

Domestic abuse guidance G638

1. Introduction

Norfolk County Council recognises that domestic abuse is a significant issue in the UK and Norfolk and it is likely that NCC employees will be amongst those affected by domestic abuse whether they are a victim of domestic abuse, a survivor or are affected by someone else's experience. It may also be that an employee is a perpetrator of domestic abuse.

Norfolk County Council is committed to promoting a workplace where all staff have the right to be treated with dignity and respect. Norfolk County Council will take any reports regarding domestic violence or abuse seriously and any cases will be treated sensitively and confidentially.

2. Domestic Abuse and its effects within the Workplace

Employees may feel vulnerable at work; a victim of domestic abuse is likely to be known to the perpetrator and therefore the perpetrator will be able to locate them at their workplace. Employees experiencing domestic abuse may receive harassing or repeated phone calls, e-mails, unwelcome notes on their cars or unannounced visits at work. Potentially, they may also be stalked to and from or at work.

Domestic abuse has a strong impact on individuals, who frequently hide the circumstances from family, friends and work colleagues. Many suffer physical injury, sleep deprivation, low morale, low self-esteem and heightened anxiety.

These effects can negatively impact on punctuality, absenteeism and work performance or productivity.

3. Definition of Domestic Abuse

For the purpose of this guidance, domestic abuse is defined as physical, sexual, mental, verbal, financial or emotional abuse by a partner, ex-partner, family member or extended family member, or person co-habiting. It occurs across society, regardless of age, gender, race, disability, religion, sexuality or wealth. Whatever form it takes, domestic abuse is rarely a one-off incident. More usually it is a pattern of abusive and controlling behaviour where the abuser seeks power over the victim. Whilst it is predominantly an issue affecting women and perpetrated by men, anyone can be a victim of domestic abuse including women, men and people in same sex relationships and it is important that all employees have access to effective support.

Circumstances of domestic abuse will vary for individuals and therefore different levels of support and processes may be needed. It is important that Managers use this guidance in conjunction with other policies which include:-

- Authorised Absence
- Flexible Working
- Improving Attendance

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- Standards of Conduct & Behaviour
- Lone Working
- Bullying & Harassment

4. Right to privacy

NCC respects that an employee's right to privacy in the event that they do not wish to inform the Council that they have experienced domestic abuse.

5. Confidentiality

Norfolk County Council (NCC) respects an employee's right to confidentiality. However, in circumstances of child protection or the protection of vulnerable adults from abuse, the child protection and adult protection services may need to be involved. Complete confidentiality cannot be guaranteed in these situations.

All employees of NCC are reminded of their responsibility under the Data Protection Act, including the requirement to not divulge employee information, for example employee addresses, contact details or shift patterns.

Where domestic abuse in a same sex relationship is disclosed, care must be taken about the disclosure of this personal information particularly where the employee is not out in the workplace.

6. Victims of Domestic Abuse

6.1. Employee Responsibilities

Employees are encouraged to inform their manager or HR at any stage if they are being subject to domestic abuse.

Victims of domestic abuse should inform their Line Manager if there are circumstances where they need protection, for example the perpetrator has been given an injunction in order that appropriate action may be taken, e.g. security informed.

Employees should endeavour to make themselves safer at work by ensuring that they make colleagues aware of where they are going and provide an expected time for return. They should retain copies of any abusive e-mails they receive at work to notify their manager and keep a mobile phone with them with the emergency services number (999) and try not to leave the workplace alone. See G617a Guidance on lone working (personal safety) for further information about ways to stay safe at work.

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6.2. Manager/HR Responsibilities

Whilst employees are responsible for disclosing that they are experiencing domestic abuse, it is important that managers create an environment where employees feel safe to talk about what they are experiencing.

Managers should offer workplace support to all employees, signposting to external organisations which can provide professional advice and support.

Any support to the employee should:

- Keep information confidential (subject to the requirements of child and adult protection)
- Listen sympathetically, reassure and support individuals in respect of their situation
- Understand how/where the individual may feel vulnerable and see if this can be addressed (i.e. change of e-mail, change of working hours, carry out a workplace risk assessment if the employee will be lone working)
- Consider the impact, if any, on the employee's job with Norfolk County Council and any additional support or intervention that may be required, for example if the employee works with service users who have experienced abuse
- Respond in a sensitive and non-judgemental manner
- Discuss the specific steps that they can take to help them stay safe in the workplace
- Ensure the employee is aware of the options available to them
- Recognise that the employee may need some time to decide what to do and may try many different options during this process
- Understand that the employee may not wish to approach their line manager and may prefer to involve a third party such as a colleague, HR representative, Wellbeing Officer or Trade Union Representative.

No proof of abuse is needed, a victim's statement alone will be sufficient for them to be given appropriate support.

There may be circumstances where a manager may suspect that domestic abuse may be an issue for an employee. For example the employee may confide in a colleague, there may be signs of physical abuse, there has been a significant change in performance or behaviour or the employee shows poor attendance or conversely they are spending much more time at work potentially to avoid being at home. Managers are encouraged to raise any issues or concerns as part of a one to one confidentially, offering support to the individual if they wish to discuss work or personal issues at any time.

