

Report to the Board

20 November 2014



Title: Domestic Abuse Policy and Guidance for Employees and Managers

Report of: Director of Customers and Communities

Purpose of Report

1. The purpose of this report is to seek Board's approval of the updated domestic abuse policy and guidance for employees and managers.

Background

2. Domestic abuse is a key priority for government; in March 2011 the government launched its national strategy 'A Call to End Violence against Women and Girls'. This has subsequently been followed by changes in legislation to protect victims of domestic abuse including Claire's Law which was rolled out in March 2014 and forced marriage which became a criminal offence in June 2014, followed by the introduction of Domestic Violence Protection Orders.
3. Domestic abuse is a serious problem which affects individuals, families and communities. The cost of domestic abuse to UK businesses is over 1.9 billion each year, with more than 20% of employed women taking time off work because of domestic abuse related issues and 75% of women who experience domestic abuse are targeted at their place of work.
4. One in four women will experience domestic abuse at some point in their lifetime. The guidance principally refers to women but it applies equally to men. Research shows that women are more likely to suffer more serious injury and ongoing assaults than men. However, it is acknowledged men can also experience domestic abuse from their female partner and that domestic abuse also occurs in same sex relationships.

Summary

5. Locally there were over 5,000 domestic incidents reported to Northumbria Police during 2013/14. This figure does not take into account the many unreported incidents.
6. Domestic abuse is not an issue which can be ignored whilst at work and the impact on victims could easily manifest itself in the workplace. This policy and guidance demonstrates our commitment to our employees and that we will take

all reasonable steps to tackle domestic abuse and ensure our employees are safe.

7. It is therefore important that as an organisation we have a policy which reflects both national and local developments and provides employees and managers with appropriate information, support and advice about tackling domestic abuse. The workplace can be a lifeline for survivors of domestic abuse as it offers the opportunity to seek help. Providing the appropriate support for employees to remain in work can support their well-being over the long term.
8. The key aims of the policy and guidance include:
 - Raising awareness of domestic abuse employee champion scheme
 - Demonstrating that TGHC will not tolerate domestic abuse
 - Encouraging employees to seek appropriate support
 - Providing a clear and consistent approach to employees
 - Providing guidance around actions where an employee is proven to be a perpetrator of domestic abuse
 - Ensuring line managers understand the importance of their role
9. The full policy and guidance document is attached at appendix one for further information.
10. Resources Committee, at its meeting held on 4 November 2014, recommended that the Board introduce the full policy and guidance, subject to the fact that the men can also experience domestic abuse from their female partner and that domestic abuse also occurs in same sex relationships being highlighted in bold in the Policy.

Link to values

11. This report is aligned to the following values of the Company:
 - Being motivated, trained and committed across the company
 - Being caring and respecting
 - A commitment to all our employees

Impact on tenants

12. Ensuring that employees who are victims of domestic abuse are supported appropriately, will contribute to their overall being which is directly linked to staffing levels and levels of customer service we provide through motivated and committed staff.

Risk Management Implications

13. The implementation of this policy and guidance will support reducing the risks faced by domestic abuse victims; there may also be implications following an investigation where an employee is a perpetrator of domestic abuse and a crime is committed.

Financial Implications

14. There are no financial implications arising from this report.

Equality and Diversity Implications

15. There are no equality and diversity implications associated with this report.

Value for Money Implications

16. Effectively supporting employees who are victims of domestic abuse, through this policy and also through sign-posting to appropriate agencies will ensure employee well-being is at the heart of our approach. Working in partnership with the council and other specialist support services will bring added value.

Health Implications

17. This policy and guidance provides additional support for employees where domestic abuse is an issue for them, and aims to improve the health and well-being of those employees.

