

## Domestic Abuse Policy

We understand that some employees will be affected by abuse at home whether that is financial, physical, emotional or mental abuse. We have a comprehensive policy that supports staff who are affected. We also belong to EDAC (Sharan Group are the delivery partners) which is an official covenant supported by the Department for Work & Pensions and the Home Office.



Reference: Version	V2
Owner:	Assistant Principal – Human Resources
Date Equality Impact Assessed:	12/5/2020
Date Approved by Governors:	12/7/2022
Date agreed by Unions:	NEU 27/6/2022 UCU 4/7/2022 UNISON 4/7/2022
Date approved by ELT:	17/03/2020
Next Review Date:	September 2024

This Staff policy contains information that outlines our aims. However, there may be times when we cannot meet these obligations. We are committed to act in a fair and reasonable way.

# **Domestic Abuse Policy & Procedure**

---

## **Domestic Abuse Policy Statement**

We recognise that some people will be among those affected by domestic abuse. This could be as a survivor of domestic abuse, an individual who is currently living with domestic abuse, someone who has been affected by the death of someone killed by domestic violence or as an individual who carries out domestic abuse.

We are committed to developing a workplace in which there is 'zero tolerance' for violence and which recognises that the responsibility for domestic abuse lies with the person who carries it out (the perpetrator). We will make sure that any colleague who is the victim of domestic abuse has the right to raise the issue with their employer in the knowledge that they will receive appropriate support and help. This policy also covers the approach we will take if there are concerns that an employee may be a perpetrator of domestic abuse.

By developing an effective policy on domestic abuse, we will create a safer workplace and we will also send out a strong message that domestic abuse is not acceptable.

We will not discriminate against anyone who has suffered domestic abuse in terms of their current employment or future development. This policy is part of our commitment to family friendly working and aims to benefit the welfare of individual members of staff, keep valued employees, improve morale and performance and improve our reputation as an employer of choice.

Under the Health & Safety at Work Act 1974 and the Management of Health & Safety at Work Regulations (1992), we recognise our legal responsibilities in promoting the welfare and safety of all staff.

## **Policy Aims**

The College wants to support its staff who may be suffering from domestic abuse by issuing this policy/procedure that outlines the processes that can provide support.

This policy also covers how members of staff who are the perpetrators of abuse will be treated.

## **Definition of domestic abuse**

Domestic violence and abuse is best described as using physical or emotional abuse or violence, including undermining of self-confidence, sexual violence or the threat of violence,

by any person, who is or has been in a close relationship with the victim. This includes the abuse of parents or adult children.

Domestic abuse can go beyond actual physical violence. It can also involve emotional abuse, destroying someone's property, isolating them from friends, family or other sources of support, control over access to money, personal items, food, transport and the phone, and stalking. (This is not a full list). It can also include abuse inflicted on, witnessed by or threatened against, children.

- Domestic abuse happens in all social classes, cultures and age groups.
- Once it has started, it often becomes more frequent and more violent.
- It can severely affect children emotionally and physically.
- Victims are sometimes beaten or harassed by members of their immediate or extended family.
- In most reported cases, men are the alleged perpetrators and between 80% to 95% of those who experience it are women. However, it does also happen to men in heterosexual relationships, in same-sex relationships and against bisexual and transgender people.
- Domestic violence and abuse is often not a 'one -off' event but is frequent and persistent. The aim is often to instil fear into, and compliance from, the victim. On average a victim of domestic violence or abuse is assaulted 35 times before they report the matter to the police.
- There are other recognisable barriers within society for colleagues for whom race or religion can present more complications when dealing with domestic abuse.

People who are experiencing domestic abuse may well find that this leads to mental health issues. These can be temporary and short term but if these are not dealt with they can lead to more long term issues. Please see the support section at the end of this document.

## **Scope**

This policy and procedure applies to all staff including agency and contract staff we employ. The policy clarifies the roles of those involved and your responsibilities.

