned under any circumstance and all staff must adhere to the available standards of professional behaviour.

- Definitions

2.1 Domestic abuse is defined by the Home Office as:

“Any incident of controlling, coercive or threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 16 and over, who are or have been intimate partners or are family members, regardless of gender and sexuality.”

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

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

See Appendix 1 - Types of domestic abuse.

2.4 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. 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 with different groups.

- The impact of domestic abuse in the workplace

3.1 It should be noted that there may be incidents which occur in the workplace or specifically affect the work of a member of staff. Possible signs of domestic abuse include:

- 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 absenteeism without an explanation
- needing regular time off for appointments
- inappropriate or excessive clothing particularly if a significant change

3.2 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 unaware of the abuse or not knowing how to help.

3.3 The impact of domestic abuse on the employer

Some effects may include:

- Negative impact on performance and morale
- Staff turnover, as employees may have to leave work or move away to escape abuse.

3.4 The CCG expects all staff to report their concerns if they suspect a colleague is experiencing or perpetrating abuse. A member of staff should speak to their line manager about their concerns in confidence.

3.5 Alternatively a confidential reporting line is now available through Crime Stoppers 0800 111 4444. This is a 24 hour hotline that allows any member of staff to report any concern they may have about a colleague or practices in the workplace. The hotline can be used anonymously.

- Confidentiality and right to privacy

4.1 Staff who disclose that they are a victim of domestic abuse can be assured that the information they provide is confidential and will not be shared with other colleagues without their permission.

4.2 There are however, some circumstances in which confidentiality cannot be assured. This may occur when there are concerns regarding children, vulnerable adults or where the organisation is required to protect the safety of their staff.

4.3 In these circumstances, the member of staff will be informed as to the reasons why confidentiality cannot be maintained. As far as possible, information will only be shared on a need to know basis.

4.4 However confidentiality cannot be assured for staff who disclose that they are a perpetrator of domestic abuse.

- Support for staff

5.1 There are a number of ways in which staff experiencing domestic abuse can be supported by the organisation such as;

- through offering practical support
- raising awareness generally of the issues and in particular amongst managers
- providing training opportunities to line managers
- signpost to an appropriate counselling service if appropriate
- taking a clear anti-abuse stance against perpetrators.

5.2 It is essential staff feel able to disclose this personal information and are encouraged to discuss this with their line manager. However if they feel unable to raise this with their line manager, support is available from second line managers, the HR team and the Safeguarding

Team.

5.3 Within the CCG confidential advice and support is available from the contacts identified in appendix

6. Support for line Managers

6.1 Identifying domestic abuse

6.1.1 Domestic abuse is unlikely to be disclosed easily by victims or perpetrators. There are a number of steps that can be taken to address the workplace effects of domestic abuse including how to recognise the problem, respond, provide support and refer to the appropriate help.

6.1.2 See appendix 2 - Ten steps to address the effects of domestic abuse
Below is guidance for line managers when facilitating a conversation with a member of staff about domestic abuse.

6.1.3 See appendix 3 - Asking difficult questions – Guidance for line managers
If line managers require further advice or assistance before speaking to a member of staff, further support is available from Human Resources (HR) Advisers/ managers or the Safeguarding Team.

6.2 Support available

6.2.1 Line managers may consider offering a broad range of support to staff experiencing domestic abuse including:

- annual leave, flexi-time or lieu time for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments.
- special leave provisions (e.g. compassionate leave or unpaid leave) where the member of staff's annual leave entitlement has been exhausted.
- temporary or permanent changes to working times and patterns using existing procedures i.e. flexible working.
- changes to specific duties, for example to avoid potential contact with the perpetrator in a customer facing role.
- measures to ensure a safe working environment, for example blocking emails / screening telephone calls; alerting reception / security if the perpetrator is known to come to the workplace; and ensuring arrangements are in place for safely travelling to and from work.
- redeployment or relocation.
- with the member of staff's consent:

- advise colleagues on a need-to-know basis and agree a response if the perpetrator contacts the workplace.
- provide a photograph of the perpetrator to line management, security staff and reception.
- review the security of personal information held, such as temporary or new address and bank details.

