

# Policy - Workplace Domestic Abuse

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## 1. Introduction

The Office of the Police and Crime Commissioner for Warwickshire (OPCC) acknowledges that domestic abuse is a significant issue.

- The Crime Survey for England and Wales estimated that 2.1 million people aged 16 years and over (1.4 million women and 751,000 men) experienced domestic abuse in the year ending March 2023.
- Nationally the police recorded 889,918 domestic abuse-related crimes (excluding Devon and Cornwall) in the year ending March 2023.
- There were 51,288 domestic abuse-related prosecutions in England and Wales for the year ending March 2023.
- 1 in 3-4 women and 1 in 6-7 men will suffer domestic abuse in their lifetime.

Domestic abuse can be experienced irrespective of gender, age, sexuality, ethnicity or social background. The human cost is immeasurable. For the victim-survivor it can be devastating and life-affecting. It is often a hidden crime that is not reported to the police, therefore data held by the police can only provide a partial picture of the actual level of domestic abuse experienced.

With one third of a working adult's life spent in the workplace, employers are in a unique position to create a supportive environment with a positive culture that encourages disclosure of this critical health and wellbeing issue. Importantly, the workplace can often be one of the few places that a person experiencing abuse can be separate from their abuser and experience some independence and feel safe to speak about their experience.

The OPCC recognises that its employees will be amongst those impacted by domestic abuse, either as a victim or a perpetrator, and that a clear workplace policy and guidelines are required. We condemn domestic abuse as totally unacceptable in any form and are committed to ensuring that any employee who is a victim-survivor can raise the issue at work in the knowledge that they will receive appropriate support and assistance.

We will treat all incidents of domestic abuse reported to us as a high priority and will ensure a workplace culture and supportive work environment where employees feel comfortable asking for help.

This policy covers all OPCC employees (including temporary staff, secondees and contractors). It will apply wherever an employee experiences abuse within a domestic situation. This policy does not affect the rights of any individual to take independent action following abuse or an assault, for example, contacting the police/union.

## 2. Definition of Domestic Abuse

Section 1 of the Domestic Abuse Act 2021 (the Act) defines “domestic abuse” as:

Behaviour of a person (“A”) towards another person (“B”) where

- a) A and B are each aged 16 or over and are “personally connected” to each other, and
- b) the behaviour is “abusive”.

Two people are “personally connected” to each other if any of the following applies:

- a) they are, or have been, married to each other;
- b) they are, or have been, civil partners of each other;
- c) they have agreed to marry one another (whether or not the agreement has been terminated);
- d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- e) they are, or have been, in an intimate personal relationship with each other;
- f) they each have, or there has been a time when they each have had, a “parental relationship” in relation to the same child;
- g) they are relatives.

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Behaviour is “abusive” if it consists of any of the following:

- a) physical or sexual abuse;
- b) violent or threatening behaviour;
- c) controlling or coercive behaviour;
- d) economic abuse;
- e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

### Children as victims of domestic abuse

Any reference in the Domestic Abuse Act 2021 to a victim of domestic abuse includes a reference to a child (a person under the age of 18 years) who:

- a) sees or hears, or experiences the effects of, the abuse, and
- b) is related to A or B.

A child is related to a person for the purposes of the above if:

- a) the person is a parent of, or has parental responsibility for, the child, or
- b) the child and the person are relatives.

For the full, legal definitions, please refer to the Domestic Abuse Act 2021.

## 3. Policy Aims

This policy aims to:

- Demonstrate the OPCC’s commitment to and support for employees experiencing domestic abuse.
- Raise awareness of domestic abuse and the likely effects on employees.
- Ensure that all employees, not just those employees experiencing domestic abuse, are aware of the OPCC’s policy and its implications, including its implications for employees who are perpetrating domestic abuse.

- Demonstrate the OPCC's zero tolerance of domestic abuse by ensuring that the working environment promotes the view that domestic abuse is unacceptable, that such abuse will not be condoned, and that all employees should play a part in supporting this approach.
- Ensure that all reports of domestic abuse are treated seriously and as a matter of high priority.
- Ensure that any employee who experiences domestic abuse can raise the issue at work without fear of stigma or victimisation.
- Ensure that all employees who ask for help in addressing domestic abuse issues can access appropriate advice, support and assistance, confident that their situation will be handled sympathetically.
- Provide guidance to managers and co-workers on how to recognise potential victims, and how to support and assist employees asking for help in addressing domestic issues.
- Set out a framework for managers to respond to an employee who is identified as being a perpetrator of domestic abuse.
- Reduce absence from work resulting from domestic abuse and have a positive impact on employees' mental and physical health and wellbeing. This includes staff who are supporting family members with domestic abuse.
- Recognise that employees experiencing domestic abuse normally have the right to complete confidentiality, but that in some extreme circumstances this confidence may need to be broken, for example to protect children or vulnerable adults who are at risk.

