

NHS WEST ESSEX CLINICAL COMMISSIONING GROUP

SUPPORTING EMPLOYEES WHO ARE EXPERIENCING DOMESTIC ABUSE POLICY

WE CCG Policy Reference: **WECCG83**

Brief Description (max 50 words)	This policy provides a framework to ensure a robust and safe system is in place to support employees who are experiencing domestic abuse.
Target Audience	All CCG Staff employed by WECCG, including staff who are employed on a permanent, temporary, voluntary, contract, self-employed, bank or agency basis

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Accountable Officer	Director of Nursing & Quality
Responsible Officer	Designated Nurse, Safeguarding Children Team
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Stakeholders engaged in development/review	Named GPs, Named Nurses in Provider Organisations, Medical Director, Policy Review committee
Equality Impact Assessment	Completed Sept 2016

SUSTAINABILITY STATEMENT: We declare that NHS West Essex Clinical Commissioning Group will demonstrate commitment to promoting environmental and social sustainability through our actions as a corporate body and as a commissioner. We aim to reduce our carbon footprint by 28% from a 2013 baseline by 2020.

Amendment History

Version	Date	Reviewer Name(s)	Comments
1	November 2013	Designated Nurse Safeguarding Children	Policy update to include Safeguarding Adults and children and reflect legislation.
2	November 2016	Designated Nurse Safeguarding Children	Policy reviewed to reflect legislative changes and safeguarding national agenda
3	June 2017	Designated Nurse Safeguarding Children	Policy reviewed to reflect legislative changes and safeguarding national agenda

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1.0 INTRODUCTION

- 1.1** West Essex Clinical Commissioning Group (WECCG) is committed to heightening the awareness of domestic abuse, and providing guidance for employees and management to address the occurrence of domestic abuse and its effects on the workplace.
- 1.2** West Essex CCG recognises that domestic abuse is a serious issue within society which can happen to anyone, both male and female, and in all kinds of relationships - heterosexual, gay, lesbian, bisexual and transgender as intimate partners or family members. People suffer domestic abuse regardless of their social group, class, age, race, disability, gender, sexual orientation or lifestyle. The abuse can begin at any time – in new relationships or after many years spent together. WECCG also recognises that individuals can be exposed to domestic abuse without being abused themselves e.g. the child of a parent who abuses the other parent and that this can have traumatic effects.

2.0 PURPOSE

- 2.1** To make employees aware that perpetrating domestic abuse is unacceptable and can lead to criminal convictions and disciplinary action as outlined in workplace policies and procedures.
- 2.2** To specify how the CCG intends to support employees involved in domestic abuse, this may include:
- a) A confidential means for coming forward for help;
 - b) Signposting resource and referral information;
 - c) Special considerations in the workplace for employee safety;
 - d) Work schedule adjustments or leave necessary to obtain medical, housing, financial, counselling or legal assistance;
- 2.3** To remove fear of stigmatisation for employees who are affected by domestic abuse
- 2.4** To ensure those employees seeking support and or information are confident their situation will be handled safely and confidentially within the constraints of the Southend Essex and Thurrock (SET) Safeguarding Adults guidelines and SET procedures for safeguarding children.

3.0 SCOPE

- 3.1** The support provided under this policy, applies equally to all employees regardless of gender or type of abuse whether experienced directly or perpetrated against someone close to them rather than against them personally.
- 3.2** Commissioned provider services (adult and children), services that work in partnership with providers and independent contractors are expected to have robust

policies and guidelines in place to support their staff in relation to supporting employees who are experiencing domestic violence and abuse.

4. POLICY STATEMENT

- 4.1** West Essex CCG employs a large number of staff and recognises that, statistically, a number of employees may be experiencing domestic abuse in their personal relationships and, through this policy, seeks to provide effective, confidential and sympathetic support to these employees.
- 4.2** There are also a number of policies in place which can be used to provide support to employees experiencing domestic abuse e.g. Special and Carer Leave for Domestic Personal and Family Reasons.
- 4.3** WECCG realises that employees who are experiencing domestic abuse may not wish to divulge this fact, even in strict confidence, to any other employee of the organisation. A list of various external organisations which can offer support and guidance is, therefore, given in Appendix C.
- 4.4** In the event that the direct effects of domestic abuse extend into the workplace e.g. by unwelcome visits from an abusive partner, West Essex CCG has a duty of care to protect both the abused person and their colleagues. For that reason, West Essex CCG may, depending on the individual circumstances, arrange for police involvement in such situations.

