

Domestic Abuse and Violence: Workplace Policy

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Version Control Sheet

Version	Date	Reviewed By	Comment
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1. Introduction and Aims

This domestic abuse and violence (DAV) policy has been developed to promote and encourage protection and support for employees who are victims of DAV.

DAV is a pattern of behaviour characterised by the misuse of power and control. The impact of DAV can range from loss of esteem to loss of life.

Within NHS Bolton Clinical Commissioning Group there may be those who have experienced or are experiencing DAV and those who may be perpetrators of DAV. Both victims and perpetrators may be male or female.

We recognise that DAV can affect an individual's work performance and that as an employer we have responsibility for health, safety and welfare of staff at work and seek to provide support to those affected.

This policy aims to:

- Raise awareness and understanding amongst all members of staff in the workplace of the effects of DAV
- Remove fear of stigmatisation at work for employees experiencing DAV
- Ensure confidentiality and sympathetic handling of situations at work arising from DAV

2. Definitions

Domestic abuse and violence is defined by the Home Office (2013) as:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between adults, aged 16 and over, who are or have been intimate partners or are family members, regardless of gender and sexuality. The abuse can encompass, but is not limited to psychological, physical, sexual, financial or emotional”. This definition includes forced marriage, honour based violence and female genital mutilation.

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

DAV happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity. When dealing with DAV it is important to recognise differences between all protected characteristics. It follows that different approaches and resources are needed when addressing DAV with different groups.

Types of abuse

Physical

A wide range of different behaviour can come under the heading of physical abuse and can include punching, slapping, hitting, biting, pinching, kicking, pulling hair out, pushing, shoving, burning and strangling.

Sexual

Any situation where someone is forced to take part in unwanted, unsafe or degrading sexual activity is sexual abuse. Rape and sexual abuse is common in abusive relationships due to the victim's refusal or consent being ignored.

Financial

Economic or financial abuse limits the victim's ability to get help. The abuser controls finances; withholds money or credit cards; makes someone unreasonably account for the money they spend; exploits assets; withholds basic necessities; prevents someone from working or sabotages the victim's job and deliberately runs up debt.

Emotional and psychological

Emotional and psychological abuse can be either verbal or nonverbal. This kind of domestic abuse chips away at the confidence and independence of the victim to make them compliant and limit their ability to leave their abuser. Emotional abuse can include verbal abuse such as yelling, name-calling, blaming and shaming, isolation, intimidation, threats of violence and controlling behaviour.

Female Genital Mutilation (FGM)

WHO (2000) defines FGM as 'procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs whether for cultural, religious or other non- medical reasons' FGM is against the law in the UK, and the cultural context in which it takes place is complex.

Honour based violence

The terms "honour crime" or "honour based violence" or "izzat" embraces a variety of crimes of violence (mainly but not exclusively against women), including assault, imprisonment and murder where the person is being punished by their family or community. They are being punished for actually, or allegedly, undermining what the family or community believes to be the correct code of behaviour, the person shows they have not been properly controlled to conform by their family and this is to the "shame" or "dishonour" of the family (HM Government 2009).

Forced marriage

A forced marriage is a marriage that is performed under duress and without the full and informed consent or free will of both parties. Forced marriage should not be confused with arranged marriage where both parties freely consent.

Adolescent to parent violence and abuse

There is currently no legal definition of adolescent to parent violence and abuse. However it is increasingly recognised as a form of domestic abuse which involves a

pattern of behaviour which may different types of abusive behaviours including damage to property.

Multi-agency Risk Assessment Conference (MARAC)

MARAC – all high risk cases of domestic abuse should be referred into MARAC, where an Independent Domestic Violence Advocate (IDVA), from Endeavour, will be allocated to the family. IDVAs provide advocacy and support to any victim of domestic abuse, or sexual violence, referred into the MARAC and offer emergency safety planning, signpost into other services as appropriate. The Young Person Violence Advocate (YPVA) from Endeavour provides advice and support for any high risk young person, aged 16+, who are victims of domestic abuse and have been referred into MARAC. Endeavour is a support service to all those affected by domestic abuse and will provide safety plans and support packages. They also offer a pet fostering service if required.

