

Livewell Southwest

Domestic Abuse Employee Support Policy

Version 4.1
Review: May 2021

Notice to employee using a paper copy of this guidance

The policies and procedures page of Intranet holds the most recent version of this guidance. Employee must ensure they are using the most recent guidance.

Author: HR Manager & Integrated Safeguarding Lead for Adults and Children

Asset Number: 107

Reader Information

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Asset number	107
Rights of access	Public
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Category	HR
Document purpose/summary	The purpose of this document is to provide information to managers to support employee who may be experiencing incidents of domestic abuse. The policy also provides information to assist managers about what is expected of employee if they are concerned that a child is being impacted upon by domestic abuse.
Author	HR Manager & Integrated Safeguarding Lead for Adults and Children
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Is the Equality Act 2010 referenced	N/A
Associated documentation	<ul style="list-style-type: none"> • Substance Misuse – Drug & Alcohol Policy • Safeguarding Children Policy • Safeguarding Adults Policy • Domestic Abuse – Clinical Practice including Multi-Agency Risk Assessment Conference

	<ul style="list-style-type: none"> • Domestic Violence Multi-Agency Information Sharing Protocol • Disciplinary Policy
Supersedes document	All previous versions
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Document review history

Version no.	Type of change	Date	Originator of change	Description of change
1	New document	Jan 2005	S Behenna & H Clark	New document
2	Updated & full review	Oct 2006	S Behenna & J Hawkins	Document given full review and changed accordingly.
2:1	Updated	Nov 2006	J Brelsford	Minor changes for publication
2:2	Reviewed	Oct 2007	S Behenna	Reviewed, no changes made
2:3	Reviewed	Jan 2009	S Behenna	Reviewed pending new guidance, no changes made
2.4	Reviewed	Jun 2009	S Behenna	Reviewed, no changes made
2:5	Reviewed	May 2010	M Williams	Reviewed, no changes made.
2:6	Reviewed	June 2012	PRG	Review date extended, no other changes made.
2:7	Reviewed	July 2012	PRG	Review date extended, no other changes made.
2:8	Reviewed	Sept 2012	K Howard Adult Safeguarding Lead NHS Plymouth	Reviewed. LSW terminology and logo added – LSW info removed. Term workforce development (HR) added. Word Abuse added to domestic violence to update current terminology. Update of telephone numbers and change of name to domestic abuse support services
2:9	Extended	October 2014	HR Manager	Extended no changes
3.0	Full review and update	March 2015	HR Manager	Document given full review and changed accordingly
3.1	Extended	April 2018	HR Team Manager	Extended no changes.
4	Full Review	April 2018	HR Policy Group	Review of document, update formatting and clear language.
4.1	Minor amendment	February 2019	Assistant HR Administrator	Update to leaflet links and information on who provides support.

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1 Introduction

- 1.1 This Policy supports managers to help to keep employees safe at work. It fits with the strategic aims of good leadership at all levels within the system that works together to safeguarding people.
- 1.2 Any form of abuse is unacceptable. The person describing their experience of abuse should be believed and treated with dignity. The response should be culturally sensitive.
- 1.3 This policy does not form part of any employee's contract of employment and Livewell Southwest may amend it from time to time.
- 1.4 Employees may be entitled to alternative forms of absence or support; full details are available in the relevant policy or guidance documents.
- 1.5 Livewell Southwest is committed to fairness and equity and values diversity in all aspects of its work as a provider of health and social care services and as an employer of people. We constantly strive to build a workforce that is representative of the community it serves.
- 1.6 Livewell Southwest is committed to eliminating all forms of discrimination on the grounds of age, disability, gender reassignment, marriage / civil partnership, pregnancy maternity, race, religion or belief, sex and sexual orientation in the provision of our services and in recruitment and employment. This enables an environment that is characterised by dignity and respect which is free from harassment, bullying and victimisation.

