

Managing and Supporting Employees Experiencing Domestic Abuse

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Name of originator/author:	Claire Tozer, Safeguarding Adults and Children Lead
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Managing and Supporting Employees Experiencing Domestic Abuse Policy and Procedures

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LINCOLNSHIRE CLINICAL COMMISSIONING GROUP (CCG)

POLICY STATEMENT

Statement This policy applies to Lincolnshire Clinical Commissioning Group (LCCG). LCCG is committed to heightening awareness of domestic abuse and providing guidance for employees and managers to address the occurrence of domestic abuse and its effects on the workplace.

Employees should be safeguarded, protected and valued, regardless of their,

- Race
- Religion/belief
- Spoken language
- Ethnicity/national origins
- Gender
- Sexuality
- Age
- Health or disability
- Political or immigration status

Dissemination The policy will be disseminated to all staff. Managers will be expected to discuss the policy with staff. The policy will also be available on the LCCG website. If information is accessed on line and printed as a hard copy or saved in another location it must be checked that the version number and date on the hard copy matches that of the one on line.

1. SCOPE

The LCCG has a responsibility for the welfare of employees and believe domestic abuse is never acceptable or justifiable. The LCCG is committed to raising awareness of domestic abuse and providing guidance for managers and staff to address the issues and their effects in the workplace.

Under the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1992), the LCCG recognise their legal responsibilities in promoting the welfare and safety of staff, including agency and contractor staff.

The LCCG will make assistance available to employees who are known to be victims of domestic abuse. This may include;

- a) confidential means for seeking help
- b) resource and referral information
- c) special considerations at the workplace for their safety
- d) adjustments to working arrangements
- e) necessary leave to obtain medical, counselling or legal assistance

In responding to domestic abuse, the LCCG will maintain appropriate confidentiality and respect for the rights of the employee involved. This Policy is applicable to all employees of the LCCG. This policy is to be used alongside Safeguarding Children, Safeguarding Adults, Allegations of Abuse made against an employee, agency worker, volunteer, student or bank worker, Sickness Ill Health and Leave policies

2. AIM OF THE POLICY

The aim of this policy is to raise awareness of domestic abuse and develop a workplace culture which acknowledges that domestic abuse is unacceptable. The aim of this policy is:

- To demonstrate commitment by the LCCG to support employees experiencing domestic abuse.
- To raise awareness of domestic abuse, the forms it can take and its likely effects on the workforce.
- To raise awareness that perpetrators may be using the organisation's facilities, such as telephones or e-mail, to threaten, harass or abuse their victim. An employee may also intentionally misuse his/her authority to assist in perpetrating acts of domestic violence/abuse or locate his/her victim.
- To contribute to the health and well-being of employees in order that they can enjoy fulfilling lives both at work and home.
- To support managers by offering training in domestic abuse, to enable them to support employees who are victims and to provide appropriate information and advice.
- To enable managers to be able to ask the question. Some victims may want to be asked about domestic abuse, as they are too afraid to initiate disclosure themselves.
- To offer clear and consistent information to employees experiencing domestic abuse.
- To establish and publicise support for employees experiencing domestic abuse.
- To offer clear and consistent advice to employees who are perpetrators of domestic abuse.

- Together with the above, the organisation aims to provide a framework of responsibilities, support and advice to affected employees, their managers and employees generally.

3. INTRODUCTION

As highlighted by learning from domestic homicide reviews, any employer with a substantial headcount is likely to have some employees affected by domestic abuse, either as victims or perpetrators. It is recognised that domestic abuse reduces work performance, increases absenteeism and ultimately may result in staff leaving. Lincolnshire CCG is committed to the wellbeing of their employees and seek to support and assist any employee who is experiencing problems related to domestic abuse.

This policy gives a procedure to be followed to support employees subjected to domestic abuse. The policy will also equip managers with information and guidance on how to deal with issues of domestic abuse as they arise within their area.

