

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: New Policy - Domestic Abuse Staff Support Policy (Employees)

Meeting/Date: Employment Committee – 07 February 2023

Executive Portfolio: Cllr Lara Davenport Ray (LDR)

Report by: Strategic HR Manager (NB)

Ward(s) affected: N/A

Executive Summary:

The Domestic Abuse Act 2021 was signed into law on the 29th April 2021. As HDC is a tier 2 local authority we are required to co-operate with the lead local authority (Cambridgeshire County Council) so far as reasonably practicable to aid them in fulfilling the news duties place upon them because of the act. Seeking Domestic Abuse Housing Alliance (DAHA) accreditation and improving our overall response to domestic abuse forms part of this work. As part of this work we are proposing to implement the Domestic Abuse Staff Support Policy (Employees).

This policy will provide a framework to support victims of domestic abuse and demonstrates the support that HDC have in place and will provide for all employees.

Policy is attached for your information.

Recommendation(s):

The Committee is asked to consider and endorse the new policy.

1. PURPOSE OF THE REPORT

- 1.1 The report draws Committee attention to the new policy and ask for endorsement to implement the use of it.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The Domestic Abuse Act 2021 was signed into law on the 29th April 2021 and is aimed at providing further protections to the millions of people who experience domestic abuse, as well as strengthen measures to tackle perpetrators. As a tier 2 local authority we are required to co-operate with the lead local authority (Cambridgeshire County Council) so far as reasonably practicable to aid them in fulfilling the news duties place upon them because of the act. Seeking Domestic Abuse Housing Alliance (DAHA) accreditation and improving our overall response to domestic abuse forms part of this work.
- 2.2 A part of this work is creating a policy to support our employees and managers to understand the support and processes in place if needed. There will also be a residents support policy available, but this will not come to Employment Committee. By achieving the accreditation HDC will demonstrate their commitment to support Domestic Abuse victims. Alongside the policy we also have a dedicated intranet pages, we will be providing training to all staff and we have a team of Domestic Abuse Champions trained to support people.

3. KEY IMPACTS / RISKS

- 3.1 This policy will show our support to victims of domestic abuse and will help towards gaining the DAHA accreditation.

4. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 4.1 The policy will be added to our employment policy section of the intranet and highlighted to managers and employees. We will also share the details of the Domestic Abuse Champions to employees.

5. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

(See Corporate Plan)

- 5.1 To have an engaged and motivated workforce, as part of being a more efficient and effective council – through updated, clear employment policies.

6. CONSULTATION

- 6.1 Senior Leadership Team, UNISON and ERG have been briefed and given the opportunity to review the proposed policy and support it.

7. REASONS FOR THE RECOMMENDED DECISIONS

7.1 Adoption of the policy will support HDC's work in gaining DAHA accreditation and will show our commitment to supporting victims of Domestic Abuse.

8. LIST OF APPENDICES INCLUDED

8.1 Appendix 1 – Domestic Abuse Staff Support Policy (Employees)

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Domestic Abuse Staff Support Policy (Employees)

1.0

Version Control			
Version	Author	Date	Changes
1.0	Paul Bigger	January 2024	New Policy

Name of Policy	Domestic Abuse Staff Support Policy (Employees)
Person/posts responsible	Housing Needs and Resources Manager
Date approved/adopted	February 2024
Approved by	Employment Committee
Review Date	February 2026

1.0 Policy statement and introduction

1.1 Huntingdonshire District Council (HDC) commits to ensuring that we will deal with all staff affected by domestic abuse in a sensitive manner and in a non-judgmental way. This applies to everyone who is experiencing or has experienced domestic abuse.

1.2 Employees have the right to raise the issue with HDC effectively and empathetically. We will treat it in confidence. However, there are some limited circumstances where confidentiality cannot be assured, as outlined in section 4.0 of this policy.

1.3 This policy sets out ways HDC will support people affected by domestic abuse. HDC has a Corporate Safeguarding Children, young People and Adults at Risk of Harm Policy which provides an overarching framework for all safeguarding matters.

1.4 HDC wants to create a safe space for all employees, to feel confident in disclosing abuse. We want managers to be alert to the signs of abuse and be confident in how to respond to that situation.

1.5 HDC recognises that domestic abuse is a hugely destructive problem, and it is a workplace issue with very serious and practical considerations for employers. High profile cases of domestic abuse victims murdered in their place of work show just how serious the consequences of domestic abuse can be and that violence can also take place on work premises.

