



# EMPLOYEE & WORKPLACE DOMESTIC ABUSE POLICY

## Document Control

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## **1. AIM & OBJECTIVES OF THE EMPLOYEE & WORKPLACE DOMESTIC ABUSE POLICY**

The purpose of this document is to:

- support employees/workers experiencing Domestic Abuse
- enable employees/workers to remain productive and at work
- aid managers seeking to help team members experiencing Domestic Abuse
- assist colleagues of those experiencing Domestic Abuse
- outline the approach to be taken where there are concerns that an employee may be the perpetrator
- reinforce organisational corporate social responsibility objectives by demonstrating Derby Homes values, and is prepared to support staff during difficult periods

This policy:

- applies to all employees and workers at Derby Homes. Derby Homes will also offer support to agency and contract workers, volunteers and apprentices as far as is reasonably possible.
- It is Derby Homes expectation that line managers will show empathy and understanding with victims or survivors of Domestic Abuse and be flexible in their responses to them.

## **2. INTRODUCTION**

Derby Homes recognises that amongst its employees there will be individuals affected by Domestic Abuse and is committed to promoting zero tolerance of Domestic Abuse towards, or by, its employees. It is essential therefore, that the working environment promotes the view that Domestic Abuse is unacceptable and will not be tolerated. This policy also covers the approach to be taken where there are concerns that an employee may be the perpetrator of the abuse.

This policy aims to ensure that all staff and managers are aware of the impact that Domestic Abuse can have on an individual, a family or wider society, and that all staff know where to seek help and support if they, or a colleague, are affected by Domestic Abuse.

This policy should be read in conjunction with the Domestic Abuse Guidance and Domestic Abuse Procedure which provides a range of practical advice for managers and employees.

This policy is part of Derby Homes commitment to family friendly working and seeks to benefit the welfare of individual employees/workers; retain valued employees; improve morale and performance; challenge abusive behaviours and enhance the reputation of Derby Homes as an employer.

Under the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1992) Derby Homes recognises its legal responsibilities in promoting the welfare and safety of all staff.

## **3. DOMESTIC ABUSE- DEFINITION**

The new definition of domestic violence and abuse now states: Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence, abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.

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This definition includes so called “honour” based violence, female genital mutilation (FGM) and forced marriage.

This definition can encompass, but is not limited to, the following types of abuse:

- psychological
- physical
- sexual
- financial
- coercive control /emotional
- exploitative
- digital /online
- stalking
- harassment

Controlling behaviour is defined as: a range of acts designed to make a person subordinate and/or 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 is defined as: 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.

Ultimately, Domestic Abuse is the abuse of power and control over one person by another.

It is important to recognise that both females and males can be subjected to Domestic Abuse from and by a current/ex-partner, their children (aged 16+) or a member of their family or people that they live with.

Perpetrators can be either male or female.

#### **4. VICTIMS OF DOMESTIC ABUSE**

There are many barriers to disclosure of Domestic Abuse and recognising Domestic Abuse is not always easy, however, there are ways in which a manager may become aware that an individual is being subject to Domestic Abuse.

These may include:

- the member of staff may confide in their colleagues/manager
- they may tell their manager or colleague something which makes them concerned for their safety
- staff may inform their manager that a colleague is suffering from Domestic Abuse
- there may be obvious effects of physical abuse, or injuries that don't match the explanation given (it is important not to make assumptions)
- it may come to light because of enquiries or a significant change in behaviour

- increased contact from a partner, ex-partner or family member to the employee during working hours

Managers/supervisors who support staff in such matters will show empathy and support ensuring that the employee is aware that support and assistance can be provided.

## **5. CONFIDENTIALITY AND RIGHT TO PRIVACY**

Derby Homes is responsible for the safety and security of all employees at work, including those affected by Domestic Abuse and their colleagues.

Derby Homes encourages employees at risk from Domestic Abuse to disclose this so that they can receive support. Derby Homes will seek to enable employees to disclose such facts by generating a supportive and open management culture.

Derby Homes recognises the employee's right to privacy. Whilst Derby Homes are aware of the barriers to disclosure, we would encourage victims of Domestic Abuse to disclose Domestic Abuse for the safety of themselves, their family members and all those in the workplace, it does not force them to share this information if they do not want to.

Employees who disclose experiencing abuse can be confident that the information they provide is confidential and will not ordinarily be shared with other members of staff.