5. DEFINITION

Domestic abuse can be carried out by a partner or ex-partner, by a family member, or by another person living in the same household. Domestic abuse can be a single incident or a series of incidents. The Government defines domestic abuse as: *'Any incident or pattern of incidents of controlling, coercive or threatening behaviours, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality'*.

In practice domestic abuse is the abuse of power and control over on person by another and can take many different forms including:

- Physical
- Sexual abuse
- Psychological
- Emotional
- Financial

Signs that an employee might be experiencing domestic abuse include:

- Unexplained injuries
- Decreased productivity
- Frequent lateness or absence or changes in behaviour

As these behaviours could reflect a range of issues and at the same time, potentially lead to disciplinary procedures, it is important to establish what is behind them.

6.0 EQUALITY AND DIVERSITY STATEMENT

6.1 This policy aims to safeguard children, young people and adults who may be at risk of abuse irrespective of their protected characteristics as outlined in the Equality Act 2010. The 9 protected characteristics are:

- Age
- Gender
- Race
- Disability
- Marriage/civil partnership
- Maternity /pregnancy
- Religion/belief
- Sexual orientation
- Gender reassignment

6.2 WECCG is committed to ensuring that employees are treated fairly, equitably and reasonably and that individuals or groups are not discriminated against on the basis of their ethnic origin, physical or mental abilities, gender, age, religious beliefs or sexual orientation.

7.0 ROLES AND RESPONSIBILITIES

7.1 It is important that employees at all levels are aware of this policy.

7.2 Accountable Officer

The Accountable Officer has responsibility for ensuring the provision of high quality, safe and effective services within the CCG. He/she has overall responsibility and is accountable for ensuring a safe and effective response to employees experiencing with domestic abuse.

7.3 Designated safeguarding professionals

The designated professionals will provide specialist safeguarding support and advice to all staff in relation to supporting employees who are experiencing domestic abuse.

7.4 Line managers may have little knowledge of domestic abuse and how to respond appropriately. Advice and signposting of services can be obtained from

- Safeguarding leads Adults and Children
- Occupational Health services
- Human Resources
- Some Trade Unions / Professionals organisations

7.5 All managers have a responsibility for the welfare and the health and safety of employees at work. They should appreciate that, by supporting an employee who may be experiencing domestic abuse, they will potentially contribute to an improvement in service delivery and a reinforcement of good management /employee relations. Managers should:

- Be available and approachable to employees experiencing domestic abuse.
- Be aware of their responsibility for the health, safety and welfare of employees at work.

- Be aware that domestic abuse can influence the health and self-confidence of people who may be reticent to confide in others or seek help. They should, therefore, be alert to the signs of possible domestic abuse e.g. where an employee is depressed, distracted and/or lacking in self-confidence, which may be reflected in work performance.
- Recognise the importance of employee welfare and appreciate that, by supporting an employee who may be experiencing domestic abuse, they will potentially contribute to an improvement in service delivery.
- Discuss the specific steps that can be taken to help the employee stay safe in the workplace.
- Ensure the employee is aware of options available to them, as referenced in this document.
- Encourage affected employees to seek advice from external agencies.
- Encourage affected employees to utilise support mechanisms available to the CCG e.g. Occupational Health.

7.6 Human Resources

Human resources can advise both managers and employees on the implementation of this policy; in particular the use of the flexible working and special leave policies in cases where employees or their families are affected by domestic abuse.

7.7 Occupational Health

Occupational health will provide advice and guidance to employees experiencing domestic abuse who approach them or who are referred by their line manager.

7.8 Employees

Employees will take note of this policy and act in accordance with its contents. Employees will ensure that their behaviour at work reflects the aims and values of WECCG and that they follow this policy in maintaining confidentiality and privacy for colleagues experiencing domestic abuse.

8. HOW TO RESPOND

8.1 Understand it can be difficult for employees to make a disclosure of domestic abuse and support is important

- Do be sensitive/non-judgemental/practical/supportive/discrete
- Do listen to what the person has to say and go at the employee's pace
- 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 your colleague to accept support
- DO NOT adopt the role of being a support worker yourself
- If the employee or any colleague is in immediate danger do call 999
- Be aware of the ONE CHANCE rule. In cases of forced marriage and honour-based abuse the listening might only have ONE CHANCE to speak with a potential victim.

- Gain support from Safeguarding Team if a referral to Social Care for Adult or Child is deemed necessary.