1.6 A Trade Union Congress (TUC) Survey showed that between 36% and 75% of those experiencing domestic abuse are targeted at work. For others, the workplace can be a safe space and provide a route away from harm. A job can provide economic independence that helps victim's plan a route out to rebuild their lives. Colleagues and managers can often be the only other people outside the home that victim's talk to each day. Therefore, they are uniquely placed to help spot signs of abuse.

1.7 It should be noted that people causing harm could use workplace resources to threaten, harass or abuse current or former partners. Work colleagues may also be affected and face direct threats or intimidation from people causing harm. They may have to cover for workers who are experiencing domestic abuse and may be aware that abuse is taking place but not know how to help. The connection between the workplace and domestic abuse is often interlinked.

2.0 Definition of domestic abuse

2.1 Domestic Abuse refers to abusive behaviours which take place between two people aged over 16 who are personally connected to each other. This includes people who are, or have previously been married, in civil partnerships or in relationships; or have a child together; or are relatives.

2.2 The 2021 Domestic Abuse Act states that abuse can be a single incident, but is often a pattern of behaviours, and it takes many forms:

- Physical

- Emotional
- Psychological
- Sexual
- Financial

This definition also includes honour-based abuse, female genital mutilation and forced marriage.

2.3 Men, women, and children can all experience domestic abuse although women are disproportionately affected by domestic abuse. The people causing harm can also be of any gender, although the majority of people causing harm are men. It takes place at all levels of society regardless of social class, race, religion, gender identity, sexuality, or disability and those who experience abuse are often affected by it long after they have left their partner.

2.4 There are a wide range of activities and behaviours that amount to domestic abuse which are often dangerous and can be life threatening. Some examples are:

2.4.1 Controlling behaviour

This is a range of acts designed to make a person subordinate and/or dependent by isolation them from sources of support, exploiting their resources and capacity for personal gain depriving them of the means needed for independence, resistance, and escape, and regulating their everyday behaviour.

2.4.2 Coercive behaviour

This is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

2.4.3 Harassment

This is a crime involving behaviour that takes place more than once and the perpetrators actions must have an unwanted effect on the victim.

Under the Protection from Harassment Act 1997, it is an offence for a person to pursue a course of conduct that amounts to harassment of another person, and that they know (or ought to know) amounts to harassment.

The Act defines harassment and states: "References to harassing a person include alarming the person or causing the person distress". A 'course of conduct' in the case of harassment of a single person must involve conduct on at least two occasions.

2.4.4 Stalking

There is no specific legal definition of stalking. However, it is helpful to know that in cases of stalking there is a pattern of unwanted, fixated, and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress.

3.0 The Aims of this Policy and Guidance

3.1 Through the Application of this policy HDC aims to:

- Support our employees and contribute to tackling domestic abuse.
- Create a safe space for all employees, to feel confident in disclosing abuse.
- Set out steps that are easy to follow and help employees choose the best free resources for them.
- Provide signposting to external organisations that offer advice and support to employers and employees.
- Help managers to be alert to the signs of abuse and be confident in how to respond to that situation.
- Ensure that all managers can access guidance on how to support and assist employees asking for support in relation to domestic abuse and aware of how to support and advise employees who may be perpetrators of domestic abuse.
- Offer guidance on steps to take, measures to put in place and how to respond when employees disclose abuse.

3.2 It is the victim's choice who they feel comfortable talking to but they can speak in confidence to their Line Manager, a member of the HR team, a Mental Health First Aider, the Lead Officer for Domestic Abuse as well as one of the Domestic Abuse Support Champions who have a confidential email where you may request support, domesticabusesupport@huntingdonshire.gov.uk.

3.3 The Domestic Abuse Support Champions can provide initial support and signpost to resources and can help with any disclosure conversations victims would like to have with colleagues.

4.0 Confidentiality

4.1 Where an employee discusses with their Line Manager, an alternative Line Manager, a member of the HR team, a Mental Health First Aider, the Lead Officer for Domestic Abuse, or a Domestic Abuse Support Champion that they are experiencing domestic abuse, confidentiality will usually be maintained as far as it is possible. The information is only recorded with HR if the employee wants it to be.

4.2 There are, however, some circumstances in which confidentiality cannot be assured. These circumstances occur where:

- Children/adults are at risk of serious harm.
- There are concerns about children or vulnerable adults.
- A high risk to safety has been identified.
- We need to act to protect the safety of members of the public, including other colleagues.

4.3 The employee who information has been disclosed to needs to be satisfied that appropriate steps are being taken to protect any dependent children or vulnerable adults. If they are not satisfied, they should urgently contact one of HDCs designated Safeguarding leads to ensure appropriate safeguarding referrals are made.