2 Purpose

- A zero tolerance approach towards incidents of domestic abuse.
- Develop practices that support employees within Livewell Southwest CIC (LSW) who may be experiencing incidents of domestic abuse. Ensuring that any employee who experiences domestic abuse can raise the issue at work, without fear of stigma or victimisation, and will receive appropriate support and assistance.
- To manage situations where employees may be alleged perpetrators of domestic abuse.
- Employees experiencing domestic abuse should be given time and space to make choices and be supported, whatever decision they make. Responding sensitively and effectively to those needing help and support, including perpetrators.
- Any response by managers must ensure that the safety of the employee experiencing domestic abuse and any children in the household are a primary consideration.
- People living with domestic abuse will not necessarily want to end their relationship, and may decide to remain with or return to an abusive partner. This is their choice and should be respected. However, any child protection issue must be prioritised and progressed with child protection procedures implemented and followed where there are concerns for the welfare of the child/children. This is not a choice that someone experiencing domestic abuse can make.
- Child protection policies and procedures should be fully explained to parents to

enable their worries to be addressed. When child protection concerns are raised, appropriate support should be given to the parent.

- Managers should be aware that raising child protection concerns can increase the danger and risk of further abuse for the family. However, this does not override their responsibility to report child protection concerns [Safeguarding Children Policy](#).

3 Definitions

3.1 Definitions

<p>Domestic Violence and Abuse (definition from Gov.UK)</p>	<p>The cross government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, 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. The abuse can encompass, but is not limited to: psychological, physical, sexual, financial, and emotional.</p>
<p>Controlling Behaviour (definition from Gov.UK)</p>	<p>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.</p>
<p>Coercive Behaviour (definition from Gov.UK)</p>	<p>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.</p>
<p>Honour Based Violence (definition from CPS)</p>	<p>There is no specific offence of "honour based crime". It is an umbrella term to encompass various offences covered by existing legislation. Honour based violence (HBV) can be described as a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. The CPS, ACPO and support groups have a common definition of HBV: "Honour based violence is a crime or incident which has or may have been committed to protect or defend the honour of the family and/or community."</p>
<p>Forced Marriage (definition from CPS)</p>	<p>A Forced Marriage (FM) is a marriage conducted without the valid consent of one or both parties and where duress is a factor. FM is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014 and come into force on 16 June 2014.</p>
<p>Female Genital Mutilation (definition from NHS Choices)</p>	<p>Female genital mutilation (FGM) is a procedure where the female genitals are deliberately cut, injured or</p>

	changed, but where there's no medical reason for this to be done. It's also known as "female circumcision" or "cutting", and by other terms such as sunna, gudniin, halalays, tahur, megrez and khitan, among others. It is illegal in the UK and is child abuse.
MARAC	A Multi-Agency Risk Assessment Conference which draws together a number of agencies such as the police, housing, children's services and health. The purpose is to share information to enable the protection of adults and children who have been experiencing domestic abuse.
Domestic Abuse, Stalking and Honour Based Violence (DASH) Risk Identification Checklist.	A common checklist for identifying and assessing risk related to domestic abuse.

3.2 Examples of domestic abuse

- **Physical** – Shaking, smacking, punching, kicking, presence of finger or bite marks, starving, tying up, stabbing, suffocation, throwing things, using objects as weapons, female genital mutilation, 'honour violence'. Physical effects are often in areas of the body that are covered and hidden (i.e. breasts and abdomen).
- **Sexual** – Forced sex, forced prostitution, ignoring religious prohibitions about sex, refusal to practise safe sex, sexual insults, preventing breastfeeding.
- **Psychological** – Intimidation, insulting, isolating an adult from his or her friends and family, criticising, denying the abuse, treating people as inferior, threatening to harm children or take them away, forced marriage.
- **Financial** – Not letting an adult work (most usually women), undermining efforts to find work or study, refusing to give money, asking for an explanation of how every penny is spent, making the adult beg for money, gambling, not paying bills.
- **Emotional** – Swearing, undermining confidence, making racist remarks, making an adult feel unattractive, calling her or him stupid or useless, eroding independence.

4 Duties & responsibilities

4.1 The **Chief Executive** is ultimately responsible for the content of all policies, implementation and review.

4.2 Line Managers are responsible for:

- Ensuring that this policy is adhered to within their specified area, and should take consideration of it when undertaking relevant processes.

- Ensuring that employees are made aware of this policy and understand the potential implications of processes in relation to it.

4.3 Employees must:

- Ensure that they participate and engage in any processes and in line with this policy.
- Make their Manager aware if they require any additional support to participate in processes within this policy.