## **Policy Detail**

### **Identifying the problem at work**

While it is for the individual themselves to recognise that they are a victim of domestic abuse, there are signs which may mean an employee is a victim.

- The individual may confide in their colleagues or manager.
- Other colleagues may tell their manager that a colleague is suffering from domestic abuse.

- There may be obvious effects of physical abuse (it is important not to make assumptions).
- It may come to light as a result of enquiries as a result of a drop in performance or a significant change in behaviour.
- It may reveal itself as the background to poor attendance, pattern of sickness which involves different type of injuries, or presenteeism (where victims prefer to be at work rather than at home).
- There may be signs of stress/anxiety/panic attacks etc.

It is essential to understand that any of the above may arise from a range of circumstances of which domestic abuse may be one. Line managers who become aware of these types of issues, should direct the individual to professional counselling services (see section on support). However, the involvement that the line manager has with the individual, needs to be handled positively. The employee needs to be aware that support and help can be provided.

We also respect colleagues' right to privacy. While we strongly encourage victims of domestic abuse to tell us about that abuse for the safety of themselves and all those in the workplace, we will not force them to share this information if they do not want to. We will give particular care and support to colleagues whose culture may present other barriers and where reporting abuse may mean that the person faces enormous opposition from families and their community. You can get specialist advice from specialist support groups (see support section).

### **Confidentiality and the right to privacy**

If you tell us about abuse, we will treat this in strict confidence. It will not be shared with other members of staff without your permission.

However, there are some circumstances in which we cannot guarantee confidentiality. These may be if there are concerns about children or vulnerable adults or where the employer needs to act to protect the safety of employees.

In circumstances where we have to break confidentiality, we will get specialist advice before doing so. If we decide to break a person's confidentiality after having taken advice, we will discuss this with the employee and explain why we are doing so. We will always try to get your agreement if possible.

As far as possible, we will only share information on a need-to-know basis.

We will keep all records concerning domestic abuse strictly confidential in line with our legal responsibilities. We will not keep any records of absences related to domestic abuse – apart from records kept in the appropriate HR personal file. There will be no negative effect on the employment records of victims of domestic abuse.

## **Support for individuals**

We recognise that developing a life free from abuse can be a slow process. We will provide ongoing support for colleagues who tell us about abuse.

The College also offers training for both staff and managers on domestic abuse and this can be accessed via the HR team.

We will respond confidentially and effectively to any colleague who tells us that they are experiencing domestic abuse.

If you report domestic abuse, we will treat any unplanned absences and temporary poor timekeeping sympathetically.

Line managers may consider offering you a broad range of support. This could include:

- Time off to go to relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, counselling and for court appointments;
- Temporary or permanent changes to working times and patterns;
- Changes to specific duties, for example to avoid possible contact with an abuser in a customer-facing role;
- Temporary redeployment or relocation;
- Measures to make sure there is a safe working environment, for example changing a phone number to avoid harassing phone calls or blocking email addresses;
- Using other existing policies, including flexible working;
- Access to contact BUPA in paid time; and
- An advance of pay.

Line managers will respect your right to make your own decision on the action taken at every stage and should avoid being judgmental. We will recognise that you may need some time to decide what to do and may try many different options during this process.

## **Organisational planning**

We will tell all colleagues about this policy using a range of methods including induction, training, electronic circulation and signposting.

We will remind colleagues of the importance of not revealing personal details of other employees, such as addresses, phone numbers or shift patterns/site movements.

## **Telling us about abuse**

If you are experiencing domestic abuse, you can contact a union representative, a line manager or colleague. Line managers and union representatives will not counsel you but will offer information, support in the workplace and give you the details of BUPA or another appropriate organisation.

