

Supporting staff experiencing domestic abuse or violence

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See also: Sickness absence, Maternity policy, Adoption policy, Paternity policy, Flexi-time policy and procedures

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This Policy will be applied in a way that will not discriminate on the grounds of the age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. It applies to all staff.

Version	Amendment	Amended by	Date
1.0	New policy to support 'Make a Stand' campaign	Heather Sharna	01/06/2019

1. Introduction

- 1.1** Newlon has introduced a policy to support staff who experience domestic abuse in line with the Chartered Institute of Housing and Domestic Abuse Housing Alliance (DAHA)'s 'Make a Stand' pledge.

- 1.2** Millions of people experience domestic abuse every year and two women are killed by their partner or ex-partner every week. Many more live with the legacies of past abuse. In 2010/2011 domestic abuse accounted for 66% of female homicides and 15% of male homicides in England and Wales.
- 1.3** Housing organisations house and employ millions of people across the UK and that means we house and employ many thousands of people affected by domestic abuse.
- 1.4** The policy demonstrates Newlon's commitment to:
- Protect employees who experience domestic abuse from harm through supporting and enabling them to access help
 - Work in partnership with other agencies to appropriately support the employee when the Crown Prosecution Service prosecute their abuser
 - Raise awareness of domestic abuse so employees understand how to safely signpost customers, colleagues and family to support
 - Provide guidance for employees and management to address the occurrence of domestic abuse and its effects on the workplace.
- 1.5** Newlon recognises that our staff may be amongst those affected by domestic abuse. By developing an effective policy, we aim to create a safer workplace, whilst sending out a clear message to those who perpetrate domestic abuse that it is unacceptable.
- 1.6** Domestic abuse is a violation of an individual's human rights to live free from violence and abuse. Newlon is committed to developing a workplace culture where there is zero tolerance for domestic abuse and which recognises that responsibility for this lies with the perpetrator.
- 1.7** Newlon aims to ensure that any employee who is a victim of domestic abuse is able to raise the issue in the knowledge that they will receive appropriate support; and any employee who is a perpetrator is provided with appropriate information on how they can be supported to change.
- 1.8** This policy is part of Newlon's commitment to family friendly working, and seeks to benefit the welfare of individual members of staff; retain valued employees; and improve morale and performance.

2. Definition

- 2.1** For the purpose of this Policy, Domestic abuse, or domestic violence, is defined as any incident, or pattern of incidents, of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of their gender or sexuality. This may include, but is not limited to, the following types of abuse:
- Psychological
 - Physical
 - Sexual
 - Financial
 - Emotional

- 2.2 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.
- 2.3 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.
- 2.4 This definition includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

3. Why is domestic violence a workplace issue?

- 3.1 Domestic abuse currently costs UK businesses over £1.9 billion a year. 75% of people who experience domestic abuse are targeted at work – from harassing phone calls and abusive partners arriving at the office unannounced, to physical assaults.
- 3.2 Newlon employs approximately 88 women and 67 men. It is estimated that up to 22 (1 in 4) of those women and 11 (1 in 6) of those men will be affected by domestic abuse during their lifetimes. As such it is likely to be a real issue facing our staff.
- 3.3 The controlling nature of most domestic abuse perpetrators means that the abuse will not be confined to their home life. As a minimum, people experiencing domestic abuse are likely to be concerned about what will happen to them when they leave work, and in the worst case scenario, experiencing harassment whilst at work or suffering the impact of injuries.
- 3.4 The risk of serious harm is particularly high at the point where those experiencing domestic abuse are trying to leave. It is therefore important to recognise that while many victims will relocate their homes to reduce the risk that they face, most are much less likely to be able to relocate their workplaces. This means that those experiencing domestic abuse can often face the risk of being tracked down at work, and there are particular procedures Newlon can adopt to help alleviate this risk.
- 3.5 Domestic abuse is likely to have a significant impact upon the physical or emotional wellbeing of those experiencing domestic abuse e.g. depression, anxiety, or physical injury. This may manifest itself as sickness absence, poor performance, stress, loss of concentration, and/or low morale, and line managers and colleagues should be aware of this. However Newlon respects our employees' right to privacy so, whilst we strongly encourage staff experiencing domestic abuse to disclose this 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.