5 Supporting Information

5.1 Recognising the signs of domestic abuse:

5.1.1 There are various ways by which the problem of domestic abuse experienced by employees may come to light:

- The employee may confide in their colleagues/manager
- A colleague may inform their manager that a particular employee is suffering from domestic abuse
- It may come to light as a result of enquiries into a drop in performance or a significant change in behaviour
- You may be contacted confidentially by the police or another service to tell you that someone in your team may be perpetrating domestic abuse against another individual or employee

5.1.2 Below are some indicators of potential domestic abuse. The employee:

- Is uncharacteristically depressed, anxious, distracted, lacking in concentration, self-confidence or self-esteem
- Displays changes in the quality of work for no apparent reason
- Is receiving or making repeated upsetting telephone calls/faxes/emails
- Displays increased absenteeism or lateness and/or with unusual explanations
- Repeatedly requires time off for appointments
- Displays repeated injuries or unexplained bruising
- Displays unusual use of alcohol or other substances
- Avoids lunch breaks or socialising outside work
- Excessive 'clock-watching' or anxiety about leaving work on time
- Is nervous on arrival and when leaving work
- Is reluctant to leave work at the end of the working day
- Begins to isolate themselves at work
- Wears excessive clothing

5.1.3 It is essential to understand that any of the above may arise from a range of circumstances of which domestic abuse may be one. If you suspect an employee is being affected by domestic abuse, you need to raise this possibility with them in a sensitive way, starting with what you have observed of their behaviour. You may then be able to explore, in a sensitive way, if there are any

problems at home or in their relationships and stating that you or an appropriate other within the organisation would be happy to support them in dealing with them and in finding other sources of help.

5.1.4 If approached by an employee, managers need to be prepared to listen, to be sensitive and non-judgemental in order that the most appropriate help can be offered.

5.1.5 Managers must understand that they are not counsellors or domestic abuse specialists. Counselling and more in-depth specialist support is to be left to trained professionals and no one should attempt to act in place of a domestic abuse expert or counsellor.

5.2 Recognising and progressing any child protection concerns:

LSW has a Safeguarding Children Policy that describes when to be concerned about a child's physical and emotional well-being and advises who to talk to about that and how to make a referral to Children's Social Care. It can be accessed here [Safeguarding Children Policy](#). This Policy should also be used if a child discloses domestic abuse between adults living in or visiting the family home.

5.3 Why is domestic abuse in the workplace an issue?

5.3.1 Incidents of abuse and stalking that occur in the workplace require clear and effective employer responses because they are very damaging and potentially dangerous for those being abused and for their colleagues.

5.3.2 Exposure to domestic abuse or stalking can have a profound impact on employees and can result in:

- Employee absenteeism and turnover
- Lost productivity
- Stress
- Employees developing difficulties with self-harm, addiction or mental health
- Workplace violence that threatens the safety of all employees
- Negative impact on other staff
- An influence on a practitioners clinical judgement possibly resulting in some transference onto their clients

5.3.3 Identification of domestic abuse at an early stage can lead to appropriate help and information being offered, which can reduce repeated work absences or the resultant burden on colleagues, and can ultimately reduce and prevent the extent of domestic abuse experienced.

6 Helping the Employee Decide What to Do Next

6.1 Domestic Violence Disclosure Scheme (DVDS)

This is a scheme that can be used by anyone and is commonly known as

'Clare's Law'. The DVDS is something that can be accessed to provide information that may keep safe potential victims of domestic abuse. It is a rare opportunity to be proactive and potentially prevent domestic abuse.

It is important to remember that anyone can make an application to the police about an individual who is in an intimate relationship with another person and there is a concern that the individual may present a risk of harm to their partner. This leaflet; [Plymouth Domestic Abuse](#) tells the adult all about the scheme and how it works. This is a leaflet for people who are concerned that someone they know may be at risk of domestic abuse; [Plymouth Domestic Abuse](#) and this is the leaflet that the police will send to the person about whom the disclosure has been made [Plymouth Domestic Abuse](#).

The aim of this scheme is to give members of the public a formal mechanism to make inquiries about an individual they are in a relationship with or someone they know, and there is a concern that the individual may be violent towards their partner. This is known as the 'right to ask.'

