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# DOMESTIC ABUSE

## Policy and Procedure

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### 1. Introduction

- 1.1 Domestic abuse is often recognised as a “hidden crime”. Victims suffer silently, afraid for themselves and for their children and will often suffer over thirty incidents of violence before reporting it. We must do all we can to encourage and support victims of domestic abuse to seek help, support and protection.
- 1.2 It is our employees’ right to live without fear or abuse. Domestic abuse is serious and dangerous behaviour which must be recognised, acknowledged and addressed appropriately.
- 1.3 We are committed to the welfare of our employees and recognise that domestic abuse is unacceptable. It is essential that Managers/Head Teachers understand that if an employee is suffering domestic abuse, it may affect their health, morale, confidence and self esteem, ultimately affecting their performance at work. The Council recognises the gendered nature of domestic violence and that most survivors/victims of domestic abuse are women and that most perpetrators are men. The Council also recognises that domestic abuse is experienced in same sex relationships and also perpetrated by some women to male partners. This policy is therefore applicable whatever the nature of the intimate relationship.
- 1.4 Managers/Head Teachers have a responsibility to be aware of domestic abuse and to understand their role in ensuring employees can access support and information.

### 2. What is Domestic Abuse?

- 2.1 “Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, ‘personally connected.. The abuse can encompass, but is not limited to:
  - **Psychological, Emotional or other abuse** - Emotional or psychological abuse can be verbal or nonverbal. Its aim is to chip away at the confidence and independence of victims with the intention of making them compliant and limiting their ability to leave the abuser. Emotional abuse includes verbal abuse such as yelling, name-calling, blaming, shaming and ‘gaslighting’ (where the abuser makes someone question their own reality).
  - **Violent or Threatening Behaviour** - There are a broad range of behaviours that come under the heading of physical abuse including actions such as punching; slapping; hitting; biting; pinching; kicking; pulling hair out; pushing; shoving; burning and strangling. However, domestic abuse is not always about physical violence. It can also include threats of violence and intimidation

- **Sexual Abuse** - Rape and sexual abuse is common in abusive relationships because a women's refusal to consent is likely to be ignored. Any situation in which an individual is forced to participate in unwanted, unsafe or degrading sexual activity is sexual abuse. In addition, women whose partners abuse them physically and sexually are thought to be at a higher risk of experiencing multiple and escalating assaults. Research also indicates that women who are raped by their husbands or partners are likely to suffer severe psychological affects because of the prolonged level of fear they are likely to experience.
- **Economic abuse** - Economic or financial abuse aims to limit a victim's ability to access help. Tactics may include controlling the finances; withholding money or credit cards; making someone unreasonably account for money spent/petrol used; exploiting assets; withholding basic necessities; preventing someone from working ; deliberately running up debts; forcing someone to work against their will and sabotaging someone's job.
- **Controlling behaviour** - 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.
- **Coercive behaviour** - 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.

It does not matter whether the behaviour consists of a single incident or a course of conduct.

2.2 'Personally connected' is defined as parties who:

- Are married to each other
- Are civil partners of each other
- Have agreed to marry one another (whether or not the agreement has been terminated)
- Have entered into a civil partnership agreement (whether or not the agreement has been terminated)
- Are, or have been in an intimate personal relationship with each other
- Have, or there has been a time when they each have had, a parental relationship in relation to the same child
- Are relatives

2.3 This definition also 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 Principles, aims and commitment

3.1 This policy applies equally to all employees, women and men, who require advice or support. To support this, we want every employee who is experiencing or has experienced domestic abuse be able to raise the issue with their Manager/Head Teacher, in the knowledge that the matter will be treated effectively, sympathetically and confidentially.

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3.2 The aims of the policy are to:

- offer clear, confidential and consistent advice and support to employees affected by domestic abuse.
- actively support employees to choose an appropriate course of action to ensure their safety and well-being are prioritised at all times.
- provide up-to-date information to all employees about domestic abuse and the support available.
- increase awareness amongst managers, assisting them to recognise that an employee may be affected by domestic abuse and to provide advice to managers about appropriate action to take.
- increase awareness amongst managers, assisting them in recognising that an employee may be a perpetrator of domestic abuse.
- ensure confidential and sympathetic handling of the disclosure or situation.
- remove fears of stigmatisation and not discriminate against anyone who has been affected by domestic abuse.

