

CYNGOR SIR POWYS COUNTY COUNCIL
Domestic Abuse Policy

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Cyngor Sir Powys County Council

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Cyngor Sir Powys County Council

Domestic Abuse Policy

Policy Statement

The Council recognises that domestic abuse could affect anyone, whatever their gender, age, sexuality, religion or ability.

The Council is committed to supporting the community on domestic abuse and violence through the Powys Domestic Abuse Forum.

An important element of this commitment is the support that the Council can provide for its employees who experience domestic abuse; we have a responsibility for the welfare of our employees and as such we recognise that domestic abuse may be a workplace issue.

Managers and colleagues are encouraged to be aware that any member of staff could be affected by domestic abuse, regardless of their relationship to the perpetrator, (for example, they could be a partner, a parent, a son/daughter or a sibling etc).

In providing an effective, confidential and empathic response to employees who experience domestic abuse, valuable skills can be retained within the organisation as well as providing the stability of employment for a vulnerable or distressed employee.

This policy seeks to:

- support those employees experiencing domestic abuse;
- raise awareness of domestic abuse - its implications for the services that we provide within the community and its effects within the workplace;
- ensure that all the Council's employees understand the important role they can play in tackling domestic abuse and to develop a consistent approach across the Council.

Further, the Council will take very seriously the conduct of employees where they themselves are perpetrators of domestic abuse and will take necessary preventive action, including referral to the Police and disciplinary action (see section 5.2).

1.0 Definition

Powys County Council has adopted the Welsh National Domestic Abuse Strategy definition of domestic abuse, which states that:

"Domestic Abuse is best described as the use of physical and /or emotional abuse or violence, including undermining self confidence, sexual violence or the threat of violence, by a person who is or has been in a close relationship"

A useful extract from the Strategy that places Domestic Abuse into context is that:

Domestic abuse can go beyond actual physical violence. It can also involve emotional abuse, the destruction of a spouse's or partner's property, their isolation from friends, family or other potential sources of support, threats to others including children, control over access to money, personal items, food, transportation and the telephone, and stalking.

It can also include violence perpetrated by a son, daughter or any other person who has a close or blood relationship with the victim/survivor. It can also include violence inflicted on, or witnessed by children. The wide adverse effects of living with domestic abuse for children must be recognised as a child protection issue. The effects can be linked to poor educational achievement, social exclusion and to juvenile crime, substance abuse, mental health problems and homelessness from running away.

Domestic abuse is not a "one off" occurrence; it is frequent and persistent."

2.0 Why is Domestic Abuse a Workplace Issue?

Being a good employer includes supporting staff through new or difficult periods in their lives. Domestic abuse has a devastating impact on individuals and their families. Worldwide domestic abuse is the biggest killer of women aged 19-44 – greater than cancer, road traffic accidents and war.

People experiencing domestic abuse are often subject to disciplinary action and lose their jobs because their behaviour, being late for example, is misinterpreted. However, a steady income is often key to a survivor's economic independence and their opportunities to escape from an abusive relationship. What's more, employers have a responsibility to provide all staff with a safe and effective work environment.

Having a domestic abuse workplace policy can clearly demonstrate domestic abuse is not tolerated within or outside the workplace. It will show a commitment to provide support for staff to take action against perpetrators.

Supporting staff that have or are, experiencing domestic abuse makes business sense. In England and Wales £2.7billion a year is lost through economic output due to decreased productivity, administrative difficulties from unplanned time off, lost wages and sick pay. Domestic abuse can cause employees to be distracted at work, arrive late, leave early, or miss work.

With the statistic that 1 in 4 women will experience domestic abuse at some point in their life, it is likely that all public authorities have staff that have or are experiencing domestic abuse (as well as those who are perpetrators of abuse).

Introducing an effective workplace policy and practice is a good investment to retain skilled and experienced staff. It will allow staff to recognise the impact of domestic abuse on the workplace, by understanding the support offered by their employer, which can often increase their commitment to the organisation.