Stalking and Harassment

Stalking can be defined as persistent and unwanted attention that makes a person feel pestered and harassed. It includes behaviour that happens two or more times, directed at or towards the person by someone else, which causes them to feel alarmed or distressed or to fear that violence might be used against them. What makes the problem particularly hard to cope with is that it can go on for a long period of time, making the person feel constantly anxious and afraid. Sometimes the problem can build up slowly and it can take a while for the person to realise they are caught up in an ongoing campaign of abuse. Social media and the internet are often used for stalking and harassment, and 'cyber-stalking' or online threats can be just as intimidating.

3. Accountability & Responsibilities

3.1 Accountability

Overall accountability for ensuring that there are systems and processes to ensure that support for those experiencing DAV is available in the workplace lies with the Chief Officer.

3.2 Responsibilities

Line Managers

- To ensure staff are aware of this policy
- To support and assist staff in asking for help to address DAV
- To provide appropriate support to staff experiencing DAV and to those who are perpetrators of abuse.
- To take account of safeguarding children and adult procedures during disclosures of abuse.
- To ensure all cases of DAV are treated sensitively and in confidence as far as practicable

Human Resources

- To lead the development, implementation and review of the policy.
- To support managers and employees with queries relating to the policy and procedure.

- Ensure the policy and procedure is reviewed and updated as required.

All staff

- To be aware of the policy and to inform their line manager regarding any concerns

Safeguarding Team

- To provide advice and guidance to line managers and to individual staff members as required

4. Dealing with Domestic Abuse and Violence

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

4.1 Recognise

It should be noted that there may be incidents which occur in the workplace or outside of the workplace which affect the work of a member of staff. Possible signs of DAV include:

- Changes in behaviour including uncharacteristic depression, anxiety, distraction or problems with concentration
- Changes in the quality of work for no apparent reason
- Being followed to and from work
- Arriving late or leaving early
- Poor attendance or high absenteeism without an explanation
- Needing regular time off for appointments
- Inappropriate or excessive clothing/ more make-up than usual
- Visible injuries i.e. bruises

DAV 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.

Some effects on the employer may include:

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

4.2 Respond

If a line manager suspects or is informed of abuse it is important that they respond appropriately. Managers do not have a counselling role. They should:

- be available and approachable for those employees experiencing domestic abuse;
- listen, reassure and support individuals;
- keep information confidential (subject to the requirements of child and adult protection);
- respond in a sensitive and non-judgemental manner;
- discuss the specific steps that can be taken to help this person stay safe in the workplace;
- ensure that the employee is aware of the options available to them;
- encourage the employee to seek the advice of relevant agencies however you must not compel a victim to get support.

If you suspect DAV you will need to ask questions sensitively (see appendix 1- 'Asking difficult questions -guidance for line managers').

Line managers can seek further guidance from:

- Senior managers
- HR Advisor/ HR Business Partner
- Bolton CCG Safeguarding Team

It is essential that staff feel able to disclose personal information and they are encouraged to discuss this with their line manager. If they feel unable to do so, support is available from HR advisors/managers and the CCG Safeguarding Team.

4.3 Support available

Line managers may consider offering a broad range of support to staff experiencing DAV which will be agreed based on individual and business needs. Potential options for support are as follows:

- Annual leave, flexi-time or lieu time for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments.
- Special leave provisions (e.g. compassionate leave 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.

It is acknowledged that there are a wide variety of reasons why victims remain with the perpetrators of abuse. The right of staff to make their own decision about the course of action at every stage must be respected without judgement. 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.

4.4 Ensuring safety

Managers should bear in mind that victims of DAV may be targeted at the workplace therefore, once a manager is made aware of DAV the manager should discuss with the employee whether there is any risk to the employee whilst at work. These incidents may involve violent partners or ex-partners visiting the workplace, abusive phone calls, or intimidation or harassment of an employee by an alleged perpetrator.