Environmental Implications

18. There are no environmental implications associated with this report.

Consultation and Involvement

19. The domestic abuse policy and guidance document has been developed in consultation with a range of partners through a Task and Finish working group. Officers have also attended regional events held by Northumbria's Police and Crime Commissioner who is leading on this work both locally and nationally. In addition consultation has also taken place with the Trade Unions.
20. A formal launch of the policy will be undertaken and will include information being shared with employees on the intranet and literature will be produced to sign-post to relevant support.
21. A number of managers briefing sessions will also take place to raise awareness of their role in supporting employees who experience domestic abuse.
22. We will also be developing the role of domestic abuse champions. The aim of the champions will be to help raise awareness of domestic abuse and they will be trained and supported to become the link between our organisation and the overall regional network; they will also be a conduit for information and enhance the response to domestic and sexual abuse by supporting colleagues experiencing abuse and sign posting them to specialist services where appropriate.

Recommendation

23. The Board is asked to approve the introduction of the Domestic Abuse Policy and Guidance for Employers and Managers within TGHC.



TGHC Domestic Abuse Policy and Guidance for Employees and Managers

Introduction

The Gateshead Housing Company has a responsibility to provide all staff with a safe and effective working environment. For some staff the workplace is a safe haven for them. Domestic abuse is a serious and significant problem which has a devastating impact on victims and their families.

This document ensures that both victims and perpetrators of domestic abuse are aware of the support that is available, and also provides guidance to line managers when supporting staff who are affected by domestic abuse.

One in four women will experience domestic abuse at some point in their lifetime. This guidance principally refers to women but it applies equally to men. Research shows that women are more likely to suffer more serious injury and ongoing assaults than men.

However, it is acknowledged that men can also experience domestic abuse from their female partner and that domestic abuse also occurs in same sex relationships.

Statistics show that the cost of domestic abuse to UK businesses is over 1.9 billion each year with more than 20% of employed women taking time off work because of domestic abuse related issues.

Locally in Gateshead, there were 4,889 incidents of domestic abuse reported to Northumbria Police during 2012/13. This does not however take into account self-referrals from victims accessing direct support from specialist services where incidents are not reported to the police.

Domestic abuse will impact on our employees at some time. It is likely that employees who experience domestic abuse may need to take time off work or may experience other issues including anxiety or stress that may have an effect on their performance.

It is therefore important that we have a policy in place which supports employees to access help. The workplace can be a lifeline for survivors of domestic abuse as it offers the opportunity to seek help. Providing the appropriate support for employees who are affected by abuse to remain in work can therefore support their wellbeing over the long term.

Aims

The aim of this policy is to:

- Demonstrate that TGHC will not tolerate domestic abuse in any form
- Encourage employees to seek appropriate support
- Provide a clear and consistent approach to employees
- Raise awareness of the support available
- Provide guidance in relation to actions that may be taken if an employee is proven to have perpetrated domestic abuse
- Ensure line managers understand the important role they play in tackling domestic abuse and supporting victims

Definition

The Home Office definition is '*any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.*'

The definition includes honour-based violence, forced marriage and female genital mutilation.

The impact of domestic abuse can range from loss of self-esteem to loss of life.

In practice 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.

Domestic abuse happens in all communities regardless of gender, age, disability, gender, race, religion or belief or sexual orientation.

Some examples of domestic abuse could include:

- **Physical violence** – slapping, pushing, kicking, punching, stabbing, destruction of personal property or threat of
- **Sexual violence** – non-consensual sexual activity, sexual assault, refusing safe sex or threat of
- **Emotional/Psychological** – intimidation, verbal abuse, humiliation or threat of
- **Restricting Freedom** – with-holding money, controlling where you go, what you wear, stalking, imprisonment, restricting access to friends or family members, forced marriage or threat of

A duty of care

All employers have a duty of care and health and safety laws ensure workers have the right to work in a safe environment where risks to health and well-being are considered and dealt with efficiently.

There are four main areas of health and safety law relevant to violence at work:

- Health and safety at work act 1974
- Management of health and safety at work regulations 1992
- Reporting injuries, diseases and dangerous occurrences regulations 1995
- Health and safety (consultation with employees) regulations 1996

An effective workplace policy on domestic abuse ensures that TGHC are complying with these laws.

This policy also links to a number of other TGHC employee policies including the employee handbook.

Impact of domestic abuse in the workplace

75% of those experiencing domestic abuse are targeted at work and it is often possible for perpetrators to use workplace resources such as phones or email to threaten, harass or abuse their current or former partner.