- 6.2 Support for the employee; there are a range of things a manager can appropriately do to offer information and support. The first thing a manager should do is provide the employee with a copy of this leaflet; [Plymouth Domestic Abuse](#).
- 6.3 Seeking help can be frightening and not everyone who experiences domestic abuse feels able to change the situation. Remember that talking about domestic abuse can be a first step and it may take some time before people feel confident enough to seek help. People will usually want one of the following:
 - No action at all.
 - Just to talk about it and to manage the situation as best they can.
 - To take steps to be safe. This might include reporting to the Police.
- 6.4 LSW recognises that employees experiencing domestic abuse normally have the right to complete confidentiality and those 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. However, in some extreme circumstances this right may have to be overruled, for example to protect children or vulnerable adults or where the employer needs to act to protect the safety of employees. 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.
- 6.5 It is important not to be judgemental if employees find it difficult to make a positive change in their situation; they may be struggling with reconciling pressures from family, children, financial and housing issues as well as the abuse and control of a partner. They may be concerned about how a disclosure will affect their employment opportunities. Managers should address the issue positively and sympathetically and ensure that the employee is aware of the support and assistance available. The aim of any intervention should be to reduce risk, support positive change and thereby to empower employees to be able to carry out their duties effectively.

- 6.6 Managers should discuss and agree with the employee what to tell colleagues, including how they should respond if the perpetrator telephones or calls at the workplace.
- 6.7 An employee who is a victim of domestic abuse may require time off from work when attempting to seek help or leave an abusive relationship. Where domestic abuse has been reported, managers will need to treat unplanned absences and temporary poor timekeeping sympathetically. Absence directly related to domestic abuse will be treated in a sensitive and sympathetic way.
- 6.8 Leave requests may be made in relation to appointments with support agencies, welfare agencies, legal advisors, housing agencies, to attend relevant court hearings, or perhaps to arrange for suitable childcare. In the first instance paid time off should be allowed and agreed on an individual basis, in addition it may be that depending on circumstances necessary to agree:
- Short periods of special leave, flexi leave or annual leave
 - Agree to the use of temporary flexible working patterns (change of hours or change of workplace) so the employee can seek protection, go to court, look for new housing, or enter counselling
 - If a victim has to relocate, managers should make reasonable allowance for different travel to work arrangements, e.g. having a longer journey to work or to school before the working day
 - Share information on payroll details and how to change their bank account information.
- 6.9 Employees affected by domestic abuse may find coping with making changes overwhelming and struggle to maintain their performance at work. It may be appropriate to offer changes to specific duties, for example to avoid potential contact with an abuser in a customer-facing role or if their abuser is a work colleague. In exceptional circumstances, employees may have to be redeployed, if alternative arrangements cannot easily be made.
- 6.10 Any special arrangements that are agreed with an employee, either temporary or permanent, should be recorded on line management records and the details of the agreement maintained confidentially, with other members of staff only being informed of the details on a “need to know” basis.
- 6.11 If the individual is ready to leave then help them to think about:
- Do they have somewhere to go?
 - Help them to contact Plymouth Domestic Abuse Services (PDAS) on **01752 252 033** or Police Domestic Abuse Unit 101 (non-emergency number).
 - Discuss options such as refuge accommodation or bed and breakfast, staying with family and friends.
 - Check whether or not they need immediate police protection and/or legal advice.
 - The adult’s safety and that of any children is of paramount importance.
 - Access finances to help them leave a situation, on a case by case basis LSW

will consider a crisis loan for the employee which will be repaid through salary at an agreed rate. Please liaise with HR for further information.

- 6.12 Supporting employees who wish to take no action at all; if the employee does not want any action at all, then (unless there are child protection concerns or you feel they are at risk of imminent harm) then that is their choice. Give them this leaflet; [Plymouth Domestic Abuse](#). The general advice is always to encourage and support the employee to report to the police, and managers should do so without placing any pressure to follow that advice.
- 6.13 Supporting employees who wish to talk; if the employee simply wants to talk about their situation and to manage the situation as best they can, then it may be within your role as their manager to provide that regular and ongoing support. If not you can, with informed consent, make a referral to a service that can offer support. This is a link to the [Plymouth Domestic Abuse](#) and you should also give them a copy of this leaflet; [Plymouth Domestic Abuse](#).
- 6.14 Always respect the wishes of the employee. If they do not want to take any action at this time and providing that there are no children at risk or the adult at risk of imminent harm, just listen. An appropriate response at this stage may allow them to do something at a later date. It is sometimes useful to build up a crisis plan with the individual to help them feel in control of their life. Leaving the perpetrator can feel a huge issue and is a point of significant risk. Breaking safety down into a list of actions may raise confidence and provide the first stepping stones to moving away from an abusive situation.