If the employee believes this to be the case, the manager should seek advice from the Health and Safety lead in carrying out a risk assessment and taking action to minimise risks in the work place.

Possible safety measures might include:

- Keep a record of any incidents of abuse in the workplace, including persistent telephone calls, emails or visits to the workplace.
- Reminding reception staff or switchboard not to divulge information about employees, especially personal details such as addresses, telephone numbers or shift patterns. In the event of enquiries from other agencies, these should be responded to on a 'ring back' basis.
- Wherever practical, offering temporary or permanent changes in the workplace, work times and patterns, helping to make the employee less at risk at work and in their journeys to and from work. This could include changes to the office layout to ensure that the employee is not visible from reception points or from ground floor windows.
- Wherever practical, offering changes in specific duties, such as answering phones or working in reception area, or in exceptional circumstances, redeployment to another post if an alternative is not easily found.
- Agreeing what to tell colleagues and how they should respond if the abuser rings or calls at the workplace. Providing colleagues, including caretakers, porters, security staff with a photograph of the abuser and other relevant details such as car registration numbers may help them to maintain security in the workplace.
- Making sure that the systems for recording staff whereabouts during the day are adequate and if the work requires visits outside the office, considering if this poses any additional risks.
- Recording any incidents of harassment and /or violence in the workplace, including persistent phone calls, emails or visits, to an employee by their abusive partner/ex-partner. You should also note the details of any witnesses to these incidents. These records could be used if the employee wants to press charges or apply for an injunction against the alleged perpetrator. In the event that the actions of an alleged perpetrator of domestic abuse impinge on the health and safety of staff within or near the workplace, then the employer could also apply for an injunction.

4.5 Referral / signposting to appropriate help

There are a number of agencies in Bolton which offer help to victims of abuse. These agencies are expert in providing practical advice and support, legal advice and in developing safety plans for victims and their families (see details in appendix 2)

With the consent of the staff member you may refer to these agencies or the staff member may choose to self-refer. In cases where you feel that a staff member may

be at considerable risk of harm the staff member must be encouraged to contact the police.

4.6 Perpetrators of abuse

Male or female employees may perpetrate DAV and they should be aware that this is a very serious matter which may lead to a criminal conviction. They should be informed that their misconduct (whether or not it leads to a criminal conviction) may bring the CCG into disrepute and may also lead to disciplinary action.

Where there is an allegation that a member of staff in a CCG or primary care services has abused or neglected an adult in their personal life, the designated professional for safeguarding adults in the CCG should be informed (NHSE, 2019).

However the CCG recognises that perpetrators of DAV may wish to seek help and support voluntarily and will support this by offering appropriate contact details to enable them to access support. Consideration will be given to allowing an employee time off work to access help when there is evidence of an appointment with a respect accredited organisation or a Probation Mandated Course; drug and alcohol support or mental health appointments will also be considered.

If an employee has been convicted of an offence there is an expectation that they will inform their line manager/ H.R department. Perpetrators wishing to seek help for their abusive behaviour can ring Respect for advice and support on **0808 802 4040** or email info@respectphoneline.org.uk.

4.7 Safeguarding Children and Adults

Staff members 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 or agencies without their permission.

There are however, some circumstances in which confidentiality cannot be assured. This may occur when there are concerns regarding children and/or vulnerable adults, where the organisation is required to protect the safety of their staff, or where staff members disclose they are a perpetrator of abuse. In these circumstances, the member of staff will be informed as to the reasons why confidentiality cannot be maintained.

There must be full consideration of Safeguarding Adults and /or Safeguarding Children's Policy and Procedures for Bolton CCG.

4.8 Recording

- Any written record, including any agreed workplace adjustments, should be held outside of official employee records and stored securely.
- Disclosures should not impact on the employee's work record, provided their performance is maintained as agreed.