6.2.2 The right of staff to make their own decision about the course of action at every stage will be respected. It is recognised that a member of staff may need some time to decide what to do and may try different options during this process.

6.3 Perpetrators

6.3.1 Domestic abuse perpetrated by staff **will not** be condoned under any circumstance nor will it be treated as a purely private matter. Staff should be aware that domestic abuse is a serious matter which can lead to criminal convictions.

6.3.2 Conduct outside of work may lead to disciplinary action being taken against a member of staff; as such conduct may undermine the confidence and trust the organisation has in them. However, the CCG recognises that it has a role in encouraging and supporting perpetrators to address violent and abusive behaviour of all kinds.

6.3.3 If a member of staff discloses perpetrating domestic abuse, the police should be informed as well as the HR Adviser/ Manager so that the disciplinary or other internal procedures can be considered. However, the member of staff will be provided with information about the services and support available to them.

6.3.4 This procedure can be applicable in cases where a member of staff has:

- behaved in a way that has harmed or threatened their partner
- possibly committed a criminal offence against their partner
- had an allegation of domestic abuse made against them
- disclosed concerns about their behaviour within an intimate relationship.

6.3.5 The CCG will ensure:

- allegations will be dealt with fairly and in way that provides support for the person who is the subject of the allegation or disclosure
- all staff will receive guidance and support
- investigations will be sufficiently independent.

6.3.6 The accused member of staff 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

6.4 Victims and perpetrators working for the CCG

6.4.1 In cases where both the victim and perpetrator of domestic abuse work for the CCG appropriate action will be taken.

6.4.2 In addition to considering disciplinary action against the perpetrator, action may need to be taken to ensure that the victim and perpetrator do not come into contact in the workplace.

6.4.3 Action may also need to be taken 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 or withdrawing the perpetrators access to certain computer programs. Further advice should be sought from the HR team.

7. Advice and Support

- Further advice and support is available from the contact details which are provided in Appendix 4 of this document.

8. Equality Statement

8.1 In applying this policy, the CCG will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, Trade Union membership, or any other personal characteristic.

8.2 An Equality Analysis has been carried out on this policy and can be viewed in Human Resources.

9. Monitoring and Review

9.1 The policy and procedure will be reviewed periodically by Human Resources in conjunction with operational managers and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

10. Associated Documentation

- Safeguarding Vulnerable People in the NHS: Accountability and Assurance Framework (NHS England, 2015)
- Managing Allegations Against Staff Policy (HR40)
- The Care Act (2014).
- Working Together to Safeguard Children and Young People (2015, page 54)
www.unison.org.uk/welfare
- Children Acts (1989 and 2004),

- Family Law Act 1996 (amended in Part 1 of the Domestic Violence Crime and Victims Act 2004), Protection from Harassment Act 1997
- Health and Safety at Work etc. Act 1974 (the “1974 Act”). Management of Health and Safety at Work Regulations 1999 (the 1999 Regulations). Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. Health and Safety (Consultation with Employees) Regulations 1996.

Appendix 1

Types of Abuse

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

Emotional and psychological

Emotional or psychological abuse can be either verbal or nonverbal.

This kind of domestic abuse chips away at the confidence and independence of the victim to make them compliant and limit their ability to leave their abuser.

Emotional abuse can include verbal abuse such as yelling, name-calling, blaming and shaming, isolation, intimidation, threats of violence and controlling behaviour.

Physical

A wide range of different behaviour can come under the heading of physical abuse and can include punching, slapping, hitting, biting, pinching, kicking, pulling hair out, pushing, shoving, burning and strangling.

Sexual

Rape and sexual abuse is common in abusive relationships due to the victim’s refusal of consent being ignored.

Any situation where someone is forced to take part in unwanted, unsafe or degrading sexual activity is sexual abuse.

Financial

Economic or financial abuse limits the victim’s ability to get help.