8.2 Any employee who is experiencing domestic abuse and feels that West Essex CCG can offer the guidance they need should speak to their director, clinical/line manager, supervisor, HR Team, Staff Side representative, or the Occupational Health Service. This matter will be dealt with on a strictly confidential basis and only those with a 'need to know' will be made aware of the situation.

8.3 Specialist practitioners who are trained to assess risk and advise on safety are best placed to offer support. WECCG will seek to signpost the employee to the domestic abuse helpline, web resource or external specialist as seen in Appendix C.

8.4 Individuals who are experiencing domestic abuse often require to take time off work in order to visit solicitors, banks, schools, support agencies etc. and this can be accommodated through West Essex CCG's Policy on Special and Carer Leave. Such arrangements should be made, in confidence, through the employee's clinical/line manager or alternatively, through the HR or OHS, who may then discuss the matter with the line manager.

8.5 Supportive measures that a line manager could consider are

- Arranging temporary flexible hours
- Arranging advances of pay in circumstances where the employee has no access to their own money
- Consideration to requests for temporary changes to location of workplace
- The opportunity to take unpaid leave
- Raise awareness of Domestic Abuse within the workplace

9.0 CONFIDENTIALITY AND PRIVACY

9.1 West Essex CCG recognises that, where an employee is experiencing domestic abuse, confidentiality must be strictly observed by all parties concerned and that any breach of confidentiality could have severe repercussions on the person experiencing domestic abuse. For that reason, West Essex CCG will treat any breach of confidentiality committed by an employee under the provisions of the appropriate employee conduct procedure.

9.2 The only exceptions to this would be where third parties e.g. children or vulnerable adults, were at risk and in such instances the decision to inform an external body would be taken by the clinical/line manager.

9.3 The need for confidentiality generally includes ensuring that an employee's address, telephone number and work location is not identified. To protect the confidentiality of employees, NHS West Essex will ensure that any disclosures which are required under its data protection registration, or its responsibilities under the Freedom of Information Act, do not have the potential to compromise employees who may be experiencing domestic abuse. West Essex CCG will also ensure that, in cases where an employee is known to be experiencing domestic abuse, only those other employees who 'need to know' about the employee's situation are informed.

- 9.4 Any written record, including any agreed workplace adjustments, should be held outside of official employee records and stored securely.
- 9.5 Disclosure should not impact on the employee's work record, provided their performance is maintained as agreed.
- 9.6 Any decision to disclose without consent (if a colleague is at serious risk of injury) should be documented.
- 9.7 All incidents of violence, threatening behaviour or breaches of security in the work place should be recorded and retained for evidence purposes if required. The record must be clear, accurate and include dates, times, locations, and any witnesses.

10.0 DISCRIMINATION AND REASONABLE SUPPORT

- 10.1 The CCG will not discriminate against anyone who has been subjected to domestic abuse, in terms of his or her existing employment or career development.
- 10.2 The CCG is aware that domestic abuse victims may have performance problems such as chronic absenteeism or lower productivity as a result of domestic abuse. When addressing performance and safety issues, WECCG will make reasonable efforts to consider all aspects of the employee's situation and /or safety problems.
- 10.3 WECCG will make reasonable effort to assist an employee experiencing domestic abuse. If an employee needs to be absent from work due to domestic abuse, the length of the absence will be determined by the individual's situation through collaboration with the employee and their manager (supported by Human Resources) and their Union Representative if applicable.

11.0 REVIEW AND MAINTENANCE OF THE POLICY

This policy will be subject to a three yearly review and, if revised, all stakeholders will be alerted to the new version.

12.0 REFERENCES TO LOCAL POLICIES AND PROCEDURES

This policy should be read in conjunction with:

- WECCG Safeguarding Children and Young People and Vulnerable Adults Policy
- WECCG Safeguarding Children and Adults at Risk who are Experiencing Domestic Abuse Policy
- WECCG Disciplinary Policy
- WECCG Special Leave Policy
- WECCG Flexible Working Policy
- WE CCG Disclosure and Barring Service Policy

13.0 REFERENCES

Equality Act 2010:

<https://www.legislation.gov.uk/ukpga/2010/15/contents>

Home Office 2013:

<https://www.gov.uk/guidance/domestic-violence-and-abuse>

A Choice by Right:

<https://www.gov.uk/guidance/forced-marriage>

Model Domestic Abuse Workplace Policy: J Herriot – Christine can't find a link for this one can you help please?