Lincolnshire CCG aim to design and implement policy documents that meet the diverse needs of our services, population and workforce, ensuring that none are placed at a disadvantage over others. It takes into account current UK legislative requirements, including the Equality Act 2010 and the Human Rights Act 1998, and promotes equal opportunities for all. This document has been designed to ensure that no-one receives less favourable treatment due to their personal circumstances i.e. the protected characteristics of their age, disability, sex (gender), gender reassignment, sexual orientation, marriage and civil partnership, race, religion or belief, pregnancy and maternity. Appropriate consideration has also been given to gender identify, socio-economic status, immigration status and the principles of the Human Rights Act.

In carrying out its functions, this LCCG is committed to having due regard to the Public Sector Equality Duty. This applies to all the activities for which the LCCG is responsible, whether internal or on behalf of customers, including policy development and review.

4. DEFINITION OF DOMESTIC ABUSE

Domestic abuse is a complex area, which is often misunderstood and goes unrecognised or unidentified by agencies, families and friends and even victims themselves. There are many myths and stereotypes surrounding domestic abuse that can lead to victims receiving negative responses, and poor advice which can exacerbate suffering. In order to transform our response to domestic abuse we first need to ensure that it is properly understood.

The Government defines domestic violence or abuse 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 gender or sexuality`. This also includes wider family members, such as parental abuse by an adolescent or adult child and between siblings.

Domestic abuse is the abuse of power and control over one person by another. It can take many different forms, including physical, sexual, emotional/psychological, verbal and financial abuse. Domestic abuse includes, **but is not limited to:**

a) **Physical abuse:**

Causing harm or pain, non-accidental use of force. This can include slapping, pushing, kicking, stabbing, strangulation, choking, damage to property or items of sentimental value, female genital mutilation, attempted murder or murder, “honour” crimes and depriving a person of their basic needs.

b) Sexual:

Any non-consensual sexual activity, including rape, sexual assault, coercive sexual activity, prostitution/human trafficking or when a perpetrator refuses to practice safe sex

c) Restricting freedom:

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.

Controlling whom you see or where you go, what you wear or what you do, monitoring time, monitoring a person via online tools, stalking, imprisonment, forced marriage.

d) Emotional/psychological abuse:

Coercive control/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. This can include intimidation, social isolation, verbal abuse, humiliation, constant criticism, enforced trivial routines, harassment (both in person and via social media)

e) Economic abuse:

Stealing, depriving or taking control of money, running up debts, withholding benefits books or bank cards. If an abusive partner manages the household finances the victim may also be left with a poor credit rating when they leave a relationship.

f) Stalking and harassment:

Includes behaviour which happens two or more times directed at or towards someone by another person that causes the victim to feel alarmed or distressed or to fear that violence might be used against them. Stalking can be identified using Crimestoppers FOUR campaign as Fixated, Obsessive, Unwanted, Repeated.

g) Honour-based' violence/abuse:

Committed to protect or defend the so called ‘honour’ of the family or community and in addition to all the above mentioned can include, physical pressure to marry such as threats, physical violence or sexual violence and female genital mutilation (FGM)

Terms often used in domestic abuse include;

DASH-Domestic Abuse, stalking and Honour Based Violence

MARAC Multi-Agency Risk Assessment Conference

IDVA -Independent Domestic Violence Advocate

IDSVA- Independent Domestic and Sexual Violence Advocate

DHR – A Domestic Homicide Review is commissioned when the circumstances of the death of a person due to violence, abuse or neglect due to domestic violence. DHRs aim to identify lessons to be learnt and how policies and procedures can be changed to improve support and services to victims and their children. Whilst the majority of reported domestic abuse is committed by men against women, it is recognised that abuse occurs within many domestic situations, e.g. men to men, women to men, women to women, children to parents and parents to children. The advice given in these guidelines may apply wherever violence or abuse occurs. DHRs may also be commissioned when a person commits suicide and there has been a recent history of domestic abuse.

Domestic abuse may result in fear, depression, stress, physical injury, isolation, imprisonment, poverty, homelessness, removal of children from the home and death.

The effects of domestic abuse are damaging and often permanent. Enduring domestic abuse destroys self-confidence and can result in serious injury and death. For those experiencing it, domestic abuse will affect their whole lives, including work. Victims who experience domestic abuse often have to take time off work and report symptoms that could have a long-term effect on their work performance such as depression, anxiety and stress.