4. Support for Staff

- 4.1 Newlon has a duty of care to its employees and should take all steps which are reasonably possible to ensure their health, safety and wellbeing. The requirements in

relation to domestic abuse or violence are wide-ranging and may manifest themselves in many different ways, such as:

- ensuring a safe work environment
- protecting staff from bullying or harassment, either from colleagues or third parties
- protecting staff from discrimination
- providing communication channels for employees to raise concerns.

4.2 It is important to create a safe environment for employees to disclose domestic abuse or violence i.e. a working environment where violence against people is not tolerated or condoned, and which is committed to challenging negative attitudes.

4.3 When an employee reports domestic abuse to their line manager, this must be treated sympathetically and in confidence. It is important to be clear that the line manager's role is not to advise employees on dealing with domestic abuse but to:

- Provide a sensitive and non-judgemental approach
- Ensure that confidentiality is respected as far as possible
- Recognise that the employee may need some time to decide what to do and may try many different options during this process
- Discuss measures to prioritise safety in the workplace, for instance asking Reception not to confirm whether a particular person is in work
- Be aware of what support is available and explore these options with the employee

4.4 Managers should keep a written note of discussions as they may be required as evidence.

4.5 Newlon will make every effort to assist an employee experiencing domestic abuse or violence. This may include time off from work, as agreed through discussion with the employee and manager, HR and, where appropriate, the employee's trade union representative. Each case will be considered on its merits and managers and employees should agree on a combination of annual leave/ flexi-time and paid/unpaid absence. Where agreement cannot be reached, managers have the right to treat this as sickness absence (Note: Advice must be obtained from HR where there are any issues as to time off that cannot be resolved at directorate level)

4.6 The range of support that the line manager may provide will depend on the individual circumstances of the case and it is important that they take advice from Human Resources. The support may include:

- Paid/unpaid leave to attend relevant appointments, (with support agencies, solicitors, to rearrange housing or childcare, or at Court)
- Temporary or permanent changes to working times and patterns.
- Changes to specific duties, for example to avoid potential contact with an abuser in a customer facing role
- Temporary redeployment or relocation if possible
- Measures to ensure a safe working environment, for example changing a telephone number to avoid harassing phone calls.

- Using other existing policies, including flexible working
- Access to counselling/support services in paid time
- An advance of pay.

4.7 The line manager will respect the employee's right to make their own decision on the course of action and should avoid being judgemental. It must be recognised that the employee may need some time to decide what to do and may try many different options during this process.

5. Complaints against employees

5.1 Complaints involving employees can place stress on both the alleged victim and the alleged perpetrator. Therefore, complaints must be dealt with quickly and wherever possible, in a way that minimises the stress and risk to the employees involved.

5.2 While individual circumstances and service needs must always be taken into account, the presumption is that working arrangements should be adjusted while complaints are being investigated so that the alleged victim and alleged perpetrator are separated. Reporting arrangements may be changed and either or both people required to work in different areas.

5.3 HR will advise on the options and the senior line manager will take account of the wishes of the people involved and the service needs in reaching their decision. Decisions will make no judgement of guilt and no such conclusion may be drawn.

5.4 Employees are encouraged to report any incidents of domestic violence they experience or witness so that Newlon can investigate and resolve the matter.

5.5 Newlon will take all such complaints seriously and an employee who makes a complaint of domestic abuse or violence will be protected and not be penalised or victimised in any way. Newlon will also instigate an investigation if it has grounds to believe that an employee may have been abusing another work colleague or resident, whether or not there has been a formal complaint.

5.6 Employees who perpetrate domestic abuse are expected to notify their employer if they are arrested for a domestic violence offence. Employees are also encouraged to seek help, in confidence. However, upon receipt of a disclosure Newlon will undertake a risk assessment to determine whether the individual's behaviour brings into question their suitability to the tasks they are asked to carry out in their role with Newlon.