Responding to colleagues experiencing domestic abuse DH:

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

Managing and supporting employees Experiencing domestic Abuse; Equality and Human Rights Commission:

https://www.cipd.co.uk/Images/managing-and-supporting-employees-experiencing-domestic-abuse_2013_tcm18-10528.pdf

Appendix A: SIGNS THAT SOMEONE MIGHT BE EXPERIENCING DOMESTIC ABUSE: (Some of these signs may reflect a range of sensitive issues).

Work productivity signs

- Change in the person's working patterns: for example, frequent absence, lateness or needing to leave work early.
- Reduced quality and quantity of work: missing deadlines, a drop in usual performance standards.
- Change in the use of the phone/email: for example, a large number of personal calls/texts, avoiding calls or a strong reaction to calls/texts/emails.
- Spending an increased amount of hours at work for no reason.

Changes in behaviour or demeanour

- Conduct out of character with previous employment history.
- Changes in behaviour: for example, becoming very quiet, anxious, frightened, tearful, aggressive, distracted, depressed etc.
- Isolating themselves from colleagues.
- Obsession with timekeeping.
- Secretive regarding home life.
- Worried about leaving children at home with abuser.

Physical signs

- Visible bruising or single or repeated injury with unlikely explanations.
- Change in the pattern or amount of make-up 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 signs

- Partner or ex-partner stalking employee in or around the 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.

Honour based violence

The Crown Prosecution Service (CPS) and the Association Chief Police Officers (ACPO) have a common definition of honour based violence: "Honour based violence" is a crime or incident, which has or may have been committed to protect or defend the honour of the family and/or community

It is a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and / or community by breaking their honour code. A child or adult at risk of abuse in the name of honour is at significant risk of physical harm (including being murdered) and/or neglect, and

may also suffer significant emotional harm through the threat of violence or witnessing abuse directed towards a sibling or other family member.

Forced marriage

The definition of forced marriage that the CPS use is the definition adopted by the Government and ACPO. Forced marriage as set out in A Choice by Right published by HM Government in June 2000: "Forced marriage" is a marriage conducted without the valid consent of one or both parties where duress is a factor.

This is further expanded upon in multi-agency practice guidelines: Handling cases of forced marriage (HM Government 2009): "A forced marriage is a marriage in which one or both spouses do not (or in the case of some adults with learning or physical disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure."

There is a clear distinction between a forced marriage and an arranged marriage. In arranged marriages the families of both spouses take a leading role in arranging the marriage but the choice whether or not to accept the arrangement remains with the prospective spouses. Consent is essential to all marriages – only the spouses will know if they gave consent freely.

Female genital mutilation

Female Genital Mutilation (FGM) is a collective term for a range of procedures which involve partial or total removal of the external female genitalia for non-medical reasons. It is sometimes referred to as female circumcision, or female genital cutting.

It is a criminal offence for anyone (regardless of their nationality and residence status) to perform FGM in the UK or to assist a girl to perform FGM on herself in the UK. It is a criminal offence for a UK national or permanent UK resident to perform FGM, or to assist a girl to perform FGM on herself, outside the UK.

Appendix B: QUESTIONS FOR THE EMPLOYEE TO CONSIDER IN RELATION TO WORKPLACE SAFETY AND EXAMPLES OF WORKPLACE ADJUSTMENTS:

Questions for the employee

Q Does the alleged abuser know where the employee works?

Q Have they ever been followed on their way to/from work?

Q Is the employee frightened of anything specific that might take place at work or to and from work?

Q Does the abuser have their work email address and/or work telephone number?

Q What information can be shared with the wider team or relevant staff to ensure any changes are implemented and they can deliver an appropriate response?

Contact arrangements

- Retain both a work contact and an

Contact arrangements

- Retain both a work contact and an emergency contact at home (not the abuser).
- Arrange in advance when and who to contact if an employee doesn't come into work (family member/police/neighbour etc.).
- Maintain communication with the individual during any absence, while keeping their whereabouts confidential from the abuser and other agreed persons.

Safety to and from work

- Change the route to and from work (e.g. different bus or train time).
- Change the location of where they work or consider a transfer.
- Change the start and finish time of work hours.
- Provide a security escort to and from a car / transport links.

Safety while at work

- Change the locks/codes to enter the workplace.
- Consider a personal or workstation alarm.
- Consider an alternative entrance to or exit from the workplace.
- Consider screening access to the workplace. If possible and required, enable reception/security to identify the abuser (photo, car registration), and advise them on what to do if the abuser arrives at the workplace.