It could include suggestions such as:

- Identify a safe place where they can quickly and easily use the phone.
- Advise them to always carry a list of emergency numbers and to use 999 to keep themselves safe if at risk of imminent harm.
- Where possible advise they keep 'emergency' credit on their mobile phone.
- Leave an extra set of keys for the house or car with someone they trust.
- Keep the keys, any medication, crisis fund, important documents, passport, driving license birth certificate etc. and a set of clothes for themselves and the children, packed in a bag so that they can quickly get it and take with them. Do not forget personal photographs, mementoes, children's special toys etc. This bag can be kept with a 'safe' person for safety.
- Make plans for pets should the individual/family need to flee quickly.
- Decide what to tell the children and think about what support they will need.

6.15 Sources of support;

For employees who wish to receive help to be safe and which may include a police response for the perpetrator and there is no risk of imminent harm then they should be supported to telephone the **Devon & Cornwall Police** on their **non-emergency number 101**. Calls to the Police for an emergency response are made to 999.

Plymouth Domestic Abuse Service (PDAS) exists to support women and men affected by domestic abuse. The service includes a women's refuge and can

support immediate and longer term safety planning. **They can be contacted on 01752 252 033.** Making the decision to leave is a critical point and is the reason why we ask all adults to consider a safety plan, and advise them that PDAS will help with this. Managers should encourage and support the employee to contact PDAS.

For employees not working within Plymouth, support can be provided by the Council in which the employee lives and pays their council tax to. For Devon County Council the helpline number is 0345 155 1074. For Cornwall County Council the helpline number is 01872 225 629.

7 What to do in situations where employees are perpetrating domestic abuse

- 7.1 Conduct outside work (whether or not it leads to a criminal conviction) may have employment implications. Harassment and intimidation by anyone who also works for LSW will be viewed seriously as will circumstances where an employee has used workplace resources such as work time, telephones or e-mail to harass their current or former partner. In such circumstances, LSW will investigate the facts and decide whether the disciplinary procedure will be started.
- 7.2 When managers become aware of violent or abusive behaviour on the part of their employee/s they may have to decide on one or a combination of the following actions depending on the nature (seriousness and complexity) of the case:
- Encouraging them to seek help from a specialist agency if they are starting to exhibit obsessive or unhealthy controlling behaviours in their relationships
 - Insisting they seek help from a specialist agency if the obsessive or controlling behaviour continues
 - Disciplinary action by the employer in cases of misuse of resources, authority or harassment
 - A police investigation of a possible criminal offence especially when violence or the threat of violence has occurred.
- 7.3 How to support a perpetrator or stalker to overcome their problem
- 7.3.1 An employee who is a perpetrator or stalker may approach their manager about their own behaviour, or more likely be made aware of it by someone else. You should offer advice about the services available to perpetrators with abusive behaviours (see 7.4.3).
- 7.3.2 Managers are also advised to be in continuous dialogue with such an employee – to understand the level of progress being made in terms of the employee overcoming their problem. If perpetrators do not seek help it is likely this pattern of behaviour will repeat itself in the future, even if the immediate issue is resolved. Perpetrating (sexual) domestic abuse is linked to other factors, which may also be an issue at work such as alcohol abuse, anger management, stress and obsessive behaviour.

7.3.3 Line managers will be required to inform the relevant senior manager as part of risk management plans for service provision.

7.4 How to manage situations where the victim and the perpetrator both work for LSW

7.4.1 Given that many people meet their partners at work, it is quite likely that this situation may arise. In cases where both the victim and the perpetrator of domestic violence work in the organisation, extra care needs to be taken to protect the victim. In addition to considering disciplinary action against the employee who is perpetrating the abuse, action may need to be taken to ensure that the victim and perpetrator do not come into contact in the workplace.