Possible signs of domestic abuse can include:

- Changes in behaviour including uncharacteristic depression, anxiety, distraction or problems with concentration
- Changes in quality of work for no apparent reason
- Arriving late or leaving early
- Poor attendance or spending increased amount of hours at work for no reason
- Needing regular time off for appointments
- Inappropriate or excessive clothing

The impact of domestic abuse on work colleagues

Domestic abuse also affects people close to the victim and this can include work colleagues.

Some effects may include:

- Being followed to or from work
- Being subject to questioning about the victim's contact details or locations
- Covering for other workers during absence from work
- Trying to deal with the abuse and fear for their own safety
- Being unaware of the abuse or not knowing how to help

The impact of domestic abuse on the employer

Some effects may include:

- Negative impact on productivity, performance and morale
- Staff turnover; as employees may have to leave work or move away to escape abuse

TGHC expects all staff to report their concerns if they suspect a colleague is experiencing or perpetrating abuse. A member of staff should speak to their line manager about their concerns in confidence. Alternatively a confidential reporting line is now available through

Crime Stoppers 0800 111 4444; this is a 24 hour hotline that allows any member of staff to report any concern they may have about a colleague or practices in the workplace.

Confidentiality and right to privacy

Staff who disclose that they are a victim of domestic abuse can be assured that the information they provide is confidential and will not be shared with other colleagues without their permission.

There are however, some circumstances in which confidentiality cannot be assured. This may occur when there are concerns regarding children, vulnerable adults or where the organisation is required to protect the safety of their staff. In these circumstances the member of staff will be informed as to the reasons why confidentiality cannot be maintained. As far as possible information will only be shared on a need to know basis.

Support for staff

There are a number of ways in which we can support our employees:

- Through offering practical support
- Raising awareness generally of the issues and in particular amongst managers
- Providing training opportunities to line managers
- Signpost to an appropriate counselling service if appropriate
- Taking a clear anti-abuse stance against perpetrators

It is essential staff feel able to disclose personal information and are encouraged to discuss this with their line manager. However, if they feel unable to do so support is available from second line managers, HR advisors, occupational therapy services and Union representatives.

Support for line managers

Domestic abuse is unlikely to be disclosed easily by victims or perpetrators. There are a number of steps that can be taken to address workplace effects of domestic abuse including how to ***recognise the problem, respond, provide support and refer to appropriate help.***

See appendix one which outlines the ten steps to address the effects of domestic abuse and appendix two which provides guidance for managers on asking difficult questions.

Line managers may consider offering a broad range of support to staff experiencing domestic abuse including:

- Annual leave, flexi time for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare and for court appointments
- Special leave provisions (e.g. compassionate or unpaid leave) where the officer or member of staff's annual leave entitlement has been exhausted
- Temporary or permanent changes to working times and patterns using existing procedures, i.e. flexible working

- Changes to specific duties, for example to avoid potential contact with a perpetrator in a customer facing role
- Measures to ensure a safe working environment, for example blocking emails/screening telephone calls, alerting reception/security if the perpetrator is known to come to the workplace and ensuring arrangements are in place for safely travelling to and from work
- Redeployment or relocation
- Advise colleagues on a need to know basis and agree a response if the perpetrator contacts the workplace
- Provide a photograph of the perpetrator to line management, security and reception
- Review the security of personal information held, such as temporary or new address and bank details

The right of staff to make their own decision about the course of action at every stage will be respected. It is recognised that a member of staff may need some time to decide what to do and may try different options during this process.

Support for colleagues or witnesses of domestic abuse

Sometimes colleagues may be the first to suspect domestic abuse is going on. They may overhear conversations or a colleague may witness an incident. In these circumstances it is important not to underestimate the impact this may have on an individual.

Any employee who witnesses a domestic abuse incident is encouraged to act to protect their colleague wherever possible. This could include contacting the police to report the incident or removing their colleague from the situation if it is safe to do so.

Where an employee is concerned that a colleague is experiencing domestic abuse they should always act. This may be through speaking to a colleague if they feel comfortable to do so and encourage them to seek help or alternatively they should inform their line manager of their concerns.