Managers should also respect the right of individuals to make their own decisions on the appropriate course of action at all stages and avoid being judgemental. Managers should bear in mind that employees may need some time to come to a decision about what action, if any, that they should take.

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6.3. Support for Managers

Managers supporting employees who disclose they are experiencing domestic abuse should contact HR Direct in the first instance for further advice and to access appropriate support from the HR Shared Service relevant to individual circumstances. Additionally, Norfolk Support Line Managers Helpline can offer coaching on a confidential basis on:

- Guidance in assisting staff with their problems
- Support in tackling difficult management issues eg coaching/help with delivering difficult messages
- Information on issues of concern
- Help with responding to the early warning signs of stress
- Support prior to a difficult 1-1 meeting

7. Absence options for employees experiencing domestic abuse

NCC will make every effort to assist an employee experiencing domestic abuse. If an employee needs to be absent from work due to domestic abuse for example to attend relevant appointment with support agencies or to access legal advice, the length of the absence will be determined by the individual's situation through collaboration with the employee and their Manager and HR, if necessary.

Employees and Managers are encouraged to first explore paid leave options that can be arranged to help the employee cope with the situation without having to take a formal unpaid leave of absence. Examples of these could include:-

- Flexi-time
- Flexible working, which could enable the employee to seek protection, go to Court, look for new housing, enter counselling, arrange child care etc
- Annual leave
- Compassionate leave

This list is not exhaustive.

Where paid leave options are unavailable or inappropriate, unpaid leave options should then be explored, particularly if these are for relatively short periods.

Managers/HR will support employees by continuing to monitor the situation. Should absences become prolonged or regular requests are being made for paid/unpaid leave options, or where the employee is at greater risk in the workplace, Managers will then discuss alternative options with the individual and may consider:-

- Occupational Health Referral
- A change to more permanent arrangements (e.g. change of working pattern/hours)
- Referral to Norfolk Support Line
- How to deal with future absences/requests

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8. Internal support mechanisms

- Amending the employee's work contact details, for example changing a telephone number to avoid harassing phone calls or changing an employee's e-mail address
- Consider a temporary change in working patterns and/or offer a temporary change in specific duties, if appropriate, to ensure the employee is at less risk at work
- If the employee feels threatened in the workplace, consideration needs to be given to the circumstances and whether the Police should be called.
- Allowing employees the privacy and time to make personal phone calls
- Domestic abuse could lead to sickness absence or ill health, therefore an Occupational health referral could be considered
- Norfolk Support Line
- Support from Wellbeing Officer
- Union representative support

9. External Support Mechanisms

- National Domestic Violence Helpline (runs in partnership between Women's Aid and Refuge)
- Police
- Samaritans
- Leeway (Voluntary charity based in Norfolk, affiliated to Women's Aid, to support women and children)
- MALE (Men's Advice Line)
- Broken Rainbow (Support for lesbian, gay, bisexual and transgender (LGBT) Victim Support)
- Citizens Advice Bureau
- Women's Aid to include Women's Aid Survivors Handbook and reference to Earth Words which can provide domestic abuse information in several different languages

10. Monitoring

Managers/Supervisors and HR representatives must ensure that they continue to monitor and support the individual. Actions put in place should be reviewed regularly and updated if the circumstances have changed.

11. Perpetrators of domestic abuse

In cases where a perpetrator's role within NCC involves either direct or indirect work with children, once a disclosure has been made, or the employer becomes aware that there has been an allegation of domestic abuse against such an employee as a perpetrator of that domestic abuse, the manager or HR should have a consultation with the Local Authority Designated Officer (LADO). The purpose of that consultation will be to decide whether that employee's behaviour may indicate unsuitability to work in a context with children, and to take action accordingly. In cases where the perpetrator employee works

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with vulnerable adults, the manager/supervisor or HR should have a consultation with the Adult Social Services Safeguarding Team Manager.

Perpetrators could use workplace resources, for example telephones, fax, e-mail or other means to threaten, harass or abuse their current or former partner. In these circumstances the use of NCC equipment would be dealt with seriously in line with the Standards of Conduct and Behaviour Policy, together with other policies for example Bullying & Harassment and/or the Disciplinary Policy.

11.1. Employee Responsibilities

Perpetrators of domestic abuse are encouraged to seek help and inform their Manager or HR of their situation, to enable support mechanisms to be put in place.

11.2. Internal Support Mechanisms

- Norfolk Support Line

11.3. External Support Mechanisms

- 'Respect' provides support for perpetrators of domestic abuse. Their vision is to end violence and abuse in intimate partner and close family relationships. Their focus is on promoting, supporting, delivering and developing effective interventions with perpetrators.

11.4. Other issues

If a victim of domestic abuse and their alleged abuser are both employed by Norfolk County Council, incidents at work will be dealt with under the Bullying and Harassment Policy, if appropriate.

Where behaviour results in legal action to the perpetrator, for example restrictive bail conditions, remand in custody or a custodial sentence, the Standards of Conduct and Behaviour and the Employee Disciplinary Procedure should be consulted. Perpetrators should inform their Line Manager of any outcomes from legal proceedings which may put the organisation in to disrepute.

11.5. Support for Managers

If Managers/Supervisors are unsure of the process to follow, HR advice should be sought in relation to individual circumstances.