3.0 Guidance for colleagues and confidantes

3.1 It is recognised that the manager may not be the first person to be approached for help by someone experiencing abuse; it is possible that a trusted colleague may be the first person to learn of someone's situation.

3.2 An employee may not wish to approach their line manager and may prefer to involve a third party such as a colleague, HR Adviser, Occupational Health Adviser, or trade union representative. If a colleague confides in you or discloses that they are having problems at home, then there are a number of approaches you should take:

- Listen, in a reassuring and supportive way
- Respond in a sensitive, non-judgemental manner, avoiding giving your opinion or view on the situation
- Tell them about this policy and bring their attention to the support available both within the organisation and through external agencies listed in Section 5.
- Encourage your colleague to seek support from relevant organisations
- Encourage your colleague to talk to their manager for support
- If you can, keep the discussion confidential, but see the section 4.5 on confidentiality

4.0 Guidance for managers for dealing with domestic abuse involving employees (See also Appendix A).

4.1 Managers need to develop a sensitive and non-judgmental approach when dealing with employees who are experiencing or who have experienced domestic abuse. This should include:

- Taking time to listen to the employee and taking seriously what they say.
- Ensuring that any discussion about the employee's situation takes place in privacy and that their confidentiality is respected as far as possible.
- Being aware that there may be additional issues faced by the employee because of their age, gender, sexuality, ethnic background, disability etc.
- Being non-judgmental - the employee may need some time to decide what to do and may try many different options during this process. Research has shown that it can take a long time and be extremely difficult 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. Discussions that take place between managers and the individual should be to facilitate rather than impose solutions.
- Being aware of what appropriate support is available and exploring these options with the employee; a list of support agencies for women and men is

included in this Policy. However, if the employee does not want other agencies to be contacted, this wish must be followed.

While managers must be ready to respond to direct requests for help from employees, or incidents of violence or abuse at work, it is more likely that the manager will become aware of the situation through absence monitoring or poor performance. Identifying that an employee is experiencing difficulties at an early stage can help ensure appropriate help is provided. This can then help enable the employee to deal with their situation more effectively. The signs of domestic abuse may also vary, for example a person may work extra hours or come in early or late.

If an employee does not wish to speak to you about their situation, it is important that you let them know what support is available through this policy but they should be advised of the difficulties that may arise if you are not aware of the relevant facts and circumstances (for instance if there is a potential health and safety issue or if other action is being taken on capability or absence management).

4.2 Leave and time off work

The Council supports a range of leave arrangements through the Leave and Flexible Working and Supporting Working Parents policies. While taking the needs of the Service Area into account Managers should look sympathetically at requests for reasonable time off within these arrangements for employees who have disclosed that they are experiencing domestic abuse.

Managers may receive requests for time off from employees who are experiencing domestic abuse, to arrange appointments during the normal working day. These requests should be treated sympathetically. These appointments could include: -

- Appointments with support agencies such as Women's Aid, Social Services or Counsellors;
- Arranging re-housing;
- Meetings with solicitors;
- Making alternative childcare arrangements, including meetings with schools.

Managers should also explore other measures supportively, such as temporary negotiated hours, where requested by employees experiencing domestic abuse.

4.3 Health effects

Employees experiencing domestic abuse may be more vulnerable to symptoms of stress and reference should also be made to the Council's Stress Policy. If appropriate and with the employee's consent, managers should refer the employee to the Occupational Health Advisor.

4.4 Ensuring Safety

The responsibilities of employers, employees and others for the health and safety of persons at work are defined by the Health and Safety at Work Act 1974.