There are some circumstances in which confidentiality cannot be assured. These occur when there are safeguarding concerns about children or vulnerable adults or where the employer needs to act to protect the safety of employees, or a crime has been committed.

In circumstances where Derby Homes must breach confidentiality, it will seek specialist advice before doing so. If it decides to proceed in breaching confidentiality after having taken advice, the council will inform the employee why it is doing so, and it will seek the employee's agreement where possible.

All records concerning Domestic Abuse will be kept strictly confidential. No local records will be kept of absences related to Domestic Abuse and there will be no adverse impact on the employment records of victims of Domestic Abuse.

Improper disclosure of information i.e., breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.

Employees may prefer to disclose their situation and seek advice direct from a third party, such as a national helpline or a local provider.

## 6. INTERNAL SUPPORT

To support employees and/or managers who are seeking support in dealing with Domestic Abuse Derby Homes will:

- identify appointed person(s) in the workplace as confidential first points of contact either for those experiencing Domestic Abuse or their managers
- offer employees experiencing Domestic Abuse access to independent support, advocacy, counselling etc, and publicise the availability of this support regularly through notice boards, the intranet and ongoing health and wellbeing initiatives; and undertake to raise workplace awareness of Domestic Abuse issues
- Employers have a responsibility to provide staff with a safe working environment and we know that for some staff the workplace can be the only haven from Domestic Abuse and violence.
- Derby Homes has Workplace Domestic Abuse Champions to offer support to colleagues affected by Domestic Abuse. They will be fully equipped with the understanding, knowledge, and skills to respond safely and appropriately, to offer support and signpost victims to specialist support.
- Champions will ensure appropriate information is available to offer support to colleagues at a time when they may need it the most. They will also provide a vital link between the organisation and the Champions' Network, ensuring access to the most up-to-date training, policies and information on Domestic Abuse.

## 7. EXTERNAL SUPPORT

Derby Homes will signpost external sources of help and support to employees and managers including information on:

- The Refuge Website <https://www.refuge.org.uk/>
- Respect <https://www.respect.uk.net/>, lead on the development of safe, effective work with perpetrators, male victims, and young people using violence in their close relationships.
- the National Domestic Abuse Helpline <https://www.nationaldahelpline.org.uk/> which provides advice for those experiencing Domestic Abuse
- The Independent Domestic Violence Adviser service hosted by Find the Glow <https://findtheglow.org.uk/> and providing Domestic Abuse support services.

Further details of these agencies including website and contact details can be found in the Domestic Abuse Guidance and Toolkit, but also on the Domestic Abuse page on the Intranet.

## **8. LINE MANAGERS ROLE**

Line managers have a crucial role to play in enabling employees experiencing Domestic Abuse to seek help.

The role of the line manager is to:

- take advice from HR when we are made aware of an employee is a victim/survivor or perpetrator of Domestic Abuse, managers should also seek advice from HR when the incident is a safeguarding concern
- identify employees experiencing difficulties that could be because of Domestic Abuse (for example using regular check in processes or by fostering an open management culture that enables team members to disclose sensitive issues)
- provide support in the first instance including specific advice on the options available, but also recognise the limitations of their role (managers are not professional counsellors or experts)
- protect confidentiality in all instances (excepting the requirements of child protection/adult safeguarding)
- refer the individual to the appropriate internal or external source of help and support
- 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

## **9. ATTENDANCE**

Where Domestic Abuse has been reported, line managers will be flexible with unplanned absences.

Line managers may offer employees experiencing Domestic Abuse, reasonable flexible working, annual leave, to, or unpaid leave for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments.

Individual absences can be discussed and agreed between the employee and the line manager, with HR support where appropriate.

## **10. DOMESTIC ABUSE AND REHOUSING**

Derby Homes and Derby City Council support victims/ survivors of Domestic Abuse by awarding a priority need for rehousing through the Allocations Policy and will also take a homeless application from anyone suffering Domestic Abuse who is considered at risk in their home.

Under the Domestic Abuse Act 2021, a homeless or threatened with homeless applicant who has experienced Domestic Abuse will be in priority need under the homelessness legislation. Alternative temporary accommodation will be made available when needed to keep the applicant or their family members safe.

Victims/ survivors can approach any Local Authority for assistance without the need for a local connection if it is unsafe for the applicant or household member to remain in their home area. In these circumstances, under homelessness legislation, they will not be referred to an area where they or a member of their household would be at risk of harm.