4.4 If a person causing harm may be placing their partner or family member(s) in genuine danger, then this may be reported to the Police. This will be subject to prior discussion with the employee, wherever it is reasonably practicable to do so. Personal data will be stored in accordance with GDPR guidelines.

4.5 HDC have a duty to maintain a secure environment for all staff and this could be made easier if colleagues are aware of potential risks. However, it is essential that an agreement is in place with the individual concerned about what information to tell colleagues. Disclosure to team members is normally delivered by the team manager who must also remind staff that this information is confidential. Any unauthorised breaches of this could be subject to disciplinary action being taken.

4.6 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 taking place increases significantly when a victim decides to leave home or immediately after. Therefore, it is important to not underestimate the danger or assume that the fear of abuse is exaggerated.

5.0 Other Related Policies

5.1 Other related policies include:

- Domestic Abuse Residents Policy.
- Safeguarding Children, young People and Adults at Risk of Harm Policy.
- Whistleblowing Policy.
- Leave arrangements policy.

6.0 Legal Obligations

6.1 HDC understands that all its employees have the right to feel safe within their working environment. HDC recognises its other legal responsibilities in promoting the health, safety, and wellbeing of its employees in line with the following:

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1992
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
- Health and Safety Regulations 1996.
- Serious Crime Act 2015
- Human Rights Act 1998
- Crime and Disorder Act 1998
- Domestic Violence, Crime and Victims Act 2004

6.2 An effective workplace domestic abuse policy and associated guidance helps HDC to ensure that employers are complying with these laws. This extends to people working from home.

7.0 Support for employees

7.1 HDC will provide support to employees who are or have experienced domestic abuse or who are supporting a friend or a family member who has experienced domestic abuse. Those providing support should address the issues sympathetically ensuring that the employee is aware that support and assistance is available where requested.

7.2 HDC will create an environment which supports disclosure and reassures employees that they will be listened to and supported. Employees should also be aware that, typically, an individual who is experiencing domestic abuse will experience abuse for a considerable time before feeling able to disclose.

7.3 Our managers are expected to signpost and encourage employees to access the sources of support available to them. These may include accessing counselling, referrals to appropriate domestic abuse services and discussing any safeguarding concerns.

7.4 Other support options that will be considered on a case-by-case basis are:

- Temporary or permanent changes to working times and patterns, this would be agreed with the victim's manager and may affect pay.
- Changes to specific duties, for example, to avoid potential contact with an abuser.
- Measures to ensure a safe working environment, for example, changing a telephone number to avoid harassing phone calls.

7.5 HDC recognises that employees may request to take time off from work to make arrangements or attend relevant appointments as a result of domestic abuse, these requests will be treated sympathetically. The appointments could include, but are not limited to:

- Appointments with support agencies,
- Arranging rehousing,
- Meetings with criminal justice agencies, e.g., the Police, solicitors. Meetings can be held in the Councils offices where necessary.
- Making alternative childcare arrangements, including meetings with schools.

Where appropriate, we will support these requests which can be processed a number of different ways, in line with HDC's flexible working scheme and leave arrangements policy. Where appropriate this could include HDC supporting with compassionate leave for domestic abuse to address and deal with issues such as those given above, taken in line with the leave arrangements policy.

7.6 HDC recognises that home is not always a safe place for everyone and for those experiencing domestic abuse, working from home can be more than a shift to video calls, it can mean removal of work as a safe space and escape from their abuser. HDC will respond by considering how they keep in touch with the employee and meet their duty of care remotely. For example, regular contact may be increased.

7.7 If an employee discloses that their partner has access to their finances or is exerting economic pressure upon them, HDC can support the employee by changing the account details their salary gets paid to.

7.8 All advice, information and support will remain confidential. No information or documentation will be disclosed without the express consent of the employee, unless there is a risk of immediate harm or threat of life, in which case a referral to the appropriate child or adult safeguarding hub of the relevant district may be necessary.

7.9 In cases where a safeguarding concern has been identified or an incident of domestic abuse with the employee may conflict with their role or responsibilities, HR must be informed.

8.0 Perpetrators of domestic abuse

8.1 HDC will treat all employees who disclose causing domestic abuse sensitively and fairly. Advice should be sought from the HR team in all circumstances.

8.2 Where an employee discloses that their behaviour may be causing harm to someone they are connected with (under the definitions of the Domestic Abuse Act, see section 2.0), the employee will be supported to access help to change these behaviours via signposting to appropriate specialist services and will be validated for their disclosure.

8.3 Where an employee makes a disclosure of committing domestic abuse, a risk assessment must be completed, considering:

- The nature of the disclosure.
- Job role and the impact of the employees' actions on their duties and responsibilities.
- Any safeguarding issues that arise.
- The employees work location.
- The impact on the victim or his/her dependents.
- Whether the employee has voluntarily sought help to deal with the issue.