#### 4 Employees affected by domestic abuse

- 4.1 If an employee is suffering from domestic abuse, remember there is **ALWAYS** someone who can help. The important factor to remember is that they are not to blame. The abuser is responsible. Abusers choose to behave violently to exert power and gain control.
- 4.2 Abusers come from all walks of life. They can come from any ethnic group, religion, class or neighbourhood. They may be older or younger. However, whilst they may also be any gender, the majority of perpetrators are men, although men can also experience domestic abuse. Abusers typically display different kinds of behaviour in public than they do in private.
- 4.3 Children and young people who live and witness domestic abuse can be seriously affected, emotionally or physically, or both.
- 4.4 If, initially, an employee does not wish to talk to their Manager/Head Teacher about domestic abuse issues, the Council's Domestic and Sexual Violence Champions can be contacted to discuss the situation in confidence and to signpost employees to advice and support services that might be available.
- 4.5 The Council has a specialist Domestic Abuse Team that employees can access directly in the strictest confidence. The Restart Domestic Abuse Service can be contacted at [DomesticAbuseReferrals@southtyneside.gov.uk](mailto:DomesticAbuseReferrals@southtyneside.gov.uk). There are **also** Domestic and Sexual Violence Champions in services across the Council. Details can be found on the Intranet: <http://intranet.stc.local/domestic-violence/>. An employee may feel more comfortable talking to a champion from a different service area. Champions can also help with safety planning.
- 4.6 More information on national and local support and advice available can be found in the **Domestic Abuse Handbook** (This is currently being updated). Employees can also access information on support services via the Council's website.

<https://www.southtyneside.gov.uk/article/35217/Domestic-violence-and-abuse-services->

## **5 Possible signs of domestic abuse.**

5.1 If employees are displaying any of the following signs, Managers/Head Teachers should be aware that they could be experiencing domestic abuse:

- Seem distracted or have trouble concentrating/changes in behaviour
- Have a high absenteeism rate or start working irregular hours
- Receive repeated telephone calls/texts during the day that they may find upsetting
- Appear anxious, upset or depressed or display loss of confidence
- Have unexplained bruises or explanations that don't fit the injuries
- Display poor performance
- Reluctance or refusal to use the camera function for virtual calls

5.2 Managers/Head Teachers should understand that it is unlikely employees who experience domestic abuse will tell people at work of their situation or approach their manager/head teacher with their problem in the first instance. It is far more likely that they will become aware of the situation through associated issues.

5.3 Conversations about Domestic Violence can be difficult but the Council has a duty of care and it's a manager's responsibility to address any concerns they become aware of. Specialist advice is available.

## **6 Difficulties in asking about domestic abuse**

6.1 Managers/head teachers or colleagues may sometimes be reluctant to ask about domestic abuse for many reasons, including:

- Fear of taking the lid off something which will get out of control
- Fear of not knowing what to do next
- Fear of causing offence
- Belief that it is not their place to ask
- Personal identification with abuse either as a victim or perpetrator

## **7 Initial Approach**

7.1 Managers/Head Teachers have a crucial role to play in enabling employees experiencing domestic violence to seek help. The Council provides awareness training, and all employees are encouraged to attend to gain an understanding of the issues.

7.2 If a manager/head teacher suspects that an employee is experiencing domestic abuse, they should facilitate a conversation to discuss this and identify and implement appropriate support. Avoiding the subject can perpetuate fear of stigma and increase feelings of anxiety. Often employees will not feel confident in speaking up, so making the first move to begin a conversation can be key. It is better to have a meeting face to face where possible. Virtual contact could be being monitored by the abuse perpetrator. Managers/Head Teachers can contact the Council's Domestic Abuse team for advice and guidance before having the conversation with the employee.