Conversely, those who perpetrate Domestic Abuse may be deemed unsuitable for acceptance on to the housing register due to unacceptable behaviour towards others.

We will treat any application from a member of staff in confidence allocating the case to a senior team member.

## **11. PERPRETRATORS OF DOMESTIC ABUSE**

Domestic Abuse perpetrated by employees will not be tolerated under any circumstances nor will it be treated as a purely private matter. Derby Homes recognises that it has a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds.

If an employee approaches Derby Homes about their abusive behaviour, they will provide information about the services and support available to them.

Where an employee has concerns about a colleague as a perpetrator of abuse, they must report their concern to their line manager.

Derby Homes will treat any allegation, disclosure, or conviction of a Domestic Abuse related offence on a case-by-case basis.

Derby Homes Employee code of conduct is intended to inform all staff, irrespective of grade, of the standards of conduct expected of them. It identifies a set of principles governing behaviour by which staff members are expected to abide. Staff members are always expected to present high standards of personal integrity and conduct that will not reflect adversely on Derby Homes and its reputation.



In some circumstances it may be deemed inappropriate for the employee to continue in their current role(s) due to a caution or conviction. Derby Homes views the use of violence and abusive behaviour by an employee, wherever this occurs, as a breach of the Derby Homes code of conduct for disciplinary purposes.

This policy can be applicable in cases where an employee has:

- behaved in a way that has harmed or threatened their partner, an ex-partner, or a family member
- possibly committed a criminal offence against their partner, an ex-partner, or a family member
- had an allegation of Domestic Abuse made against them
- presented concerns about their behaviour within a current or a historic intimate relationship or with a family member

Derby Homes is committed to ensuring that:

- allegations will be dealt with fairly and proactively with employees who use abusive behaviours
- all employees will receive guidance and support
- confidentiality will be maintained, and information restricted only to those who have a need to know
- investigations will be thorough and independent
- all cases will be dealt with quickly avoiding unnecessary delays
- all efforts will be made to addressing the matter and putting support in place

The policy is intended to be safety focussed and proactive rather than punitive.

However, any employee who is responsible for giving advice, or who encounters or supports those vulnerable people or children experiencing Domestic Abuse needs to be aware of the potential consequences if they are found to be perpetrators.

In these circumstances managers have a responsibility to inform the relevant safeguarding team of the concern. Where the employee's responsibilities relate to children the matter should be referred to the Local Authority Designated Officer (LADO).

Where the employee's responsibilities relate to vulnerable adults, the Safeguarding Vulnerable Adults team should be informed.

If an employee is found to be knowingly assisting an abuser in perpetrating the abuse for example by giving them access to facilities or information such as telephone numbers, contact information or email, then they will be seen as having committed a disciplinary offence.

If an employee is found to have made a malicious allegation that another employee is perpetrating abuse, then this will be treated as a serious

disciplinary offence and action will be taken under the Disciplinary and Dismissals Policy.

## **12. MONITORING, EVALUATION AND REVIEW**

We will continuously monitor instances of Domestic Abuse and evaluate our practices. This will be achieved via regular case audits and through evaluation

We will review the policy every 3 years or in line with relevant changes to Legislation. This will help to raise awareness among both staff and our customers and indicate that Domestic Abuse is taken seriously by Derby Homes. It will also ensure that the Policy is embedded within the organisation.

Policies remain empty rhetoric unless appropriate training and supervision are provided to integrate the policy into practices.

## **13. CONTACTS**

- Staff can contact Human Resources (HR) for a private and confidential conversation as well as Employee Assistance. Derby Homes provide staff with a free and confidential support service which is designed to give them unlimited access to information, advice, and emotional support.

Available 24 hours a day, 365 days a year, advice is there for you whenever you need it - online ([www.my-eap.com](http://www.my-eap.com)) and by telephone (0800 111 6387) .

- Staff can contact a Domestic Abuse Champion following the link <https://derby4.sharepoint.com/sites/Safeguarding/SitePages/Domestic-Abuse.aspx>

## **14. RELATED DOCUMENTS**

- Safeguarding Policy
- Domestic Abuse Procedure
- Domestic Abuse Guidance
- Domestic Abuse in the Workplace Policy
- Anti-Social Behaviour Policy
- Equalities Policy
- Lone Working Policy
- Data Protection Policy

## Appendix 1