## 4. Guidance for Managers and Employees

### Employees who are experiencing domestic abuse

An individual who is experiencing domestic abuse may choose to seek advice or support from several sources, including their immediate manager or another member of direct line management or a trade union representative. If approached, managers need to be prepared to listen, to be sensitive and non-judgemental in order that the most appropriate help can be offered.

## Identification

People experiencing domestic abuse may feel stigmatised and disempowered. They often do not want to admit or share their experience because they may feel some responsibility for the situation, or they may feel shame, or that they should be able to deal with the situation on their own. There can also be fears that they will not be believed, their experiences will be trivialised, they will cause trouble for the perpetrator, or that there might be a negative outcome for their children.

Identifying that an employee is experiencing difficulties at an early stage can help ensure that appropriate support is provided and help the employee to deal with their situation more effectively. This can reduce repeated work absences and can ultimately reduce the extent of the domestic abuse experienced.

What constitutes domestic abuse is commonly misunderstood, and despite the statutory definition, no single action or incident defines it. There are a wide range of incidents, events, situations, circumstances and behaviours that amount to domestic abuse, which can occur in mixed and same sex relationships, within extended families, and can affect men as well as women.

Domestic abuse may be identified through monitoring absence and putting together other potential indicators. Some of the indicators could be:

- Uncharacteristically depressed, anxious, distracted, or tired
- Unusual lack of concentration, self-confidence or self-esteem
- Changes in the quality of work for no apparent reason
- Receiving repeated upsetting telephone calls/emails
- Increased absenteeism or lateness and/or with unusual explanations
- Repeatedly requiring time off for appointments
- Excessive clothing
- Repeated injuries or unexplained bruising
- Accident prone
- Unusual use of alcohol or other substances

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- Obsession with time
- Avoiding lunch breaks or socialising outside work
- Nervous on arrival and when leaving work
- Reluctance to leave work at the end of the working day
- Isolating themselves at work

It is important to understand that these indicators may point towards a problem with domestic abuse, but they could also be the result of a different issue such as ill health or undiagnosed/undeclared support needs. As an aware and proactive employer the OPCC should be looking out for these issues more generally as an indicator that something might be wrong, without assuming it will be related to domestic abuse. The more supportive atmosphere the OPCC can create in general, the more likely employees are going to feel comfortable disclosing a problem when it is related to domestic abuse.

### **Confidentiality**

Talking about domestic abuse can be very difficult. If an employee raises an issue about domestic abuse with a manager or colleague, then this discussion and any subsequent discussions must be treated with confidentiality and respect.

Confidentiality should only be broken in order to protect the safety of an individual, particularly in the case of children or vulnerable adults. Managers and colleagues must make this clear to the employee at an appropriate point in the conversation about domestic abuse.

All meetings with employees should take place in private. Managers should keep a confidential record of a disclosure and any action/ decisions that they have taken. Any information recorded should be kept in secure storage.

### **Responding sensitively**

Managers need to be approachable and available if an employee raises the matter with them. However, if a manager suspects that an employee is affected by domestic abuse, they can and should encourage them to discuss their concerns.

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It is important that managers respond sensitively when they are aware that a member of staff is experiencing domestic abuse. Managers can do this by:

- ensuring privacy for any conversations about the issues – using an office or room where interruptions can be avoided
- respecting confidentiality
- being non-judgemental and patient – a member of staff experiencing domestic abuse may need time to decide what to do and may try different short and long-term options during the process. They have the right to make informed decisions about their own future and circumstances.
- offering the option of speaking to another manager who may be more appropriate, such as a manager of the same sex or ethnicity as the employee experiencing domestic abuse.
- discussing the different ways that the OPCC's policies or benefits may support the employee or providing a list of external agencies who may be able to provide additional or different support.

### Practical support

If an employee discloses that they are experiencing domestic abuse their manager should advise them of sources of support, including referral to appropriate organisations and involvement of the police. However, no referrals should be made on behalf of the employee without their consent (see Confidentiality above).

Managers are not expected to act as counsellors or advisers. The role of a manager is not to deal with the abuse itself but to make it clear through a workplace policy/guidance that employees will be supported and outline what help is available.

Support may be available from the Trade Unions for employees who are union members who have personal or domestic issues that are impacting on their working situation. As well as providing access to specialist services the Union may be able to assist an individual in raising with their manager the issues that need to be addressed to help support the employee during this period.



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Employees experiencing domestic abuse may be more vulnerable to stress at work and may have attendance and/or performance issues as a result. Therefore, in addition to the immediate assistance referred to above, managers are encouraged to consider ways in which the sympathetic use of OPCC employment policies and procedures can be used to support employees experiencing domestic abuse.