7.3 Managers/head teachers should demonstrate a sensitive and non-judgmental approach when dealing with employees who are affected by domestic abuse. Avoid victim blaming, take time to listen to the employee and take seriously what they say. Respecting boundaries and privacy is essential. This should include:

- Ensuring that any discussion about the employee's situation takes place in privacy and that their confidentiality is respected as far as possible.
- Understanding that the employee may not wish to approach their line manager/head teacher and may prefer to involve a third party such as the specialist Domestic Abuse Team, a colleague, human resources, occupational health, or trade union representative.
- Ensuring that, if the employee does not wish to speak to their line manager/head teacher, whoever they speak to should advise them of any difficulties that may arise if the manager/head teacher is not aware of the circumstances.
- Being aware that there may be additional issues faced by the employee because of their age, gender, sexuality, ethnic background, disability etc.
- Being non-judgmental – the employee may need time to decide what to do and may try many different options during this process. Managers/head teachers should be aware that it can take a long time and be extremely difficult to break free of a violent relationship. It should not be assumed that because an employee returns or stays in a violent relationship that the abuse was not severe or did not take place. The employee should not have to justify why they remain in the relationship and the focus of the conversation should not be why they don't 'just leave'.
- Being aware of what support is available and exploring these options with the employee; a list of support agencies for women and men can be found at the end of this document. However, if the employee does not want other agencies to be contacted, this decision must be followed.

7.4 You may disagree with the decisions being made regarding an employee's relationship. However, it is important to understand that a victim of domestic abuse may make a number of attempts to leave the abuser before they are finally able to do so. Your role is not to deal with the abuse itself but to make it clear that employees will be supported, and outline what help is available. The employee should not be 'pushed', it can take time to build up the trust to enable them to discuss their situation.

7.5 Recognising domestic abuse and taking appropriate action (such as giving advice about workplace options and information about support services) has the potential to break the cycle, and to prevent an abusive situation becoming one of repeated and intensifying victimisation.

7.6 After being approached by the employee, the manager/head teacher should also: -

- Ensure that the safety of the individual (and of any dependent children) is the paramount consideration.
  - Be mindful of the limitations of their role. Do not try to make decisions on the employee's behalf or push them towards a course of action because it is what you believe they should do.
  - Respect confidentiality and privacy and recognise the dangers which may be created if this is breached.
  - Discuss with the employee how the Council/School can contribute to safety planning and signpost to relevant sources of support and information.
  - Recognise the skills and contributions which other agencies are able to make and co-operate with them.
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- Ensure that you do not place yourself or your colleagues at risk in a potentially violent situation.

## **8 Ensuring safety**

8.1 The Council has developed guidance for managers/head teachers to deal with incidents where an employee is verbally abused or threatened or physically assaulted in the course of their job, please refer to the Violence Towards Employees Policy and Manager's Guidance.

8.2 These policies will apply to most situations of violence in the workplace. However, managers/head teachers may need to consider additional factors if these incidents involve domestic abuse. These incidents may involve violent partners, ex-partners or family members visiting the workplace, abusive phone calls, or intimidation or harassment of an employee by the alleged abuser. These issues could be addressed by the following measures:

- Reminding the Contact Centre Team not to divulge information about employees, especially personal details such as addresses, telephone numbers or shift patterns.
- Arranging for direct work telephone numbers and email addresses to be changed.
- Offering temporary or permanent changes in workplace, worktimes and patterns, where feasible, helping to make the employee less at risk at work and on their journeys to and from work. This could include changes to the office layout to ensure that the employee is not visible from reception or from ground floor windows.
- Offering changes in specific duties, where possible, such as answering phones or working in reception area, or, in exceptional circumstances, transfer to another post if an alternative solution is not easily found.
- Agreeing what to tell colleagues and how they should respond if the abuser rings or calls at the workplace.
- Making sure that the systems for recording employees' whereabouts during the day are adequate and if the work requires visits outside the office, considering how risks can be minimised (e.g., changing duties or allowing another colleague to accompany them on certain journeys).
- Recording any incidents of abuse in the workplace, including persistent phone calls, e-mails or visits, to an employee by their abuser. Details of any witnesses to these incidents should also be noted. These records could be used if the employee wants to press charges or apply for an injunction against the alleged perpetrator. The Council could also apply for an injunction if the actions of an alleged perpetrator affect the health and safety of employees.
- Managers/head teachers have to decide whether the above measures are operationally appropriate. However, ensuring that employees are safe should be of primary consideration throughout this process. If in doubt, the Domestic Abuse Team or Domestic and Sexual Violence Champions can also provide further advice on specialist services and safety planning.

- Managers/head teachers/colleagues should not put themselves in the position of becoming 'emergency support'. There are specialist services for this. If at any time the employee is in immediate risk of danger, call 999.

