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East Dunbartonshire Council

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DOMESTIC ABUSE POLICY

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Monitoring and Review

This policy will be reviewed in line with:

- Legislative Change
- Other external factors
- Feedback on the effectiveness of the policy
- Requests for review by Elected Members, Trade Unions and/or Management

Alternative Formats

All Customer Services and Transformation Team policies and procedures can be found on The Hub.

The policy and procedure can also be made available (on request) in a variety of formats. These can be requested from the Customer Services and Transformation Team by contacting 0141 578 8471. Information will be made available in line with the Council Accessible Information Policy.

1. INTRODUCTION

1.1 **Statement referring to the Council's policy position on Domestic Violence/Abuse.**

1.2 This Domestic Abuse Policy complements the **Policy for Health, Safety and Welfare at Work** and focuses on the issues relating to domestic abuse from an employment perspective. It has been prepared taking account of the recommendations contained in Equally Safe – Scotland's Strategy for Preventing and Eradicating Violence against Women and Girls and also the **Council's policy in relation to professional practice relating to domestic abuse within its area.**

1.3 The Council is aware of its duty of care as a good employer for ensuring, so far as is reasonably practicable, the health, safety and welfare of its employees at work, and for creating an environment in which employees are safe to disclose their experience of abuse in order to access support and increase safety for themselves and others. However, the right of employees not to disclose must be respected and no employee should feel pressured into sharing this information if they do not wish to do so. For some employees the workplace is a safe haven and the only place that offers routes to safety.

2. GENERAL PRINCIPLES

2.1 The Policy aims to:

- ensure confidential and sympathetic handling of situations for employees arising from domestic abuse
- assist and support employees requesting help in addressing problems arising from domestic abuse
- provide a framework for addressing the behaviour of employees who are perpetrators of abuse and who may pose a risk to other employees within the context of their work
- set out for employees generally the Council's position in relation to addressing domestic abuse

2.2 The guidance refers principally to women but it applies equally to men. Research shows that women are more likely to experience domestic abuse than men and to suffer more serious injury and ongoing assaults than men. However, it should be acknowledged that men can experience domestic abuse from their female partner and that domestic abuse also occurs in same-sex relationships.

2.3 All employees who experience abuse should be supported regardless of gender and the type of abuse.

2.4 Domestic abuse, as a recognised form of gender-based violence has a devastating impact on individuals and their families. Being a good employer includes supporting employees through new or difficult periods in their lives. For some employees the workplace is a safe haven and the only place that offers routes to safety.

- 2.5** The Council supports various campaigns against domestic abuse and broader violence against women issues including the White Ribbon Campaign which aims to involve men in taking more responsibility for reducing the level of violence against women.
- 2.6** Although domestic abuse will occur predominately outside of the workplace, the employment implications for employees who experience abuse are significant. It can have a detrimental impact on health and well-being, which may affect attendance, performance and effectiveness.
- 2.7** All disclosures of abuse experienced by employees should be treated confidentially, the key exception being situations where there is reason to believe that there may be a risk to others, including harm to children. In these circumstances, local child/adult protection procedures should be followed.
- 2.8** The role of a Manager is not to deal with the abuse itself but to make it clear through the Domestic Abuse Policy that employees will be supported and to outline what help is available.
- 2.9** Where an employee feels more comfortable discussing the situation outwith their own Service, then they should contact the Employee Relations Team.
- 2.10** The Policy applies to all employees of the Council as well as agency workers and individuals who are training with the Council but not employed.
- 2.11** The Council will produce appropriate materials to communicate this Policy widely.

3. DEFINITIONS

- 3.1** Domestic abuse is the abuse of power and control over one person by another and can take many different forms including physical, sexual, emotional, verbal and financial abuse as well as coercive control.
- 3.2** Gender-based violence is violence that is directed against a woman because she is a woman, or violence that affects women disproportionately and is a manifestation of historically unequal power relations between men and women.
- 3.3** Harassment and Stalking is unwanted, persistent often threatening attention for example following someone, constantly phoning, texting or e-mailing at home or work.
- 3.4** Honour crimes are violence excused as forms of punishment for behaviour which is perceived as deviating from what the family or community believes to be the 'correct' form of behaviour sometimes referred to as 'family honour'.