7.4.2 When considering any changes it is important to remember that placing the perpetrator on unpaid leave or suspension may increase the risk to the victim.

7.4.3 Support will be provided to help the perpetrator to look for support programmes, such as RESPECT <http://respect.uk.net/>, however financial assistance towards the cost of this cannot be guaranteed and each case will be assessed on an individual basis.

8. Training Implications

All employees will attend LSW Safeguarding Adults and Safeguarding Children Training at induction and as part of a mandatory updates.

9. Monitoring and compliance

The Policy will be monitored by the HR department and the Integrated Safeguarding Lead for Adults and Children and reviewed on a three yearly basis.

All policies are required to be electronically signed by the Lead Director. Proof of the electronic signature is stored in the policies database.

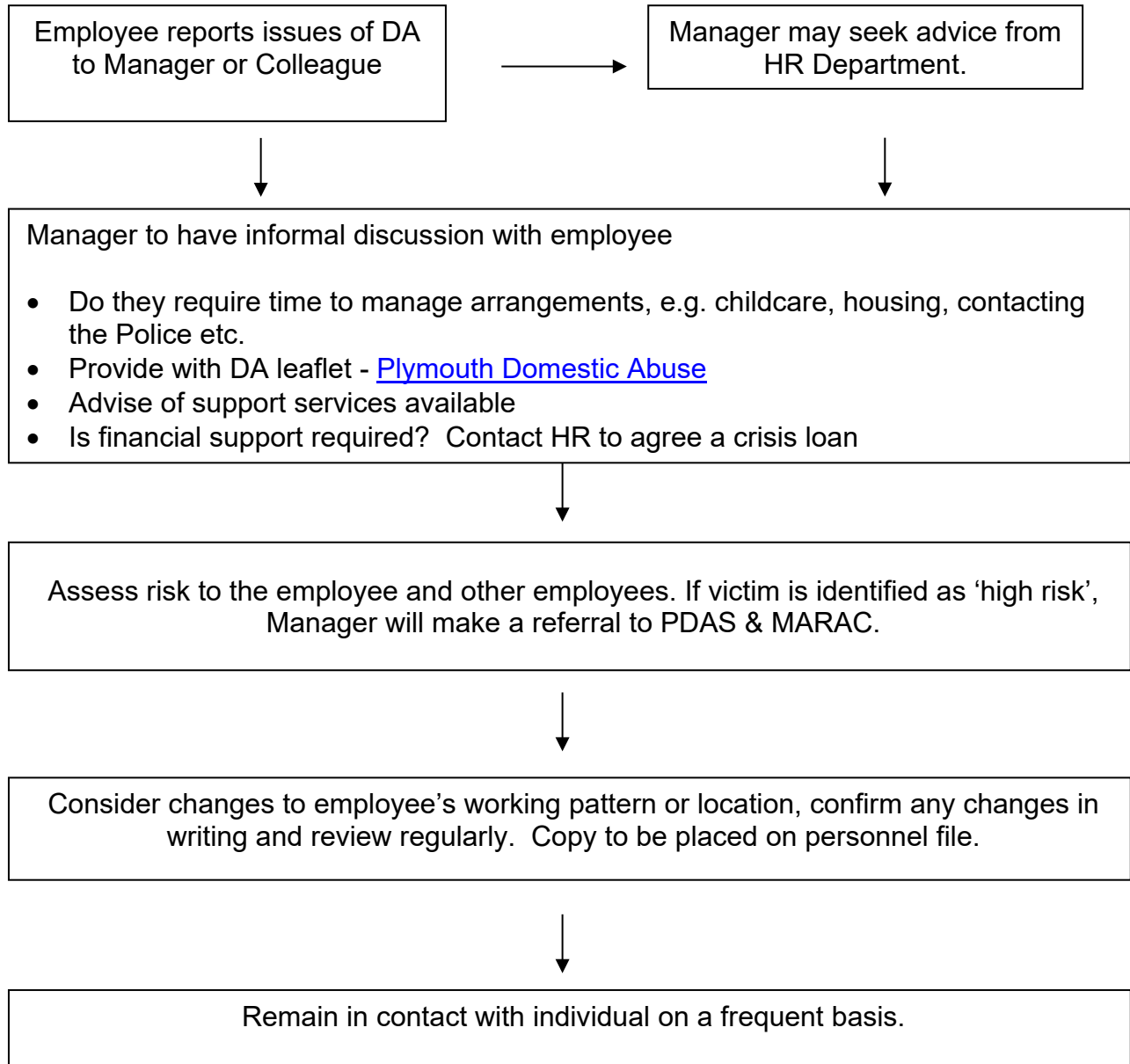
The Lead Director approves this document and any attached appendices. For operational policies this will be the Locality Manager.