8.4 All advice, information and support provided by managers and the HR team will remain confidential. No information or documentation will be disclosed without the express consent of the employee unless:

- There is an immediate risk of harm or threat to life, in which case a referral to the appropriate child or adult safeguard hub of the relevant district may be necessary.
- A disciplinary process has been initiated, in which information will be shared in line with the disciplinary policy.

8.5 A perpetrator of domestic abuse may be subject to disciplinary action if this action is seen to impact their role within HDC, which, if proved, may lead to dismissal.

9.0 Spotting the signs

9.1 Abuse is often associated with physical violence, but it takes many forms. HDC recognises that it is important to raise awareness and educate our employees to enable them to spot it.

9.2 By identifying that an employee is experiencing difficulties at an early stage, appropriate support and help can be offered which in turn could mean that the employee is able to deal with their situation far more effectively.

9.3 HDC recognises the changes and signs to look for in an employee include, but are not limited to:

Work productivity

- Change in an employee's working patterns, for example frequent absences, lateness or needing to leave work or a meeting early.
- Reduced quality and quantity of work, missing deadlines, a drop in the usual standards.
- Change in the use of the phones or email, for example, receiving a large number of personal calls or texts, avoiding calls or a strong reaction to calls, texts and emails. During working from home this could present as being difficult to get hold of or regularly having a partner in the room during meetings.
- Spending an increased number of hours at work for no reason or being anxious to get back to the office after lockdown.
- Frequent visits to work by the employees' partner, which may indicate coercive control.

Changes in behaviour or demeanour

- Conduct out of character with previous behaviour.
- Changes in behaviour, for example becoming very quiet, anxious, nervous, frightened, tearful, aggressive, distracted, depressed or a new reticence to engage in conversation.
- Being isolated from colleagues.
- Secretive about their home life or give reasons not to turn the camera on when meeting online.
- Worried about leaving children at home.

Physical indicators

- Visible bruising or single or repeated injury with unlikely explanations.
- Change in the pattern or amount of makeup used.
- Change in the manner of dress, for example clothes that do not suit the climate which may be used to hide injuries.
- Substance use/misuse.
- Fatigue/sleep disorders.

Other indicators

- Partner or ex-partner stalking employee in or around the workplace or on social media.
- Partner or ex-partner exerting unusual amount of control or demands over work schedule.
- Isolation from family/friends/colleagues.

9.4 HDC recognises that indicators such as those above which suggest that something might be wrong, can be symptomatic of other issues such as ill-health. We should not assume that these signs relate to domestic abuse, however we recognise that if there is a supportive atmosphere in the workplace, whether in the office or through online team activity, then it is more likely that employees are going to feel comfortable disclosing abuse.

9.5 HDC recognises that employees should have a sensitive and non-judgmental approach when dealing with other employees who have experienced domestic abuse.

9.6 HDC recognises that considering the possibility that an employee can be subject to domestic abuse at work is an important part of our thorough employers' response.

10.0 Raising Awareness

10.1 HDC is committed to not tolerating abuse against anyone. It is essential that the working environment promotes the view that such abuse is unacceptable. It will not be condoned, nor should it be made the subject of jokes or graphics.

10.2 HDC will aim to raise awareness through the following measures:

- Preparation and distribution of information publicising the issue and the Council's Domestic Abuse policies.
- A dedicated Lead Officer for Domestic Abuse who will attend partnership meetings such as VAWG and DASV to share best practise and ensure they and the DA Champions are up-to date with current DA Legislation and training.
- A network of Domestic Abuse Support Champions across HDC who are available for confidential discussions and can provide support and information relating to Domestic Abuse services.
- A dedicated Domestic Abuse Support page on HDCs Intranet.
- A dedicated Domestic Abuse page on HDCs website.
- Domestic Abuse training for all employees
- Participating in national Domestic Abuse awareness campaigns.
- Sharing relevant and useful information with employees from specialist domestic abuse services such as DASV and VAWG.

11.0 Duties/Responsibilities

11.1 It is possible that a line manager may become aware that an employee is experiencing domestic abuse through associated issues such as attendance at work or poor performance. Therefore, HDC recognise that they have a crucial role to play in enabling employees experiencing domestic abuse to seek help.