## 9 Confidentiality and Child Protection Concerns

- 9.1 Once an employee has confided to their manager/head teacher/colleague that they are experiencing domestic abuse, they should reassure them that they will keep this information confidential unless there is a legal requirement to do otherwise. Employees who disclose experiencing or perpetrating abuse should be assured that information will usually only be shared on a need to know basis with the consent of the employee. There are, however, some circumstances in which confidentiality cannot be assured. Colleagues are encouraged to seek agreement for them to bring this to the attention of the manager.
- 9.2 Managers/head teachers have a duty to maintain a secure environment for all employees and this could be made easier if colleagues are aware of potential risks. However, it is essential that managers/head teachers agree with the employee concerned what information to tell colleagues and any workplace changes which are implemented. Employees should be reminded that this information is confidential and any unauthorised breaches of this could be subject to disciplinary action being taken.
- 9.3 The consequences of breaching confidentiality could have serious effects for the person experiencing domestic abuse. Statistics have shown that the risk of more serious assaults, permanent injury and murder takes place when an individual decides to leave home or immediately after. It is important, therefore, not to underestimate the danger or assume that the fear of violence is exaggerated.
- 9.4 One such situation is where child or adult protection issues could arise, for instance, if an employee gives information that suggests their child, another child or a vulnerable adult is at risk from abuse. In these circumstances, the manager/head teacher should inform the employee that they are seeking further advice from the Integrated Safeguarding and Intervention Team (ISIT). Further information and advice on child protection issues can be obtained from the ISIT Team, (Tel: 0191 424 5010).

## 10 Help and support

### Leave and time off work

- 10.1 Managers/head teachers may receive requests for time-off from employees who are experiencing domestic abuse, to arrange appointments during the normal working day. Requests for annual leave, use of the flexible working hours system, Stuck not Sick, special leave/leave of absence or compassionate leave should be treated sympathetically. These appointments could include:-
- Appointments with support agencies such as Places for People (formally Women's Refuge) Social Care or counsellors
  - Arranging rehousing
  - Meetings with solicitors
  - Making alternative childcare arrangements, including meetings with schools
  - Doctors' appointments
  - Occupational Health

Managers/head teachers should also explore other measures supportively, such as temporary negotiated hours, where requested by employees experiencing domestic abuse.

### **Financial Issues**

10.2 Managers/head teachers should be aware that an employee leaving an abuser may face considerable financial hardship or have concerns about finding suitable accommodation for themselves and their family. Advice can be sought through the Council's Welfare Support Service and South Tyneside Homes Homefinder Service.

If the employee has disclosed that their abuser has access to their finances or is exerting economic pressure upon them, the Payroll Manager, HR Services could be approached to see if an alternative method of payment can be arranged temporarily whilst a new bank account is being opened.

### **Health Effects**

10.3 Employees experiencing domestic abuse may be more vulnerable to stress at work, and reference should be made to the Council's policies and procedures for supporting employees experiencing high levels of stress - please refer to [Stress](#) – Managing Stress Guidelines

If appropriate, refer the employee to Occupational Health or for counselling.

## **11 What is a domestic abuse perpetrator?**

Have you ever .....

Punched, slapped, kicked, choked, threatened, smashed things, forced or pressurised your partner to have sex, punished her or him if you do not get sex, tried to control who your partner sees or where she/he goes, humiliated, constantly criticised, threatened to hurt the children or other family or friends, controlled her or his money .....

.....then you have been abusive.

Domestic abuse is primarily about one person trying to enforce power and control over another by whatever means possible.

## **12 Employees who are Domestic Abuse Perpetrators**

12.1 With very few exceptions (e.g., severe mental illness), perpetrators are responsible for their own abuse. It is not excused, minimised by stress, substance misuse or dysfunctional relationship. Perpetrators can change and must be encouraged to take personal responsibility.

12.2 Employees should be aware that domestic violence perpetrated by employees will not be condoned under any circumstances nor will it be treated as a purely private matter. Domestic violence is unacceptable and may lead to criminal proceedings. Employees should be informed that misconduct outside work, whether or not it leads to a criminal conviction, might also lead to disciplinary action being taken, which may result in dismissal. Action taken will depend upon the misconduct and the nature of the job, for example, there will be particular concerns where the employee has responsibilities and access to children or vulnerable adults.

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12.3 Similarly, proven harassment and intimidation of Council employees by their abuser who also works for the Council will be viewed seriously and may lead to disciplinary action being taken.