It is well documented that children in abusive relationships are often exposed to emotional abuse and may also be the subject of physical abuse themselves. This may well result in child protection action being implemented. Employees may need to refer to the Local Safeguarding Children Partnership (LSCP), Local Safeguarding Adult Board (LSAB) and Safeguarding Children and Vulnerable Adults Policies for information.

5. INFORMATION FOR EMPLOYEES

5.1 If you are abused who can you turn to?

If you believe you may be experiencing domestic abuse there are individuals and organisations that can give practical and emotional support, both inside and outside of the workplace. You can talk to a member of the LCCG safeguarding team, your manager, human resources adviser, or your trade union representative for advice and guidance.

- Your human resources adviser can provide information about issues such as: special leave, changes to working arrangements, etc.
- Raising the issue of domestic abuse with your manager will raise their awareness to the fact that your home circumstances could be impacting upon your work performance and upon your health and safety in the workplace, and enable them to provide practical support.

Alternatively you can contact the National Domestic Abuse hotline on 08082000247 or EDAN Lincs (Ending domestic abuse now in Lincolnshire) who are Lincolnshire's local agency Telephone: 01522 510041 email info@edanlincs.org.uk

5.2 What Can You Expect From LCCG?

5.2.1 Confidentiality and safeguarding adult and children concerns.

The CCGs recognise that confidentiality is essential for an employee who is experiencing domestic abuse.

However, if you give information which leads your manager to believe that

- a) A person aged 16 and over is at risk of significant harm or death due to domestic abuse they have a responsibility to refer them to MARAC and possibly Adult Social Care (ASC) safeguarding
- b) If a child has suffered or is at risk of suffering significant harm, they will have a responsibility to inform Children's Services
They will discuss this decision with you, (unless there is a concern that informing the employee of the need to inform services could place the person at further risk of harm). Your manager will discuss the concern with their line manager and or a member of the CCG safeguarding team before sharing the concern / making a referral.

It is recognised that living with domestic abuse is frightening for adults and children. Health, Social Care and Domestic Abuse agencies aim to support you in protecting your family and will work with you to see if there is any help they can offer to prevent the situation deteriorating.

5.2.2 Support

The organisation is concerned about the health, safety and well-being of all its employees and will therefore respond in an effective, confidential and sympathetic manner to any employee if they are experiencing domestic abuse.

5.2.3 Adapting Working Arrangements

A change in working hours, work location or other temporary measures for protecting your safety may be available.

Full consideration will be given to security arrangements for you, such as screening of telephone calls, not giving information about your work arrangements to callers and not sending correspondence to your home address. In certain circumstances it may be possible to consider redeployment from your existing job.

As your employer, we recognise domestic abuse may have a negative impact on your performance at work. You will not be discriminated against because of domestic abuse, however, it is important that you discuss any problems and needs with your manager, HR adviser/or your trade union/staff organisation representative, in order that you can be fully supported.

6. INFORMATION FOR MANAGERS AND COLLEAGUES

6.1 Recognising that an employee may need help

It is not always easy to recognise that an employee is experiencing domestic abuse and may require some support. Certain symptoms such as a sudden change in behaviour, depression, inability to concentrate, obvious injuries or regular but unexpected absence from work may be indicative of a variety of problems, of which domestic abuse may be one.

Managers should be aware that victims of domestic abuse may have performance issues such as chronic absenteeism or reduced productivity, and therefore should consider all

aspects of an employee's situation when addressing performance and safety issues (see related policies).

6.2 The Responsibilities of the Manager

Managers have a responsibility for the health and safety of the employees that they manage. One woman in four one man in six will experience domestic abuse at some point in their lives and some of these will be employees of this organisation.

It is important for managers to respond positively to an employee disclosing a problem of domestic abuse. Raising this issue may have taken a great deal of courage on behalf of the employee and the manager's response may be a crucial factor in determining whether an employee will seek further help.