4. GUIDANCE FOR MANAGERS

- 4.1** As a manager, you have a role to address the needs of employees who have experience of domestic abuse. In cases where an employee raises their experience of domestic abuse, you should endeavour to provide flexible support tailored to meet the circumstances of each individual, taking into account any additional needs that they may have.
- 4.2** In your role as manager, you should be aware of the potential barriers that make it difficult for employees to seek support and should be conscious not to make judgements or to provide counselling or advice but seek expert input where appropriate. The following guidance may assist Managers:

Recognise the Problem

- Look for sudden changes in behaviour such as an employee becoming withdrawn and quiet and/or changes in the quality of work performance for unexplained reasons
- Look for changes in the way an employee dresses for example excessive clothing on a hot day, changes to the amount of make-up used which may indicate the covering up of signs of physical violence
- Look for injuries such as bruises that are explained away; explanations for injuries that are inconsistent with the injuries displayed
- Look for other possible indicators for example high absenteeism rate without explanation
- Overly secretive regarding home life
- Appears to be isolated from friends and family
- Interruptions at work for example repeated upsetting calls/texts/emails; reluctance to turn off mobile phone at work

Respond

- Believe an employee if they disclose that they are experiencing domestic abuse – do not ask for proof
- Speak to the employee about their immediate and future safety and advise them to either contact the Employee Assistance Scheme or one of the internal Welfare Advisers and also provide telephone numbers for organisations that can help including the police, women's aid, men's aid and rape crisis.
- Reassure the employee that the Council has an understanding of how domestic abuse may affect their work performance and the support that can be offered
- Undertake a risk assessment to ensure that the potential risk to employees and colleagues is lessened. Provide a range of practical workplace safety measures such as an assumed name at work, provision of temporary mobile phone, mutual agreement of a safe, confidential method of communication etc.
- Be aware of the parameters of your role as a Manager and make clear to an employee what you can and cannot provide

Provide Support

- Divert phone calls or change phone extension number if employee is receiving harassing calls, with the consent of the employee
- Agree with the employee what, if anything, to tell colleagues and how they should respond if their partner or former partner telephones or visits the workplace

- Ensure the employee does not work alone or in an isolated area and check that the employee has arrangements for getting safely to and from home
- Keep a record of any incidents of abuse in the workplace, including persistent telephone calls, emails or visits to the workplace
- Support the employee in a sympathetic, non-judgemental and confident manner
- Offer the services of the Employee Counselling Service or other appropriate agency details of which are attached as Appendix A
- Grant paid special leave for appointments where necessary and related to the employee's circumstances e.g. re-arrange housing or childcare, court appointments, solicitor, support agencies.
- Grant any requests for paid special leave in accordance with the Council's Special Leave Policy.

Additional information

- You should implement and communicate the Policy to employees and ensure its implementation.
- You should not deal with the abuse itself but make it clear that employees will be supported and outline what help is available and the various ways the Council can support them.
- Each employee's needs are different and as you are required to maintain confidentiality throughout the process, you must be prepared to handle any speculation which may arise from other employees.
- If the employee's work performance has been deteriorating prior to their disclosure of domestic abuse then you should still continue to monitor this in the manner you normally would. Any changes to the working pattern or other support offered to the employee may be enough to remedy any issues with the employee's work performance/attendance.
- It is vital that employees have the chance to consider all the available options and decide for themselves how they wish to handle matters.
- You should maintain regular contact with the employee if they have disclosed domestic abuse to evaluate whether any measures put in place are working or if any alternative measures are required.
- Domestic abuse can affect both sexes and in responding to employees, you are expected to be available and approachable; to listen and reassure; respond in a sensible and non-judgemental manner and discuss how the Council can support the employee concerned.

5. POSSIBLE WORK RELATED ADJUSTMENTS

5.1 It may be necessary when supporting an employee to consider the need for making work related adjustments. Examples of work related adjustments are:-

- Change work patterns or adjust workload for temporary period to make it more manageable
- Give favourable consideration to any request for a change of workplace/work arrangements
- Approve requests for an advance of pay
- Agree that an employee can use an assumed name at work
- Review the security of information held such as temporary or new addresses, bank or healthcare details
- With the employee's consent, advise colleagues of the situation on a need to know basis and agree the response should the perpetrator/alleged perpetrator contact the workplace or present themselves at the workplace
- At times when the employee needs to be absent from work, mutually agree a safe, confidential method of communication and consider safety implications that may arise when working from home
- Implement particular security arrangements that may have to be put in place to ensure the safety of the employee and colleagues

Relationship with other Council employment policies

- Managers should be aware that in certain circumstances the behaviour of an employee in relations to the perpetration of domestic abuse may require to be considered under other Council policies and procedures such as the Code of Conduct or the Disciplinary Procedures. As always each case must be considered on its merits and the manager when faced with such circumstances should discuss the matter with their Business Partner.