- Any decision to disclose without consent (if a colleague is at serious risk of injury or death or concerns that a child/ vulnerable adult may be at risk of significant harm) should be documented.
- All incidents of violence, threatening behaviour or breaches of security in the workplace should be recorded and retained for evidence purposes if required. The record must be clear, accurate and include dates, times, locations, and any witnesses. Any breaches of orders, for example, non-molestation orders should also be noted.

5. Training

All staff will be made aware of this policy as part of their induction into Bolton CCG.

The safeguarding team will provide training sessions for line managers in relation to this policy and will provide training annually within the CCG to raise awareness for all staff of DAV. Training attendance will be monitored

6. Monitoring and Review

This procedure will be reviewed every two years or when required due to:

- Legislative changes; good practice guidance; case law;
- Significant incidents reported; new vulnerabilities; or
- Changes to organisational infrastructure.

Incidents in relation to this policy will be reviewed by the safeguarding team and themes monitored.

7. Legislation and Related Documents

Bolton CCG (2018) Safeguarding Children & Adults at Risk Policy

Bolton Safeguarding Adults Board (2017) Bolton Domestic Abuse and Violence handbook.

Bolton Safeguarding Children Board and Be Safe Bolton Strategic Partnership (2016) Bolton Domestic Abuse and Violence handbook

DCSF HM Government (March 2009, last updated May 2019) Multi-agency practice guidelines: handling cases of Forced marriage, Forced marriage Unit

Department of Health (2017); Responding to domestic abuse: A resource for health professionals, DH Publications: London

Department of Health and Safe Lives: Responding to colleagues experiencing domestic abuse: Practical guidance for line managers, human resources, and employee assistance programmes (no date on document).

<http://www.safelives.org.uk/sites/default/files/resources/DV%20Employer%27s%20guidance%20FINAL%20Update%203%20-%20SafeLives%20rebranded.pdf>

(accessed September 2019)

Home office (March 2013 (updated February 2019) Domestic Violence and abuse

HM Government (2018) Working Together to Safeguard Children

NHS England and NHS Improvement (March 2013, updated August 2019)
Safeguarding Children, Young People and Adults at risk in the NHS: Safeguarding, Accountability and Assurance Framework

NICE (2016) Domestic violence and abuse Quality standard (QS116)

Victim Support (2018) Stalking and harassment

<https://www.victimsupport.org.uk/crime-info/types-crime/stalking-and-harassment>

References to other policies

NHS Cumbria CCG (2016) Domestic Abuse and the Workplace Policy

Darlington CCG (2016) Domestic Violence in the Workplace Policy

Stockport CCG (2018) Domestic Violence and Abuse Policy for CCG Employees

Appendix 1

Asking difficult questions – guidance for line managers

- 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
- People do want to be asked
- You should ask the member of staff indirect questions, to help establish a relationship and develop empathy. Below are some examples of questions that could be used:
 - 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 all right at home?
 - I have noticed some bruises – how did you get these?
- Ask what support might help? What would you like to happen?
- **Avoid victim blaming.** It is important that you are able to provide a **supportive** and **non- judgemental** environment.
- It is essential to respect boundaries and privacy

Appendix 2

Useful Contact Numbers

Fortalice is a Bolton based charitable organisation opened in 1977 to assist woman and children who are affected by domestic abuse

Tel: 01204 701846 (24 hour)

Tel: 01204 365677 (Support Centre)

<http://www.fortalice.org.uk>

Endeavour Pet Fostering Service

Endeavour Safe Haven Project

Tel: 01204 394 842

National men's Advice Line:

Tel: 0808 801 0327

<https://www.mensadviceline.org.uk>

Respect is a national organisation which offers support for perpetrators, male victims and teenagers

Helpline – 0808 802 4040

<http://respect.uk.net/>

LGBT Foundation domestic abuse service offers both emotional support and practical help and advice to low – medium risk victims who are 16+ and currently at risk of, or have previously experienced domestic abuse, whether this is from a partner(s), ex-partner(s), or family member(s).

Tel: 07921457959 or 0345 3 30 30 30

In an emergency ALWAYS call 999

If there are any difficulties accessing support through these services please speak to a member of the safeguarding team in confidence.