There are a number of ways in which managers may support their employees:

- Try to develop an understanding and supportive climate within the working environment.
- To be approachable to employees – give employees the opportunity to talk confidentially both formally, through any regular one to one sessions, or informally.
- Make employees aware of this Domestic Abuse Policy.
- Be alert to and recognise warning signs of domestic abuse.
- Remember most managers will not be experts in this area, an understanding approach and offer of basic information is all that is required.
- Do not pressure a victim to leave the relationship, the nature of domestic abuse is that the victim will often stay within the relationship or return to it. Respect their decision. There may be increased risk to victims in the periods just before and just after leaving.
- If the victim is a parent/carer of children then ask about the welfare of the children.
- You can access additional support and guidance from the LCCG safeguarding team.
- If you believe that someone is at imminent risk of danger contact the police via 999

6.3 Warning Signs

Managers should be aware that the following signs or issues with members of their employees may, in some instances, indicate a problem with domestic abuse:

- Coming to work repeatedly with injuries.
- Unusual number of calls from home and strong reaction to the calls.
- Late for work and needing to leave early.
- Secretive about home life.
- Frequent absenteeism.
- Emotional reactions such as tearful, angry, depressed, nervous, confused.
- Partner exerts unusual amount of control over their life.
- Partner makes demands over their work schedule.

- May be extremely passive or aggressive.
- May seem chronically depressed or depressed in cycles.
- May isolate themselves at work.
- Signs of substance misuse.

These are just a few characteristics. Different people will react in different ways. A more important sign is when an individual behaves in a way that is unusual for her or him. However there may be no outward signs at all.

6.4 Confidentiality and Safeguarding Concerns

Confidentiality is essential for an employee who is experiencing domestic abuse. It is important that the employee knows that whatever they tell their manager will remain confidential and will not be revealed to anyone without their permission. However the individual's right to confidentiality could be breached if there were concerns over risk of harm to a child or adult or if a person is deemed to be at high risk of serious injury or homicide, a referral into Multi Agency Risk Assessment Conference (MARAC) can be made without the consent of the individual. Under these circumstances complete confidentiality cannot be guaranteed

It is essential that the manager makes the employee aware of their duty to seek advice and share information about the situation with other professionals. This may involve seeking advice from the LCCG safeguarding team, or referring to Social Care if it is thought that children or vulnerable adults may be at risk of harm. All Agencies have a duty to support and safeguard victims and their children in these situations.

The legislation and guidance relevant to safeguarding adults at risk of abuse or neglect which must be adhered to includes the following:

- Care Act 2014
- Care and Support Statutory Guidance (Chapter 14 – Safeguarding)

6.5 Allowing time off work

An employee who is experiencing domestic abuse may need to take time off work to attend legal meetings, counselling sessions, court hearings or to make alternative living arrangements, etc. The type of leave that is possible and on what grounds will need to be discussed with the line manager on an individual basis.

Managers are expected to respond positively and sympathetically to such requests under these circumstances. Refusal to allow time off may often add to the anxiety of the employee concerned.

Further advice and support can also be sought from your human resources advisor, or trade union/staff-side representative.

6.6 Adapting Working Arrangements

It may be that the most effective way a manager can help an employee is to change their working arrangements, probably temporarily, but possibly on a permanent basis. A telephone answering machine could screen calls to reduce harassment by the perpetrator. At particular times s/he may need to be more flexible about starting or finishing times and lunch breaks to avoid unwelcome visits; a temporary relocation of workplace may be beneficial. Whatever the needs, it is important for managers to consider all options carefully and be as flexible as possible.

It should be recognised that domestic abuse will probably have a negative impact on the performance of the employee concerned and it is important that the employee is supported and positive consideration is given to measures to temporarily alleviate work pressures. In certain exceptional circumstances the employee may require redeployment. Line managers should contact human resources to discuss any changes to working patterns.

It is important to ensure that any action taken complies with the wishes of the employee concerned and that s/he does not feel blamed or punished in any way. To minimise the potential for conflict in the workplace, any changes to working arrangements should be communicated in an appropriate way to colleagues whilst maintaining confidentiality.

6.7 Finance

An employee experiencing domestic abuse may request an advance of pay in an emergency situation. This should be considered/arranged through their line manager.