6. EMPLOYEE WHO DOES NOT WISH TO TAKE UP SUPPORT

6.1 Although the Council will seek to provide a supportive environment in which an employee can raise issues relating to domestic abuse, depending on their situation, some employees affected by domestic abuse may refuse support or only take up partial support. Dealing with domestic abuse is a process that takes time and there are various reasons why employees may find it difficult to seek support for example they may have pressure from family to remain silent/stay in the relationship; financial pressures may restrict their options especially if children are involved; and/or they may feel it is safer to stay. It should be noted that contrary to popular belief evidence shows that women are likely to experience the most significant episode of violence at the point of ending an abusive relationship or once the relationship has ended.

6.2 It is the employee's choice on whether or not to accept support and managers should respect their decision, reassure them the Council's primary concern is for their safety and remind them that support is available if they need it in future.

6.3 Even if a manager disagrees with the decisions being made by the employee regarding an employee's relationship it is important to understand that a victim of domestic abuse may make a number of attempts to leave their partner before they are finally able to do so.

6.4 The role of a manager is not to deal with the abuse itself but to make it clear through the Policy that employees will be supported and to outline what help is available.

7. TRAINING

7.1 Training will be provided to employees commensurate with their role within the Council. General training will be available to all employees through appropriate mechanisms such as toolbox talks. Specific training will be provided to managers and supervisors who may as part of their general duties be required to deal with matters relating to domestic abuse.

8. GUIDANCE FOR EMPLOYEES

8.1 Employees are encouraged to respond appropriately if they suspect that a colleague is experiencing or perpetrating abuse. Employees may not want to discuss the abuse but concerns should be raised in confidence with a Manager.

8.2 Some victims of domestic abuse will feel unable to accept help, which can be frustrating. Offer support, where possible, but do not force an individual to disclose abuse or to follow a course of action they are uncomfortable with.

8.3 Any concerns about an employee should be raised in confidence and where possible with the permission of the individual. Never divulge personal information about colleagues to others, including other colleagues, without their permission.

8.4 Witnessing a colleague experience domestic abuse can be traumatic and you may feel powerless or unable to help. Remember that you can seek support from your Manager or from the local or national helplines detailed in Appendix A.

9. ALLEGATIONS OF ABUSE WITHIN THE WORKPLACE

9.1 Any employees who are alleged perpetrators of abuse within the workplace may be dealt with in accordance with the Council's Harassment and Bullying Policy and Procedure and where applicable the Council's Disciplinary Policy and Procedures.

10. ALLEGATIONS OF ABUSE OUTWITH THE WORKPLACE

10.1 Any employees who are alleged perpetrators of abuse outwith the workplace should be dealt with in accordance with the Council's Disciplinary Policy and Procedures. Examples of alleged abuse may include domestic abuse; gender-based violence; physical or sexual abuse of children; downloading child pornography; sexual violence; involvement in honour violence or stalking.

10.2 When a disclosure or allegation of abuse is brought to the attention of a manager, this should be acted on promptly.

11. ALLEGATIONS WITHOUT FOUNDATION

11.1 Where an employee has made an allegation without foundation that another employee is perpetrating abuse, this will be viewed as a serious employee conduct issue and will be investigated and addressed using the Council's Disciplinary Policy and Procedure.

12. VICTIMISATION

12.1 Employees should not suffer victimisation as a result of the application of any aspect of this Policy. Where there is evidence that an employee has been victimised this will be considered as a serious employee conduct issue and will be investigated under the Council's Disciplinary Policy and Procedure.

13. CONFIDENTIALITY

13.1 All advice, information and support provided to an employee will remain confidential. No information should be disclosed without the express consent of the employee. However, where issues regarding the protection of children or the protection of adults in need of support arise, the child protection and the adult protection services may need to be involved.