Be aware of individual needs/experiences that employees may have. For example:

- Older women and men are less likely to report domestic abuse
- Those with disabilities are more likely to experience domestic abuse and sexual violence than non-disabled people.
- Ethnic minority women and men face additional barriers to accessing support. Their experiences may be compounded by discrimination and consequently they may be unwilling to seek help from statutory agencies.
- Women and men from different cultural backgrounds might experience abuse in different forms, such as so called 'honour' based violence.
- LGBTQ+ victims can be vulnerable to abusers who threaten to 'out' them to colleagues, employers and family members.
- Transgender women and men have fewer services available to them, and can face similar emotional abuse.
- Pregnancy can be a trigger for domestic abuse, and existing abuse may get worse during pregnancy or after giving birth.
- Perpetrators may be very reluctant to acknowledge what they are doing and to ask for help.

The OPCC acknowledges that an employee who is a victim of domestic abuse may require additional leave of absence when attempting to seek help or leave an abusive relationship. Leave requests may be made in relation to appointments with support agencies, welfare agencies, legal advisors, housing agencies, to attend relevant court hearings, or perhaps to arrange for suitable childcare.

In such circumstances, employees and managers should, in the first instance, consider using annual leave, however, depending on the circumstances it may be more appropriate to:

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- arrange temporary flexible working hours so the employee can seek protection, go to court, look for new housing, or enter counselling etc
- seek agreement to the use of compassionate leave or concessionary time off for dependants particularly if the requests are for relatively short periods.

If a victim has to relocate, managers should make reasonable allowance for different travel to work arrangements, e.g. having a longer journey to work or to school before the working day. This could be done by temporarily varying working hours or using flexible working opportunities.

A temporary variation to hours or patterns of work can help to ensure that the employee is less at risk at work, and on their journeys to and from work. Where a workplace is accessible to the public, changes to the office layout could be considered to ensure that the employee is not visible from reception points or from ground floor windows.

It may be appropriate to offer changes in specific duties, such as answering phones or working in a reception area or, in exceptional circumstances, seeking another post, if alternative arrangements cannot be easily found.

Where a victim and a perpetrator of domestic abuse both work for the OPCC, the organisation will take steps to stop any abuse relating to issues arising in the workplace using the appropriate policies and procedures.

Managers should discuss and agree with the employee what to tell colleagues, including how to respond if the perpetrator telephones or calls at the workplace.

### **Ensuring safety**

When a manager is made aware of domestic abuse, they should discuss with the employee whether there is any risk to the employee or to their colleagues whilst at work. The manager should seek advice in carrying out a risk assessment and taking action to minimise the risks in the workplace, such as additional security measures at the entrance to the building or interception of telephone calls.

Physical security can be very important in cases of domestic abuse. Care must be taken to ensure that employees' personal information, for example home addresses or telephone numbers, are not given out to individuals, either work colleagues or individuals from outside the workforce, who are not properly authorised to have it. The Data Protection Act clearly prohibits improper disclosure of such information, and it is particularly important to help to ensure that employees and their families are safe at home, travelling to and from work and when carrying out their duties.

If anyone is unsure of whether it is appropriate to give out information about a colleague, or feel in any way intimidated to do so, they must discuss the situation with their manager before taking any action.

## **Working from Home**

We acknowledge that working from home can create difficulties for employees to disclose their domestic abuse and for managers to identify and pick up on the signs that it is taking place. The perpetrator of the abuse may be within close proximity to the employee's workstation, even listening in to conversations.

The requirement for OPCC staff to work at least 3 days on average from the workplace, along with the carrying out by managers of regular in-person 1:1s with staff, helps to mitigate concerns arising from home working and provide opportunities for supportive discussions and disclosures in a confidential environment.

Managers must be extra vigilant when providing ongoing support to an employee who has made a disclosure of domestic abuse. As you cannot trust your remote conversations will be confidential, openly discussing the issues with them when they are working from home may put them at risk, potentially leaving them vulnerable to more abuse. Consider agreeing a code word or phrase to signify that it is safe to talk.

## **Employees who are perpetrators of domestic abuse**

The OPCC wishes to encourage perpetrators of domestic abuse to seek support and help from an appropriate source. An employee who is a perpetrator of domestic abuse may approach their manager about their own behaviour. The manager should offer advice about the services available to perpetrators of domestic abuse.

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However, all employees should be aware that domestic abuse is a serious matter that can lead to criminal convictions. Employees who identify as, or are found to be, perpetrators of domestic abuse may be subject to the OPCC's disciplinary procedures if:

- they are involved in domestic abuse related incidents which occur in the workplace or during work time, including threatening telephone calls or misuse of the IT equipment they have been issued.
- their activities outside work have an impact on their ability to perform the role for which they are employed or are likely to bring the OPCC into disrepute.