5.7 Employees found to have committed domestic abuse or violence (i.e. caution, criminal prosecution, disclosure, injunction etc.), either inside or outside of work, or using Newlon facilities and equipment, including e-mail, and mobile devices, or social

media to threaten, bully or harass employees, or residents will be subject to disciplinary action, up to and including dismissal.

6. Confidentiality

- 6.1** Employees who disclose experiencing abuse can be assured that the information they provide is confidential and will not ordinarily be shared with other members of staff without their permission.
- 6.2** There are, however, some circumstances in which confidentiality cannot be assured. These occur when there are safeguarding concerns about children or vulnerable adults or where an employer needs to act to protect the safety of employees. In circumstances where Newlon may have to breach confidentiality it will seek specialist advice before doing so. If we decide to proceed in breaching confidentiality after having taken advice, we will discuss with the employee why we are doing so and will seek the employee's agreement where possible. As far as possible, information will only be shared on a need-to-know basis.
- 6.3** Where domestic abuse in a same sex relationship is disclosed, due regard will be paid to the double disclosure of confidential information particularly where the individual recipient of abuse may not be out at work
- 6.4** All records concerning domestic abuse will be kept strictly confidential.
- 6.5** All employees are required to comply with the Data Protection Act and must not divulge personal details of other employees, such as addresses, telephone numbers or working hours.

7. Training

- 7.1** Newlon is committed to ensuring all line managers are aware of domestic abuse and its implications in the workplace and will arrange briefing sessions to ensure that they are able to:
 - Identify if an employee is experiencing difficulties because of domestic violence
 - Respond to disclosure in a sensitive and non-judgemental manner
 - Provide initial support – be clear about available workplace support including in-house specialist staff where applicable
 - Discuss how the organisation can contribute to safety planning
 - Signpost to other organisations and sources of support
 - Respond appropriately to perpetrators
 - Link with Newlon's policies on Sickness Absence and Reporting; Grievance Resolution (including Bullying & Harassment); Health & Safety; Accident and Incident Reporting; and Flexible Working, in a supportive way
 - Understand that they are not counsellors.

Annex A: Newlon's Commitment to action:

Recognising the issue

1. Are there sudden changes in behaviour and/or changes in the quality of work performance for unexplained reasons despite a previously strong record?
2. Are there changes in the way someone dresses i.e. excessive clothing on hot days, changes in the amount of make-up worn?
 - On average a woman will experience 35 episodes of domestic abuse before seeking help. Older women are less likely to report their experiences of domestic abuse
 - Men experiencing domestic abuse and sexual violence may find it more difficult to disclose abuse and may find more barriers to accessing support
 - Disabled individuals are more likely to experience domestic abuse and sexual violence than non-disabled individuals.
 - Ethnic minority women may face additional barriers to accessing support
 - Lesbian, gay and bisexual women and men can be vulnerable to abusers who undermine their sexuality and threaten to 'out' them to colleagues, employers and family members.
 - Transgender women and men may have fewer services available to them.

Responding

3. Don't ask for proof if someone discloses experiencing domestic abuse - Believe them
4. Reassure the employee that the organisation has an understanding of how domestic abuse may affect their work performance and the support that can be offered

Providing Support

5. Consider diverting phone calls and/or email messages and look to change a phone extension if an employee is receiving harassing calls
6. Agree with the employee what to tell colleagues and how they should respond if their ex/ partner telephones or visits the workplace
7. Ensure the employee does not work alone or in an isolated area and check that staff have arrangements for getting safely to and from home
8. Keep a record of any incidents of abuse on the workplace, including persistent telephone calls, emails or visits to the workplace
9. Keep personal information, such as temporary or new addresses, bank or health care details up to date, and make sure information such as an employee's next of kin is still appropriate

Refer to the appropriate help

10. Newlon will display domestic abuse helpline posters on the back of toilet doors
11. HR hold a list of support services offered locally that are easily accessible and can refer employees to appropriate organisations that deal with domestic abuse.