The Executive signature is subject to the understanding that the policy owner has followed the organisation process for policy Ratification.

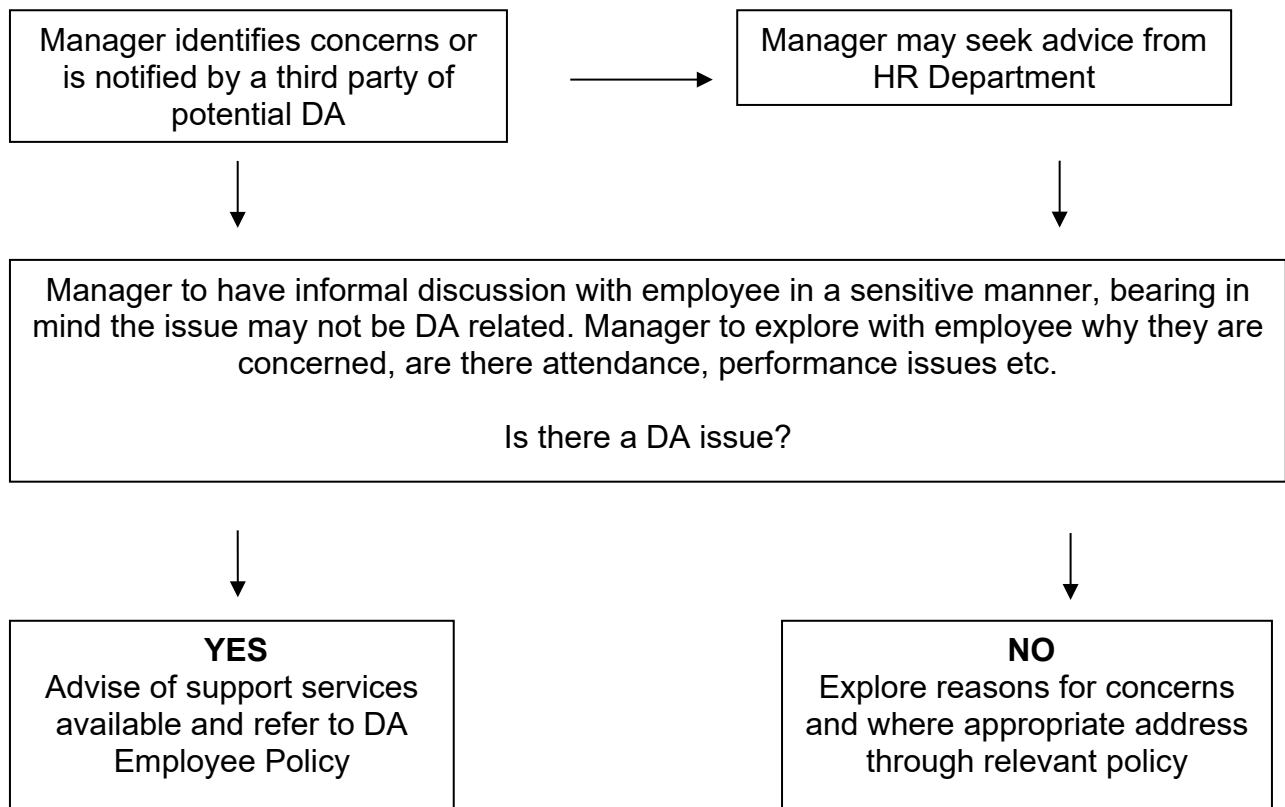
Signed: Director of Clinical Practice and Development

Date: 8th May 2018

Managers Guidance Victims of Domestic Abuse (DA)



Managers Guidance Potential Victims of Domestic Abuse (DA)



Managers Guidance Perpetrators of Domestic Abuse (DA)