This is particularly relevant as the OPCC works for, with, and on behalf of, victim-survivors of domestic abuse.

### Identification

Information that an employee may be a domestic abuse perpetrator may come in a variety of ways, including:

- Self-disclosure:
  - This may be prompted by a crisis, such as a particularly serious assault, arrest or ultimatum from the abused partner.
- Indirect disclosure, such as:
  - A direct allegation shared with the employer by the victim
  - An allegation by a family member, friend or colleague
  - Notification by the police or through a DBS check
  - The employee needing time off to attend court

Where a perpetrator makes a disclosure of committing domestic abuse, or is otherwise identified as a suspected perpetrator, a risk assessment must be completed, taking into account:

- job role – the impact of the employee's actions on their duties/responsibilities
- any safeguarding issues that arise
- the employee's work location
- the impact on the victim or his/her dependants

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- whether the employee has voluntarily sought help to deal with the issue

Temporary or permanent redeployment, to either a different job or the same job in a different location, may be considered if, for example, their victim works in the same area as the perpetrator, or while disciplinary procedures are being undertaken.

### Indicators

Where there is no disclosure or identification, managers still need to be aware of indicators that an employee may be using abusive behaviours and may therefore be a perpetrator of domestic abuse. These can include:

- Negative comments made by them about their partner/former partner.
- Jealously or possessiveness.
- Expressing anger and blaming their partner for issues.
- Constant text messaging or telephoning a partner.
- Repeated injuries (scratches, bite marks, injuries to wrists and forearms) which could be the consequence of a victim defending themselves.
- Comments amounting to dislike of, contempt for, or ingrained prejudice against a particular gender. For example, misogyny.

There may be any number of reasons for this behaviour, but managers who suspect that domestic abuse may be an issue should have the confidence to discuss this with the employee. When doing so, they should ensure that their own safety is not compromised. For example, they should take another staff member with them, or meet in a public place.

Engaging with perpetrators in a constructive way doesn't mean excusing the abuse and can help to increase safety and even save lives. It allows the OPCC to actively promote our policy on domestic abuse, highlight that it absolutely won't be tolerated in any form, and encourage anyone affected by the issue, whether as an abuser or being abused, to seek support.

## 5. Signposting Support Services

If you are concerned for your own or someone else's immediate safety, call 999.

The following organisations offer support in relation to domestic abuse.

[Warwickshire Domestic Abuse Support Service](#) - for support in Warwickshire from the nationally charity Refuge, call the dedicated Warwickshire Helpline free on 0800 408 1552. Open Monday to Friday 8:30am till 8:30pm.

The [National Domestic Abuse Helpline](#) is a freephone number, open 24 hours a day, run in partnership between Women's Aid and Refuge. Call: 0808 2000 247.

[Galop](#) - a charity offering advice and support to LGBTQ+ people who have experienced violence or domestic abuse. It is a freephone number, open Mon – Thurs 10:00am till 8:30pm and Friday 10:00am till 4:30pm. Call: 0800 999 5428

[Talk2Someone](#) - a website for signposting to support services, advice and information in relation to Domestic Abuse.

[ManKind Initiative](#) - a confidential helpline for male victims of domestic abuse and domestic violence across the UK as well as their friends, family, neighbours, work colleagues and employers. It is a freephone number, open Mon – Fri 10:00am till 4:00pm. Call: 01823 334 244.

[Safeline](#) - a specialist charity providing a range of services across Warwickshire to support all survivors of rape and sexual abuse. Open Monday – Friday 09:00am till 5:00pm. Call: 01926 402498 (or text 07860 027573).

[DACS](#) – Domestic Abuse Counselling Service - working to reduce domestic abuse by providing free therapeutic intervention, working one-to-one with victims of domestic abuse from a 'preventative perspective'. Call: 02476 351 137.

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[Warwickshire Domestic Abuse Perpetrator Programme](#) - one overarching programme consisting of a menu of separate behaviour change interventions; with a parallel offer of specialist support/therapeutic counselling for connected victims.

[Respect Phonline](#) - Respect run a confidential and free helpline for perpetrators of domestic abuse, which is available Monday to Thursday 10am to 8pm and Friday 10am to 5pm. Call: 0808 8024040.

Hestia's [Respond to Abuse Advice line](#) is a free resource for employers. Call Monday to Friday 9am to 5pm, for guidance or information on how to support employees experiencing domestic abuse. Call: 07770 480437 or 0203 879 3695.

**Internally, colleagues can also access the following support:**

[PAM assist](#) – employee assistance programme. Support for your mental, emotional and physical health. Free advice line open 24/7, 365 days a year - **0800 882 41029**

## 6. Revision Record

Date of change	Nature of revision
November 2024	First drafted