Managers may have to consider that domestic abuse may involve violent partners or ex-partners visiting the workplace, abusive phone calls, or intimidation or harassment of an employee by the alleged perpetrator. These issues could be addressed by the following measures (which are only suggestions and not exhaustive and which may not be appropriate or available in the section in question):

- Improving security measures, such as changing key pad numbers or ensuring that access to buildings is open to authorised employees only.
- Reception or switchboard staff will not 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, helping to make the employee less at risk at work and on their journeys to and from work.
- Offering changes in specific duties, such as answering phones or working in reception area, or, in exceptional circumstances, redeployment to another post if other changes are not easily implemented.
- Agreeing what to tell colleagues and how they should respond if the abuser rings or calls at the workplace.
- Making sure that the systems for recording employees' whereabouts during the day are adequate and if the work requires visits outside the office, considering how risks can be minimised (e.g. changing duties or allowing another colleague to accompany them on certain journeys).
- Recording any incidents of abuse in the workplace, including persistent phone calls e-mails or visits, to an employee by their partner/ex-partner. Details of any witnesses to these incidents should also be noted. These records could be used if the employee wants to press charges or apply for an injunction against the alleged perpetrator.

4.5 Confidentiality

Once an employee has confided to their manager that they are experiencing domestic abuse, the manager should reassure them that they will keep this information confidential as far as possible. However, in circumstances where others (e.g. service users, customers or colleagues) could be put at risk, the employee needs to be advised that information could be shared with others.

One of the exceptions to confidentiality is where child or adult protection issues could arise, for instance, if an employee gives information that suggests that their child or another child or a vulnerable adult is at risk from abuse (whether physical, emotional, sexual or neglect). In these circumstances, the manager should inform the employee that they are seeking further advice from an appropriate agency i.e., Social Services Child Protection Unit and they may have to pass this information onto these bodies.

Managers have a responsibility to maintain a safe environment for all employees and this could be made easier if colleagues are aware of potential risks. However, it is essential that managers agree with the individual concerned what information to tell colleagues. It is important to establish with employees that this information is confidential and any unauthorised breaches of this could be subject to disciplinary action being taken.

The consequences of breaching confidentiality could have serious effects for the person experiencing domestic abuse. Statistics have shown that the risk of more serious assaults, permanent injury and murder takes place when an individual decides to leave home or immediately after. It is important, therefore, not to underestimate the danger or assume that the fear of abuse is exaggerated. It is also important to recognise that for a host of reasons a person may return to an abusive partner and the importance of maintaining a commitment to the provisions of the policy and a non - judgemental attitude is paramount.

4.6 Multi Agency Risk Assessment Conference (MARAC) and CAADA (Co-ordinated Approach Against Domestic Abuse)

The MARAC focuses on the victim of the abuse and their children. It ensures that all preventative action is taken and all safety measures possible are put in place having regard to the victim's circumstances to ensure the safety of the victim and their children.

If a Manager feels that the employee is in significant danger it is recommended that he/she completes a CAADA (Co-ordinated Approach Against Domestic Abuse) risk assessment/ Risk Indicator Checklist. This Risk Indicator Checklist (RIC) can be obtained from the Domestic Abuse Co-ordinator (DAC), see Section 5 (Helpful Contacts & Websites). If the Manager wishes to seek confidential advice on assessing the danger or help with the completion of the RIC, it is recommended they contact the Domestic Abuse Co-ordinator or their nearest Domestic Abuse Support Provider, see Section 5.

If completion of the RIC indicates that the employee is High Risk, a referral should be made immediately to the MARAC (Multi Agency Risk Assessment Conference). This can be done by the Manager themselves, or via one of the Support Providers, to the Domestic Abuse Co-ordinator or the Public Protection Unit at Llandrindod Wells Police Station, see Section 5. It is best practice to explain the process and obtain the employee's consent to make the referral, but where action is needed to prevent a crime or significant harm or to save life, consent is not essential (acting without consent would only be in exceptional circumstances and the employee must be advised of the action taken in any event).

4.7 Training and Awareness Raising

Powys County Council recognises managers and colleagues may need training in recognising and supporting employees who are victims of Domestic Abuse. There is a training course currently being developed to raise manager's awareness and increase their skills in the area of Domestic Violence. Please check Trent to see when this course has been launched.

On the Council's Learning and Development site there is an e-learning session to support this policy as well as case study demonstrating the issues surrounding Domestic Abuse.

At Appendix A is a brief outline to support managers and colleagues in recognising and supporting staff who are victims of Domestic Abuse.