6.8 Dealing with Perpetrators of Domestic Abuse

In some cases the abuser may actually harass an employee at the workplace. In these circumstances both the victim and their colleagues may be at risk. If this person has no legitimate reason to be in the workplace they are trespassing and may be escorted from the premises or consideration given to contacting the police.

Managers and colleagues of the victim should not agree to pass on messages from a perpetrator or disclose the address or whereabouts of an employee who has fled an abusive relationship.

Inevitably, in such a large organisation, there may be employees who are themselves perpetrators of domestic abuse. It is paramount to create an organisational culture in which domestic abuse is unacceptable and managers must be aware of where to refer a perpetrator for help should they request it.

6.9 Information Sharing and Record Keeping

If a manager receives a disclosure of domestic abuse from an employee who is a victim or perpetrator of domestic abuse, it is important that the manager keeps a confidential note of any discussions or action taken as this information may need to be shared at a future date. It may be advisable to seek human resource advice at this stage.

Information may need to be shared for safeguarding reasons or shared with criminal justice

7. Employees Who are vViolent or aAbusive

Employees who are abusing someone in any of the ways mentioned may be committing a criminal offence. The individual has a responsibility to seek help.

There are organisations that can offer assistance in looking at an individual's attitude and behaviour and work with the perpetrator to change it. If the perpetrator is employed in a role which has direct contact with children the situation should be discussed with the Local Area Designated Officer (LADO) and the LCCG Safeguarding Team. Perpetrators of domestic violence/abuse may use workplace resources such as telephone or e-mail to threaten, harass or abuse their victim and may involve other colleagues, who may or not be aware of their motives in assisting them. Such abuse requires an effective employer

response because it could be damaging and potentially dangerous for those being abused, as well as possibly bringing the organisation into disrepute if the abuse is allowed to continue. Where appropriate, action may need to be taken to minimise the potential for perpetrators to use their position or work resources to find out details or the whereabouts of their partners. This may include a change of duties or withdrawing access to certain computer programmes.

If an employee is the subject of a formal complaint received by this organisation alleging that the employee is the perpetrator of domestic abuse, or if an employee has been charged with committing an offence relating to domestic abuse, then the employee will be investigated under the terms of the Managing Allegations Disciplinary Procedure. This may include formal notification to a staff member's professional body if there is a resulting disciplinary procedure or criminal procedure.

If another employee of this organisation makes a complaint then the Bullying and Harassment Procedure may also be initially invoked.

8. Equality Diversity and Human Rights

8.1 The LCCG is committed to equality, diversity and human rights. In applying this policy and procedure, managers, employees, workers and their representatives will work in line with the Equality Act 2010 Public Sector Equality Duty and have regard to the need to :-

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- Foster good relations between people who share a protected characteristic and those who do not.

8.2 Managers will not discriminate in the application of this policy and procedure in respect of age, disability, race, ethnic or national origin, sex, religion and or beliefs, sexual orientation, marital/civil partnership status, social and employment status, gender identification, language, trade union membership or mental health status.

These principles and requirements are embedded into the Lincolnshire CCG Equality and Diversity Policies and practices. The implementation of this policy and its impact will be monitored across all equality areas and different protected Characteristics and reported regularly to the appropriate Lincolnshire CCG Board.

8.3 People have fundamental rights contained within the Human Rights Act 1998. Health services have positive obligations to uphold these rights and protect patients who are unable to do this for themselves. We will work to ensure that children and young people's human rights are taken into account in the implementation of this policy.

8.4 Ongoing review of this policy will take place. We will continue to conduct equality impact assessments of our practices to identify any adverse impact on children and young people and develop appropriate solutions to address any discrepancies.



9. MONITORING AND REVIEWING

This policy will be reviewed in three years' time or in light of organisational or legislative changes.

The application of this policy its effectiveness will be monitored by the LCCG Safeguarding team as and when required.