Perpetrators

Domestic abuse perpetrated by staff will not be condoned under any circumstances nor will it be treated as a purely private matter. Staff should be aware that domestic abuse is a serious matter which could lead to formal investigation by TGHC and/or could lead to criminal convictions. Conduct outside of work may lead to disciplinary action being taken against a member of staff; such as conduct that may undermine the confidence and trust we have in them. TGHC recognises that we have a role in encouraging and supporting perpetrators to address violent and abusive behaviour of all kinds.

If a member of staff discloses perpetrating domestic abuse the police should be informed as well as our HR Manager so that disciplinary or other internal procedures can be considered. However the member of staff will be provided with information about the services that are available to support them. This could include providing details of programmes designed to help perpetrators of domestic abuse acknowledge and change their behaviour. It is

important to note that providing support would not prejudice any ongoing investigation into their conduct.

This procedure can be applicable in cases where a member of staff has:

- Behaved in a way that has harmed or threatened their partner
- Possibly committed a criminal offence against their partner
- Had an allegation of domestic abuse made against them
- Presented concerns about their behaviour within an intimate relationship

TGHC will ensure that:

- Allegations will be dealt with fairly and in a way that provides support for the person who is the subject of the allegation or disclosure
- All staff will receive guidance and support
- Investigations will be sufficiently independent

The accused member of staff will be:

- Treated fairly and honestly
- Helped to understand the concerns expressed and processes involved
- Kept informed of the progress and outcome of any investigation and the implications for any disciplinary process

Victims and perpetrators working for TGHC

In cases where both the victim and perpetrator of domestic abuse work for us appropriate action will be taken. In addition to considering disciplinary action against the perpetrator, action may need to be taken to ensure that the victim and perpetrator do not come into contact in the workplace.

Action may also need to be taken to minimise the potential for the perpetrator to use their position or work resources to find out details about the whereabouts of the victim. This may include a change of duties or withdrawing the perpetrators access to certain computer programs. Further advice should be sought from HR.

Support from Trade Unions

In some cases employees may feel more comfortable speaking with a representative from their Trade Union; employees should be clear that this would not negatively impact on any future advice or support they should receive from other support services.

Trade Unions may be able to offer general advice about work related issues and sign post to free legal advice or in some cases support through emergency financial assistance. Any advice given will be confidential and only shared with line managers where appropriate and with consent from the employee, unless there is a duty to share the information as outlined on page 4 – confidentiality and right to privacy.

Work Based Contacts

TGHC and Gateshead council working in partnership have a number of work based contacts who are trained and can provide confidential advice and support to any employee who wishes to seek help.

Work based contacts are approachable and will listen to employees in a non-judgemental way and assist them to seek help. Further details are included in appendix four.

Training and raising awareness

TGHC works in partnership with Gateshead Council and a range of other agencies through the Domestic Abuse Executive Forum. Training needs and delivery of training is undertaken in partnership with the council. In addition to this a number of neighbourhood relations officers are trained in delivering domestic abuse awareness training.

Managers will be required to attend specific training to ensure they can support employees who are experiencing domestic abuse. This training will raise general awareness of domestic abuse and equip managers to recognise the signs of domestic abuse and support staff appropriately. Managers can also access additional advice and support from a range of other agencies.

This policy will be promoted with all employees to ensure awareness of domestic abuse and how to access support and advice services.

Monitoring and review

This policy and guidance will be reviewed and monitored through the Domestic Abuse Executive Forum to ensure that the most appropriate support is provided to employees.

Performance data will be collated to assist with monitoring the effectiveness of the policy.

Practice Guidance for Managers - Ten steps to address the effects of domestic abuse

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

There are a number of steps that line managers can take to address the effects of domestic abuse. In many cases it is about being aware and signposting to the organisations that provide specialist support.