14. ADVICE AND GUIDANCE

14.1 Employees can obtain, on a confidential basis, advice and guidance on any issues relating to domestic abuse as detailed in the Policy from:

- Business Partners
- Welfare Advisers
- Trade Union Representative
- Occupational Health Nurse
- Relevant Referral Agency
- Support Agency

14.2 A list of organisations that can offer further advice and practical guidance on domestic abuse in the workplace and related issues is detailed in Appendix A.

15. RECORD KEEPING

15.1 Any records should be kept strictly confidential ***in accordance with the Council's information handling policy and procedures*** and it should be made clear to an employee that the recording of information on domestic abuse will have no adverse impact on the employee's work record.

16. REVIEW

16.1 This Policy will be reviewed as necessary following any changes in relevant legislation or operational experience or requirements.

Appendix A

FURTHER INFORMATION

There are a number of organisations that can offer further advice and practical guidance on domestic abuse or gender-based violence in the workplace and related issues. For example:

LOCAL SERVICES

East Dunbartonshire Womens Aid

Telephone 0141 776 0864
Email: edwomansaid@aol.com
Website: <http://www.edwa.org.uk>

Break the Silence (Rape and Sexual Abuse)

Telephone: 01563 559558
Email: info@breakthesilence.org.uk
Website: www.breakthesilence.org.uk

Rape Crisis

Drop in centre (Wendy)
Meikle Road,
Kirkintilloch
0141 552 3200

Telephone: 08088 000 014
Email: support@rapecrisiscentre-glasgow.co.uk
Website: www.rapecrisiscentre.glasgow.co.uk

East Dunbartonshire Victim Support

Telephone : 0141 776 8139
Email: victimsupport.eastdunbartonshire@victimssupportsco.org.uk
Scottish Helpline 0845 6039213
Website: www.victimssupportsco.org.uk

East Dunbartonshire Social Work Services

East Dunbartonshire Council
Social Work HQ
Southbank House
Strathkelvin Place
Kirkintilloch
G66 1XQ
Tel: 0141 777 3000
Fax: 0141 777 3010
Email: socialwork@eastdunbarton.gov.uk

Employee Assistance Programme

Tel: 0800 243 458
Email: www.workplaceoptions.co.uk

Employee Wellbeing Team

Suite 9, Enterprise House
Southbank Business Centre
Kirkintilloch. G66 1XQ
Tel: 0141 777 3311
Email: employee.wellbeing@eastdunbarton.gov.uk

NATIONAL SERVICES

24-hour National Domestic Violence

Helpline

A service for women experiencing domestic violence, their family, friends, colleagues and others calling on their behalf. It is run in partnership between Women's Aid and Refuge. Callers may first of all hear an answer phone message before speaking to a person.

Telephone: 0808 2000 247 FREEPHONE
Email: helpline@womensaid.org.uk
Website: www.nationaldomesticviolencehelpline.org.uk

Black Association of Women Step Out	www.bawso.org.uk
Broken Rainbow LGBT (UK) Helpline	0800 999 5428
Citizens Advice Bureau	01563 544744
Employee Counselling Service	0800 435 768
Homeless Helpline-Shelter	0808 800 4444

Men's Services

Abused Men in Scotland (AMIS)	0808 800 0024
Men's Aid	0871 233 9986
Men's Advice Line	0808 801 0327
Mankind Initiative	01823 334 244
New Paths	07938 611 046
Victim Support Male Helpline	0800 328 3623

National Domestic Abuse Violence Helpline	0808 200 0247
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Police – Domestic Abuse Unit	01563 505131
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Refuge	www.refuge.org.uk
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Refuges (for women and children)	0990 995 443
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<i>Respect (for people who are perpetrators of abuse)</i>	0845 122 8609
<i>Rights of Women</i>	020 7251 6577
<i>Samaritans</i>	01563 531313 08457 909 090
<i>Scottish Domestic Abuse Helpline</i>	0800 027 1234
<i>Scottish Women's Aid</i>	
<i>Support line</i>	01708 765200
<i>The Survivors (providing packs to escape domestic violence)</i>	01293 520562
<i>White Ribbon Campaign</i> <i>www.whiteribbonscotland.org.uk</i>	