10. USEFUL CONTACT INFORMATION

LOCAL SERVICES

Safeguarding Children

If you suspect or believe a child is suffering, or is likely to suffer, significant harm (including any form of mistreatment or abuse) you should ALWAYS report your concerns

In an emergency always dial 999

If there is no immediate danger to the child, or if you need some advice or information, you can contact the Children Services Customer Service Centre (CSC) on 01522 782111. If it is outside normal office hours you can contact the Emergency Duty Team (EDT) on 01522 782333

Safeguarding Adults

If you suspect or believe an adult is suffering, or is likely to suffer, significant harm (including any form of mistreatment or abuse) you should ALWAYS report your concerns

In an emergency always dial 999

If there is no immediate danger to the adult, or if you need some advice or information, you can contact Adult Social Care on 01522 782155

Domestic and Sexual Abuse Services

Information about the services available in Lincolnshire can be found at <https://www.lincolnshire.gov.uk/crime-prevention/domestic-abuse>

EDAN Lincs (ending domestic abuse now in Lincolnshire), support victims and children of victim clients across Lincolnshire
Telephone: 01522 510041 email info@edanlincs.org.uk

SARC (Sexual Assault Referral Centre)

Provides a safe environment where victims of Rape, Sexual Assault or Sexual Abuse can get support and advice. They also provide the possibility of making a report to the police and undertaking a forensic examination (if this is what you choose). They are open to all victims, regardless of whether they want to report a crime to the police or not. There are often other options available to you that you may not have considered and pathways to the right kind of

helpforyou.

Email - info@springlodge.org
Website - www.springlodge.org
01522 524402 - Mon to Fri 9am till 5pm
01371 812686 - at any other time

Lincolnshire Rape Crisis

www.lincolnshirerapecrisis.org.uk Telephone 0800 33 4 55 00
email support@lincolnshirerapecrisis.org.uk.

NATIONAL SERVICES

24-hour national Domestic Abuse Helpline (run in partnership by Women's Aid and Refuge)

www.womensaid.org.uk
Telephone: 0808 2000 247

Forced Marriage Unit

www.gov.uk/forced-marriage

020 7008 0151 (9am to 5pm Monday to Friday)

Men's Advice Line

www.mensadviceline.org.uk
Telephone: 0808 801 0327

Support helpline for LGBT victims of domestic abuse

Telephone: 0300 999 5428

ChildLine

www.childline.org.uk
Telephone: 0800 1111

Samaritans

www.samaritans.org.uk
Telephone: 08457 90 90 90

Shelter

www.shelter.org.uk
Telephone: 0808 800 4444

Stalking

National Stalking Helpline

Managing and Supporting Employees Experiencing Domestic Abuse
Review: October 2021

www.stalkinghelpline.org 0808 802 0300

www.protectionagainststalking.org

Victim Support

www.victimsupport.org.uk

Telephone number: 0300 3031947

Support for Perpetrators

www.respectphoneline.org.uk

Telephone: 0808 802 4040 Email info@respectphoneline.org.uk

Housing

Your local district council can advise about housing, including offering emergency or temporary accommodation if you are made homeless due to domestic abuse. The emergency accommodation may be a refuge or bed and breakfast accommodation, providing you meet certain criteria. There is a legal duty to offer temporary accommodation under the Housing Act 2004, regardless of whether you rent or own your own home.

Refuges

A refuge is a safe house for victims and their children escaping domestic abuse. You can stay there until you decide what to do next. The addresses of refuges are secret and no visitors are allowed in order to keep the refuge a safe place (a PO Box address is used for post). There are refuges all over the UK, and if space is available you can stay anywhere that you feel safe and comfortable. This may be your nearest one or it might be elsewhere.

You can contact a refuge by ringing the 24 hour national domestic abuse free phone helpline, 0808 2000 247.

They will arrange for a refuge to contact you as soon as possible to make the necessary arrangements. The police or social services may also refer you.

APPENDICES

Appendix Three: DASH Risk Assessment Guidance



DASH-Risk-Assessment-Guidance-April-2011.doc

Appendix One: DASH Risk Assessment Form



DASH-Risk-Assessment-Form-Version-4 February 2017.doc

Appendix Two: MARAC Referral Form



MARAC Referral form v5 Feb 2017.doc