11.1.1 The line manager can assist in the following ways below:

- Identify employees experiencing difficulties because of domestic abuse. For example, using regular one to one meetings, or by fostering an open management culture that enables team members to disclose sensitive issues.
- Provide support in the first instance. This includes giving specific advice on the options available, but also recognising the limitations of their role (managers are not professional counsellors or experts).
- Protect confidentiality in all instances (refer to section 5 Confidentiality).
- Refer the individual to the appropriate internal or external source of help and support.
- Be aware of what support is available and explore these options with the employee (refer to section 13, Support Agencies). However, if the employee does not want you to

contact other agencies, you must follow their wishes, unless there is a safeguarding concern.

- Ensure that the safety of all employees in the team is protected.
- Enable the affected employee to remain productive and at work during a difficult period in their domestic life. This may include using the organisation's leave arrangements policies and procedures.
- Ensure that they provide a non-judgemental, believing, and supportive environment.
- Ensure that they are respecting the employee's boundaries and privacy.
- Not to deal with the abuse itself but to make it clear (through policy and its associated guidance) that employees will be supported and to outline what help is available.
- Where appropriate, ensure that a Risk Assessment is completed/updated for the employee. Support can be given by the Health and Safety Advisor & HR.
- If the employee does not want the manager to contact other agencies, the manager must follow their wishes, unless there is a safeguarding concern (refer to section 5.0, confidentiality).

11.2 All employees of HDC have a responsibility to support victims of Domestic Abuse.

11.3 Employees are responsible for seeking further advice and guidance where they are unclear about the application of any aspect of this policy or associated guidance. We will respond to everyone's circumstances on a case-by-case basis, and support via a co-ordinated response as needed.

12.0 Training

12.1 HDC has a corporate Tiered Domestic Abuse Training Plan in place for different roles within the organisation. The purpose of the Training Plan is:

- To help meet HDC's commitment to raising awareness of and tackling domestic abuse in any form.
- To enable all HDC employees to have the awareness, confidence, and support to enable them to recognise and respond appropriately to incidents of domestic abuse involving customers (and/or colleagues in their personal lives).
- To encourage and promote the development of Domestic Abuse Support Champions within HDC who can help raise awareness and act as a reference point for colleagues seeking advice.

13.0 Equal opportunities

13.1 HDC is fully committed to taking effective action to eliminate discrimination and to advance equality of opportunity and foster good relations in all that we do as an employer, a service provider and community leader.

13.2 We believe that all people are entitled to be treated with dignity and respect. We are determined to ensure that both our employees and everyone entitled to use our services receive fair and equitable treatment.

13.3 One way that we can do this is by ensuring that those who do not use English as a first language (including if they are a user of British Sign Language), still have equal access to services through the provision of interpretation and translation services.

13.4 We are committed to working with our partners and communities to promote good relations and to combat prejudice, discrimination, and harassment.

13.5 In addition, in terms of supporting people experiencing domestic abuse, HDC recognises that a person's intersectional needs will impact on their experiences and the support required. HDC promotes a range of resources and information via the intranet, which can support employees and have a network of Domestic Abuse Support Champions across to offer specialist advice.

14.0 Support Agencies

14.1 If you or someone else is in immediate danger you should call 999.

14.2 Other key organisations that you might find helpful:

- You can contact the National Domestic Violence Helpline on 08082000247 if you're experiencing domestic abuse. You can talk confidentially to someone about your situation and to find out what your options are.
- If you are a man experiencing domestic abuse, you can contact the Men's Advice Line on 08088010327
- If you are in a same-sex relationship you can call the National LGBT+ Domestic Violence Helpline on 08009995428
- Call the police on 101 (if it is not an emergency) or 999 in an emergency if your personal safety is threatened.
- If you are concerned because you think you might be hurting someone or demonstrating abusive behaviour, help and advice is available by contacting 08088024040 or visiting the Respect website.

14.3 In addition, there are number of web pages contain information about local and national support agencies who may be able to offer support to people experiencing or perpetrating abuse. Links to these can be found on the dedicated Domestic Abuse intranet and internet sites.

14.4 Trade union are also able to provide support to their members suffering from domestic abuse. The recognised trade union at HDC is UNISON, their contact details are listed below:

- UNISON - 01223 699258, or by email unison@cambridgeshire.gov.uk

14.5 HDC also offers several internal support services as detailed below:

- Employee Assistance Programme, (EAP), includes counselling by calling **088 028 0199**.
- Mental Health First Aiders are also available to support the ongoing wellbeing of staff.
- Specialist advice is also available where required from an Occupational Health Service.
- Employee Representative Group.

14.6 You can also speak to the HR, the HDC's Lead Officer for Domestic Abuse, any of the Domestic Abuse Support Champions and any of the Designated Safeguarding Officers. Names and contact details of the Domestic Abuse Support Champions and the Designated Safeguarding Officers are detailed on the intranet site.