The abuser controls finances; withholds money or credit cards; makes someone unreasonably account for the money they spend; exploits assets; withholds basic necessities; prevents someone from working or sabotages the victim’s job and deliberately runs up debts.

Ten steps to address the effects of domestic abuse

There are a number of steps that line managers can take to address the effects of domestic abuse. In many cases it is about being aware and signposting to the organisations that provide specialist support.

Below are ten steps that can be taken:

Recognise the problem

- Look for sudden changes in behaviour and / or changes in the quality of work performance for unexplained reasons despite a previously strong record.
- Look for changes in the way the member of staff dresses, for example excessive clothing on hot days, changes in the amount of make-up worn.

Respond

- Believe a member of staff if they disclose experiencing domestic abuse – do not ask for proof.
- Reassure the member of staff that the organisation has an understanding of how domestic abuse may affect their work performance and the support that can be offered.

Provide support

- Divert phone calls and email messages and look to change a phone extension if a member of staff is receiving harassing calls.
- Agree with the member of staff what to tell colleagues and how they should respond if their ex/partner telephones or visits the workplace.
- Ensure the member of staff does not work alone or in an isolated area and check that they have arrangements for getting safely to and from work.
- Keep a record of any incidents of abuse in the workplace, including persistent telephone calls, emails or visits to the workplace.

- Provide access to supportive literature i.e. leaflets and posters. Ensure these are placed in discrete locations e.g. putting up posters on the backs of toilet doors.
- Have a list of the support services offered in your area that is easily accessible and refer staff to appropriate organisations that deal with domestic abuse.

Appendix 3

Asking difficult questions – guidance for line managers

If you suspect that a member of staff is experiencing domestic abuse, you should facilitate a conversation to discuss this and identify / implement appropriate support.

Shying away from the subject can perpetuate fear of stigma and increase feelings of anxiety. Often staff will not feel confident in speaking up, so making the first move to begin a conversation can be key.

You should ask the member of staff indirect questions, to help establish a relationship and develop empathy. Below are some examples of questions that could be used:

- How are you doing at the moment? Are there any issues you would like to discuss with me?
- I have noticed recently that you are not yourself. Is anything the matter?
- Are there any problems or reasons that may be contributing to your frequent sickness absence / under-performance at work?
- Is everything all right at home?
- What support do you think might help? What would you like to happen? How?

Avoid victim blaming. It is important that you are able to provide a **non-judgemental** and **supportive** environment. Respecting boundaries and privacy is essential.

Even if you disagree with the decisions being made regarding a member of staff's relationship, it is important to understand that a victim of domestic abuse may make a number of attempts to leave their partner before they are finally able to do so.

Your 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.

Internal Contacts

- **CCG Nominated Lead**

Name: Howard Stanley
 Position: Designated Nurse Safeguarding Adults
 Telephone: 0191 2172581
 Email: howard.stanley1@nhs.net

- **Human Resources**

necsu.hr@nhs.net
 0191 371 6087

External Contacts

There are a number of support groups both nationally and locally that can offer further advice and practical guidance on domestic abuse:

National Domestic Abuse Helpline Tel: 0808 2000 247 <i>Run by Women's Aid & Refuge</i>	The Freephone, 24-hour confidential National Domestic Violence Helpline, run in partnership between Women's Aid and Refuge, is a national service for women experiencing domestic violence, their family, friends, colleagues and others calling on their behalf.
Women's Aid Online Services Directory	https://www.womensaid.org.uk/domestic-abuse-directory/
Men's Advice Line Tel: 0808 801 0327 Email: info@mensadvice.org.uk	Offers advice and support for men in abusive relationships, both those experiencing violence and abuse from partners, and concerned about their own violence.
ChildLine Tel: 0800 1111 Web: www.childline.org.uk	ChildLine is a 24 hour private and confidential service for children and young people up to the age of nineteen.
Galop (Broken Rainbow) Tel: 0800 999 5428 Mail: help@galop.org.uk	Emotional and practical support for LGBT people experiencing domestic abuse.
Respect Tel: 0808 802 4040 Email: info@respectphoneline.org.uk	Helpline for Domestic Violence Perpetrators
Citizens Advice Bureau Tel: 08444 111 444	Free advice from Citizens Advice to help you find a way forward, whatever the problem.
Mankind National support line for male victims of domestic abuse. Tel: 01823 334 244	A national male only helpline which provides support for male victims of domestic abuse. Service available: Monday-Friday 10am-4pm and 7pm-9pm