Recognise the problem

1. Look for sudden changes in behaviour and/or changes in quality of work performance for unexplained reasons despite a previously strong record
2. Look for changes in the way the member of staff dresses, for example excessive clothing on hot days, changes in the amount of make-up worn
(See appendix 3 for further detail)

Respond

3. Believe a member of staff if they disclose experiencing domestic abuse – do not ask for proof
4. Reassure the member of staff that TGHC has an understanding of how domestic abuse may affect their performance and the support that can be offered

Provide support

5. Divert phone calls and email messages and look to change a phone extension if a member of staff is receiving harassing calls
6. Agree with the member of staff what to tell colleagues and how they should respond if their ex/partner telephones or visits the workplace
7. Ensure the member of staff does not work alone or in an isolated area and check that they have arrangements for getting safely to and from work
8. Keep a record of any incidents of abuse in the workplace, including persistent telephone calls, emails or visits
9. Provide access to supportive literature i.e. leaflets and posters. Ensure these are placed in discrete locations e.g. putting up posters on the backs of toilet doors

Refer to the appropriate help

10. Have a list of the support service offered in your area that is easily accessible and refer staff to appropriate organisations that deal with domestic abuse

Practice Guidance for Managers - Asking difficult questions

If you suspect that a member of staff is experiencing domestic abuse, you should facilitate a conversation to discuss this and identify/implement appropriate support. Shying away from the subject can perpetuate fear of stigma and increase feelings of anxiety. Often staff will not feel confident in speaking up, so making the first move to begin a conversation can be key.

You should ask indirect questions to help establish a relationship and develop empathy. Some examples could include:

- How are you doing at the moment? Are there any issues you would like to discuss with me?
- I have noticed recently that you are not yourself. Is anything the matter?
- Are there any problems or reasons that may be contributing to your frequent sickness absence/under-performance at work?
- Is everything alright at home?
- What support do you think might help? What would you like to happen now? How?

Avoid victim blaming, it's important you can provide a non-judgemental and supportive approach. Respecting boundaries and privacy is essential.

Even if you disagree with the decisions being made regarding a member of staff'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. Your role is not to deal with the abuse itself but to make it clear that members of staff will be supported and outline what help is available.

Recognising the signs

Signs that an employee might be experiencing domestic abuse include:

<p>Work productivity signs:</p>	<ul style="list-style-type: none"> ▪ changes in working pattern, e.g. frequent absence, lateness, needing to leave early ▪ reduced quality and quantity of work, missing deadlines, a drop in usual standards ▪ change in use of the phone/email, e.g. a large number of personal calls/texts, avoiding calls/texts or a strong reaction to calls/texts ▪ spending an increased amount of hours at work for no reason
<p>Changes in behaviour:</p>	<ul style="list-style-type: none"> ▪ Conduct out of character with previous employment history ▪ Changes in behaviour, e.g. becoming very quiet, anxious, frightened, tearful, aggressive, distracted, depressed ▪ Isolating themselves from colleagues ▪ Obsession with timekeeping ▪ Secretive regarding home life ▪ Worried about leaving children at home with abuser
<p>Physical signs:</p>	<ul style="list-style-type: none"> ▪ Visible bruising or single or repeated injury with unlikely explanations ▪ Change in pattern or amount of make-up used ▪ Change in manner of dress, e.g. clothes that do not suit the climate which may be used to hide injuries

	<ul style="list-style-type: none"> ▪ Substance use/misuse ▪ Fatigue/sleeping disorders
Other signs:	<ul style="list-style-type: none"> ▪ Partner or ex-partner stalking employee in or around workplace ▪ Partner or ex-partner exerting unusual amount of control or demands over work schedule ▪ Flowers/gifts sent to employee for no apparent reason ▪ Isolation from family/friends

These behaviours could reflect a range of issues and at the same time potentially lead to disciplinary procedures. It is therefore important to establish what is behind them.

Employers need to understand that it can be difficult for employees to make a disclosure of domestic abuse, and support will be very important:

- **Do** be sensitive/non-judgemental/practical/supportive/discrete
- **Do** prioritise safety over work efficiency
- **Do** allocate some private time and space to listen
- **Do not** seek proof of abuse
- **Do not** contact the abuser
- **Do not** compel a victim to accept support
- **Do not** adopt the role of being the support worker yourself
- If the employee or any colleagues are in immediate danger, call 999

Work based contacts:

TGHC Contacts:

Hazel Forster
Neighbourhood Relations Team Manager
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Gateshead Council Contacts:

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Janette Graham
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