Communication safety

- Review the security of all employee records and personal information.
- Change email addresses/work phone number or divert incoming phone calls and emails.
- Issue instructions to all staff **NOT** to reveal the employee's personal details or their whereabouts to anyone, including family members.

Managing responsibilities at work

- Consider flexible working or changing work patterns.
- Adjust workload (extend deadlines, reassign responsibilities).
- Consider additional support /supervision/debriefing sessions.
- Provide special leave or time off during the day to attend

Appendix C: A range of External Agencies who may offer help, support and advice

NATIONAL SERVICES

24-hour National Domestic Violence Helpline Freephone

A service for women experiencing domestic violence, their family, friends, colleagues and others calling on their behalf. It is run in partnership between Women's Aid and Refuge. Callers may first of all hear an answerphone message before speaking to a person.

0808 2000 247
www.nationaldomesticviolencehelpline@womensaid.org.uk

Men's Advice Line Freephone

A confidential helpline for all men experiencing domestic violence by a current or ex-partner. Caters for all men: whether in heterosexual or same-sex relationships. Offers emotional support, practical advice and information on a wide range of services for further help and support.

0808 801 0327
Days and times of phone support vary.
www.mensadvice.org.uk

Respect Phone line Freephone

A confidential helpline for people who are abusive and/or violent towards their current or ex-partner. Offers information and advice to support perpetrators to stop their violence and change their abusive behaviours. The main focus is to increase the safety of those experiencing domestic violence.

0808 802 4040
Days and times of phone support vary.
www.respectphoneline.org.uk

Broken Rainbow

National LGBT Domestic Violence Helpline providing confidential support to all members of the Lesbian, Gay, Bisexual and Trans (LGBT) communities, their family and friends, and agencies supporting them.

0800 999 5428
<http://www.galop.org.uk/domesticabuse/>

Karma Nirvana

Helpline: supports victims and survivors of forced marriage and honour based abuse

0800 599 9247
www.karmanirvana.org.uk/

Man Kind Initiative

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

01823 334244
www.mankind.org.uk
www.southallblacksisters.org.uk

Southall Black Sisters

Southall Black Sisters provide advice and information on domestic abuse, racial harassment, welfare and immigration, primarily for Asian, African and African-Caribbean women.

National Stalking Helpline

National Stalking Helpline provides information and guidance to anyone affected by harassment or stalking. Our helpline is open 9.30 a.m. – 4 p.m. Monday – Friday (except Wednesday when we open at 1p.m.) We also offer advice via email and on our Forum which can be found on our website.

0808 802 0300
info@stalkinghelpline.org
<https://www.suzylamplugh.org/Pages/Category/national-stalking-helpline>

SUPPORT FOR EMPLOYERS AND PROFESSIONALS

Corporate Alliance Against Domestic Violence

The Corporate Alliance against Domestic Violence (the Alliance) is the nationally recognized membership charity working with Employers addressing the impact of domestic violence in the workplace. The vision at the Alliance is to work with every employer to respond effectively in a business appropriate manner to domestic violence. The collaborative work with employers throughout the country has not only saved lives and addressed the needs of employees who endure, perpetrate and witness violence, but also successfully assisted in the reduction in the calculated cost domestic violence has to the UK economy. The Alliance is a business within business organisation providing accredited training, consultancy, business appropriate risk assessment, strategic

<http://thecorporatealliance.co.uk/about/>

response, support and tools to employers, HR teams and line managers that are proven to save lives.

**Co-ordinated Action
Against Domestic Abuse (CAADA)**

A national charity supporting a strong multi-agency response to domestic abuse. CAADA provides practical support to professionals and organisations working with domestic abuse victims. General training and consultancy on domestic abuse, risk and effective multi-agency working is available.

Women's Aid

Women's Aid is the national domestic abuse charity that coordinates and supports a network of over 500 local services working to end domestic violence against women and children. The Women's Aid National Training Centre, an accredited National Open College Network Centre, provides a variety of training and awareness raising courses addressing domestic abuse that respond to individual training requirements as well as tailor made training packages for the workplace to suit employers. Women's Aid also runs the UK Gold Book Online which provides up to date information for professionals on services for survivors of domestic violence. A range of information and support services are available on Women's Aid's website including a forum for survivors.

<http://www.safelives.org.uk>
0117 403 3220 or
email: info@safelives.org.uk.
0808 2000 247
www.womensaid.org.uk
helpline@ womensaid.org.uk

Websites updated Jun 2017