## **Training**

We are committed to making sure all line managers are aware of domestic abuse and violence and its affects in the workplace. Information, briefings or awareness-raising sessions will make sure that all managers can:

- Identify if an employee is experiencing difficulties because of domestic abuse;
- Respond to being told about abuse in a sensitive and non-judgemental way;
- Provide initial support – be clear about support available in the workplace including in-house specialist staff if this applies;
- Discuss how we can contribute to any planning to help make the person safer;
- Give details of other organisations and sources of support; and
- Understand that they are not counsellors
- Staff training is also available upon request

## **Planning for safety**

We will prioritise the safety of employees if they tell us they are experiencing domestic abuse. We will work with the colleague taking into account the duty of care of all colleagues.

## **Perpetrators of domestic abuse**

We will not, under any circumstances, accept domestic abuse carried out by colleagues nor will we treat it as a purely private matter. However, we know that we have a role in encouraging and supporting colleagues to tackle violent and abusive behaviour of all kinds.

If a colleague approaches us about their abusive behaviour, we will provide information about the services and support available to them. We will also encourage them to get support and help from an appropriate sources, for example BUPA or their GP.

We 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.

We view the use of violence and abusive behaviour by a colleague (wherever this may take place) as breaking our disciplinary policy and procedure. We will deal with this accordingly.

We expect all colleagues to present high standards of personal behaviour at all times that will not have a negative effect on us or our reputation.

The disciplinary policy and procedures can apply if you have:

- Behaved in a way that has harmed or threatened your partner;
- Possibly committed a criminal offence against your partner;
- Had an allegation of domestic abuse made against you; or
- Acted in a way which presents concerns about your behaviour within an intimate relationship outside of work (your children, partner and so on).

We are committed to making sure that we:

- Deal with all allegations fairly and in a way that provides support for the person who the allegation or disclosure is about;
- Give all colleagues guidance and support;
- Maintain confidentiality and restrict information only to those who have a need-to-know;
- Carry out thorough investigations; and
- Deal with all cases quickly avoiding unnecessary delays, although some cases will take longer because of their nature or complexity.

This document focuses on safety and providing support rather than punishment.

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 effects in terms of any disciplinary process; and
- Told that they can be accompanied by a colleague or recognised trade union representative

There are four possible outcomes when considering an allegation:

- There may be a police investigation of a possible criminal offence
- We may take disciplinary action
- We may provide specialist, safety-focused counselling
- We will identify the risk

If it becomes clear than an employee has made a malicious allegation that another employee is carrying out abuse, we will treat this as a serious disciplinary offence and we will take action.

### **If the victim and the perpetrator both work in the College**

In cases where both the victim and the alleged perpetrator of domestic abuse work for us, (or where the roles are unclear), we will consider what appropriate action needs to be taken to protect both individuals and the College. If any incidents happen outside of the College that are reported to the police, both people must report this to their line manager as soon as possible. If the alleged perpetrator does not report the matter to us, we will take disciplinary action.

As well as considering disciplinary action against the employee who is allegedly carrying out the abuse, we may need to take action to make sure that the victim and alleged perpetrator do not come into contact in the workplace.

However, we know that in certain circumstances those experiencing and perpetrating domestic abuse in a relationship may choose to find solutions jointly. In these situations, we will give appropriate support.

## **Support**

You are also reminded that information, support and counselling can be obtained by contacting our employee assistance provider BUPA on 0800 269 616..

To report domestic abuse contact is via a website <https://www.gov.uk/report-domestic-abuse>

There is also a freephone 24-hour national domestic violence helpline on 0808 2000 247.

This is run by Women's Aid and covers complicated issues including race and religion.

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

There is a separate website for male victims of domestic violence and abuse on [www.mensadviceline.org.uk](http://www.mensadviceline.org.uk) or by telephoning 0808 801 0327.

Other useful numbers are:

Gallop.org.uk (0800 999 5428)

Stalking Helpline (0808 802 0300); and

Respect Phoneline (0808 802 4040)

## **Monitoring, Review and Responsibility**

- This policy will be reviewed annually.
- The internal monitoring of the implementation of this policy will be the responsibility of the Assistant Principal – HR.