Equality Impact Assessment

What impact will the new policy/system/process have on the following:**Age - Consider and detail age related evidence. This can include safeguarding, consent and welfare issues**

Appropriate methods of communication of the Policy have also been carefully considered to ensure they reach all ages of the workforce. Email and the internet can be accessed by all users in the workplace.

Disability - Consider and detail disability related evidence. This can include attitudinal, physical and social barriers as well as mental health/ learning disabilities

The disability status of the workforce across the region is unknown therefore relevant tools could be made available to staff that potentially do have a disability that the organisations are unaware of. For example, a process to access interpretation services such as BSL. The policy should be able to be communicated in alternative methods as required for those with a disability and/or visual impairment such as braille, large font, interpreters etc.

Gender reassignment (including transgender) - Consider and detail evidence on transgenderpeople. This can include issues such as privacy of data and harassment.

The policy does not include vocabulary that could cause offense or discriminate against any staff members that identify as transgender.

Marriage and civil partnership - Consider and detail evidence on marriage and civil partnership. This can include working arrangements, part-time working, caring responsibilities.

The content of this policy does not include vocabulary that discriminates against staff that may be married or part of a civil partnership.

The support described within the policy would be available to all staff regardless of marital status, working arrangements or responsibilities.

Pregnancy and Maternity - Consider and detail evidence on pregnancy and maternity. This can include working arrangements, part-time working, caring responsibilities.

The policy does not discriminate against staff that are currently pregnant or on maternity leave and can be accessed while on maternity leave or any other leave of absence via the organisation's website.

Part-time staff can access the policy whilst at work via the intranet.

Race - Consider and detail race related evidence. This can include information on difference ethnic groups, Roma gypsies, Irish travellers, nationalities, cultures, and language barriers.

A process should be in place for translation services to be made available where required.

Religion or belief - Religion is defined as a particular system of faith and worship but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

The policy does not discriminate against staff that hold any particular religion or belief.

Sex/Gender - Consider and detail evidence on men and women. This could include access to services and employment.

The Policy does not discriminate between staff that are men or women.

Sexual orientation - Consider and detail evidence on heterosexual people as well as lesbian, gay and bisexual people. This could include access to services and employment, attitudinal and social barriers.

The content of this policy and vocabulary used does not discriminate against staff based on their sexual orientation.

Carers - Consider and detail evidence on part-time working, shift-patterns, general caring responsibilities.

The content of this policy and vocabulary used does not discriminate against staff who have carer responsibilities.

the policy can be discussed in a 1-1 basis with the designated nurse if required.

Other Identified Groups and Health Inequalities - Consider and detail evidence on groups experiencing disadvantage and barriers to access and outcomes. This can include different socio-economic groups, geographical area inequality, income, resident status (migrants, asylum seekers). What is the potential impact of your work on health inequalities?

Other groups have been considered however as the policy is for staff there are no additional impacts on health inequalities.

Action Plan

Ref no.	Potential Challenge/ Negative Impact	Protected Group Impacted (Age, Race etc)	Action(s) required	Expected Outcome	Owner	Timescale/ Completion date
1	Staff unable to access policy due to particular characteristic	Age, disability	Have a process in place for alternative formats provided if required. As part of reasonable adjustments on appointment or during employment	All staff can access and use the policy. NECS HR or Equality Team can be contacted for any requests	Jenna McGuinness HR Manager	On receipt of individual request

			any policy should be adapted by the CCG	any requests.		
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