5.0 Employees who are Perpetrators of Abuse

5.1 Criminal Law - Employees should be aware that domestic abuse is a serious matter that can lead to criminal conviction.

5.2 Council Disciplinary Procedures

Any employee who threatens, harasses or abuses a partner or family member at, or from, the Council's workplace will be subject to disciplinary action. This includes employees who use Council resources such as 'phones, fax machines, email, mail or other means to threaten, harass or abuse a partner or family member.

Conduct outside work (whether or not it leads to a criminal conviction) can also lead to disciplinary action against an employee depending on the job undertaken by that employee and whether the conduct has brought, or is likely to bring, the Council into disrepute. There should be a preliminary investigation of the facts as far as possible, a view taken and consideration given as to whether the conduct is sufficiently serious to warrant instituting the disciplinary procedures.

Factors to consider will be:

- the nature of the conduct; the nature of the work to be done
- the extent to which it involves contact with other employees, service users and children and vulnerable adults.
- the status of the employee.
- the actual or potential impact of the conduct on the reputation of the Council

In addition such conduct may make certain job duties inappropriate and justify dismissal or redeployment. It will not be appropriate for a perpetrator of domestic abuse to be providing services to vulnerable adults and children. Disciplinary action could result in the employee being dismissed or a change of duties or a transfer may need to be considered in such circumstances.

Similarly, proven criminal harassment and intimidation of Council employees by their partner or ex partner who also works for the Council will be viewed seriously and may lead to disciplinary action being taken.

6.0 Helpful Contact Numbers & Websites

<p>Powys IDVA – 01686 629831; Mobile – 07990 524695 Independent Domestic Violence Advisor www.hafancymru.co.uk</p>	<p>Independent, confidential and expert advice and assistance from a professionally trained domestic violence advisor. For high and very high risk clients only. Access safety planning, advice and assistance on a wide range of options including the criminal justice system. Short term, crisis intervention work. To access this service, complete a high risk checklist and if your client meets the criteria please do not hesitate to contact this service.</p>
<p>Victim Support - 01597 825699 www.victimsupport.org.uk</p>	<p>Trained domestic abuse volunteers can provide one to one support for any period of time to those experiencing abuse that do not meet the high risk criteria. Volunteers can offer a wide range of support and access to other services.</p>
<p>Brecknockshire Women's Aid - 01874 610222 (Central Office); 01874 625146 (Refuge) Information Centres - Open: Tuesdays 10am - 1pm in Brecon and Fridays 10am - 12pm in Ystradgynlais. Other times by appointment</p>	<p>24 / 7 Specialist domestic abuse Refuge and advice line which can offer accommodation and advice to those fleeing or experiencing domestic abuse, available to all groups, however men cannot be accommodated. Outreach and floating support for women and children in the community. Can work with all levels of risk.</p>
<p>Radnorshire Women's Aid - 01597 824655</p>	<p>Specialist domestic abuse Refuge and advice line which can offer accommodation and advice to those fleeing or experiencing domestic abuse, available to all</p>

	groups, however men cannot be accommodated. Outreach and floating support for women and children in the community. Can work with all levels of risk.
Montgomeryshire Family Crisis Centre - 01686 629114 www.familycrisis.co.uk	Female Refuge and a Male Refuge taking referrals from people all over the UK. Child Contact Centre operates throughout Powys. Floating Support services are provided for men and women in Montgomeryshire, together with a Drop In Centre and a Charity shop/Resource centre in Newtown.
Powys Public Protection Unit, Domestic Abuse Officers- 101 www.dyfed-powys.police.uk	Domestic abuse officers can offer help and advice to victims who need police assistance of a non urgent nature.
Bobby Van www.dyfed-powys.police.uk/en/whatwedo/bobbyvan	The bobby van is a lottery funded initiative managed by Dyfed Powys Police which enables victims to stay in their own homes by securing their properties.
All Wales Domestic Abuse Helpline – 0808 8010 800 www.WDAH.org	National domestic abuse and sexual abuse helpline for national Refuge space and advice/information. Bi-lingual.
National Women’s aid – 0808 2000 247- www.womensaid.org.uk	24 hr helpline offering advice and assistance, refuge space, can access interpreters and has BT type talk for deaf callers.
Broken Rainbow – 08452 60 44 60	Support for lesbian, gay, bi-sexual and transgender people that have or are experiencing abuse.
The Dyn Project – 0808 81 0321 www.dynproject.co.uk	Support for men in abusive relationships. Advice, information and signposting.
Hafan Cymru – 01267 225 555 www.hafancymru.co.uk	Offer a variety of accommodation and support services across Wales for vulnerable