12.4 Where both the abuser and the person experiencing domestic abuse work for the Council in close proximity, assistance may be given to either individual to transfer to another role within the Council. Wherever possible it should be the perpetrator of the abuse who is moved. This is to help prevent those experiencing the abuse from being moved away from support networks, becoming more isolated and to avoid the perception of 'victim blaming'.

All options should first be discussed with HR Services.

12.5 If it is established that an employee, even when no conviction takes place, is perpetrating Domestic Abuse, consideration will be given by managers or Occupational Health to what support the Council may be able to offer, e.g., external counselling or other services such as legal/housing advice.

### **13 What to do if an Employee is a Perpetrator of Domestic Abuse**

13.1 There should be an investigation of the facts as far as possible, a view taken, and consideration given as to whether the conduct is sufficiently serious to warrant instituting the disciplinary procedures. Please refer to the Disciplinary and Dismissal Policy and Procedure.

13.2 In addition such conduct may make certain job duties inappropriate and justify consideration for redeployment. For example, it may not be appropriate for a perpetrator of domestic abuse to be providing services to vulnerable adults and children. The manager should seek advice from HR Services in such circumstances.

13.3 An employee who is concerned about their own behaviour can contact Respect on their free phoneline: 0808 802 4040. The Council's Domestic Abuse Team can also refer to appropriate services such as The Drive Project, which works to challenge and support perpetrators to change their behaviour.

13.4 The Domestic and Sexual Violence Champions can also signpost perpetrators of abuse to appropriate services.

### **14 Equality and Diversity Statement**

South Tyneside is committed to promoting equality and valuing diversity. An equality check was carried out in July 2018. No equality implications were identified in this policy.

<b>Policy approved by:</b>	<b>Policy Review Group</b>
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**Sources of Advice and Support to people affected by domestic abuse**

**Northumbria Police:**      **In an emergency**                                      **999\***  
    24 Hours Non Emergency                                      101

\* If you are unable to speak after dialling 999, then press 55 and the emergency operator will let you know how to communicate.

**Restart Domestic Abuse Service**      [DomesticAbuseReferrals@southtyneside.gov.uk](mailto:DomesticAbuseReferrals@southtyneside.gov.uk)

**Options (Impact Family Services)**

**TEMPORARY COVID CONTACT NUMBER**                                      **07375 788 835**  
 Offers emotional support, safety planning and                                      0191 456 7577  
 information for women over 18 years of age                                      Monday - Friday  
 experiencing domestic abuse                                      9:00 am - 6:00 pm

**Places for People (South Tyneside Women's Aid) Women's Refuge**

Offers advice and support as well as providing safe,                                      0191 454 8257  
 temporary and emergency accommodation to                                      24 hours  
 women with or without children at risk of domestic abuse                                      wellbeinginfo.org

**National Domestic Abuse Helpline (Freephone)**

Provides a service for women experiencing domestic                                      0808 2000 247  
 violence, their family, friends, colleagues and others                                      24 hours  
 calling on their behalf (this number will **not** appear  
 on your itemised telephone bill)

**Rights of Women**

Works to attain justice and equality by informing,                                      02076 251 6577  
 educating and empowering women on their legal                                      www.rightsofwomen.org.uk  
 rights.

**Men's Advice Line**

0808 801 0327  
[www.mensadvice.org.uk](http://www.mensadvice.org.uk)

**UNISON Welfare**

UNISON members experiencing financial and emotional                                      0800 0857 857  
 difficulties can contact its welfare charity, There for You,                                      thereforyou@unison.co.uk  
 which provides a confidential advice and support service  
 for members and their dependants.

National LGBT+ Domestic Abuse Helpline

0800 999 5428  
[help@galop.org.uk](mailto:help@galop.org.uk)

**Man Kind Initiative**

The Man Kind Initiative is a national charity that provides help and support for male victims of domestic abuse.

01823 3342 244  
[www.mankind.org.uk](http://www.mankind.org.uk)

### **Respect**

Provides practical information and advice on domestic violence for perpetrators

0808 802 4040  
[respectphoneline.org.uk](http://respectphoneline.org.uk)

More information on support and advice can be found in the Domestic Abuse Handbook, which can be viewed on the Domestic Abuse web pages at:

<http://www.southtyneside.gov.uk/article/35217/Domestic-violence-and-abuse-services>