	women, men and children.
BAWSO- 0800 731 8147 www.bawso.org.uk	Provide specialist holistic services to black and minority ethnic women and children fleeing domestic abuse in Wales, affiliated to Welsh Women's aid. Access to refuge, advice and info and translation services. 24 hour helpline.
Karma Nirvana- 0800 5999 247 www.karmanirvana.org.uk	Honour network and forced marriage helpline. For victims and professionals.
Kiran – 020 8558 1986 Outside office hours – 08457023468	Asian women's aid, offers advice, support and refuge for Asian women and women from other cultures.
National Centre for Domestic Violence- 0844 8044 999/08009702070 www.ncdv.org.uk	Specialist's in helping victims of domestic violence obtain non molestation orders and other types of order i.e. injunction to protect victims from further abuse. This is a free service available to EVERYONE. Those with an income are not excluded. Quick, confidential and professional service.
Cyngor ar Bopeth Powys CAB - 01686 624390 www.citizensadvice.org.uk	Information and advice on options, debt, benefit, divorce, legal advice.
Respect-08451228609 www.respect.uk.net	Helpline for those who are male perpetrators of domestic violence. Access to perpetrators programmes.
Move on to Change- Carmarthen- cdaf@ammanvalleywomensaid.org	Voluntary perpetrators programme held in Carmarthen managed by Carmarthen Domestic Abuse Forum. Open to perpetrators in Powys, Pembrokeshire and Ceredigion who would like to voluntarily attend a programme. Based on the Deluth model. Email referrals.
NSPCC – 0808 800 5000 www.nspcc.org.uk	24hr helpline offering counselling, information

	and advice to anyone that is concerned about a child. All counsellors are trained child protection officers.
SARC- -01267 235 464- www.newpathways.co.uk	Sexual Assault Referral Centre
Domestic Abuse Co-ordinator Powys 01597 851416 www.powysdomesticabuse.org	Co-ordinating domestic abuse provision and strategy across the county.

Recognising and Supporting staff who are Victims of Domestic Abuse

Some of the signs of Domestic Abuse

- Lateness or high absenteeism without sufficient explanation;
- Uncharacteristic depression, anxiety, distraction or problems with concentration;
- Changes in the quality of work performance for no apparent reason;
- Obsession with time, avoiding lunch breaks or socialising outside work;
- Inappropriate or excessive clothing;
- Repeated injuries, unexpected bruising or explanations that do not fit the injuries displayed;
- Increased hours being worked for no apparent reason;
- Excessive make-up to disguise bruising or 'crying' eyes

Disclosure

The manager may not be the person approached for advice or help in the first instance. It may be in some cases another manager, colleague, HR Advisor or trade union representative. Anyone contacted for support should take a non-judgmental approach and be prepared to:-

- Listen, reassure and take seriously what is being disclosed;
- Respond in a sensitive and supportive way and ensure the employee is provided with up-to-date information and aware of all the options open to them;
- Actively support the employee to choose an appropriate safe option but recognise and respect their right to decide;
- Ensure that the employee's safety and well-being is being maintained;
- Ensure all discussions take place in privacy and are kept confidential in all but the most exceptional circumstances. These will be where there is a legal requirements to disclose information about other parties such as children and vulnerable adults e.g. POCA and POVA;
- Be aware that the employee may need time off work to make personal arrangements and seek specialist advice and support;
- Be aware that there may be additional issues faced by an employee because of their age, gender, sexuality, ethnic background or disability.