



Cyngor Bwrdeisdref Sirol

**Blaenau Gwent**

County Borough Council

# Violence Against Women, Domestic Abuse & Sexual Violence Policy



**ORGANISATIONAL DEVELOPMENT DIVISION**

Issued: May 2018    Review: May 2020

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### **1. POLICY STATEMENT**

Domestic abuse is a serious social and criminal problem that accounts for almost a quarter of all violent crime and has significant human and financial consequences for individuals, families, communities and society as a whole.

Blaenau Gwent County Borough Council recognises that its employees will be amongst those affected by domestic abuse either as: a survivor of domestic abuse, an individual who is currently living with domestic abuse, someone who has been impacted by a domestic homicide or as an individual who perpetrates domestic abuse.

The Council believes that domestic violence is unacceptable and a breach of human rights since everyone has the right to live free from fear and abuse. We are committed to developing a workplace culture in which there is zero tolerance for domestic violence, sexual violence and domestic abuse in all its forms and recognises that the responsibility for such abuse lies with the perpetrator.

The Council is committed to reducing domestic abuse and this policy sets out the actions that will be taken in responding to employees who are experiencing domestic abuse and where there are concerns that an employee may be the perpetrator of domestic abuse.

By developing an effective Workplace Domestic Violence and Abuse Policy and working to mitigate the risks related to domestic abuse, we will create a safe workplace and we will also send out a strong message that domestic abuse is unacceptable.

Through the effective implementation of this Workplace Policy and its commitment to partnership working to tackle domestic abuse and domestic violence, the council is able to demonstrate its commitment to tackling this issue. The Council wishes to be the employer of choice – it believes that this domestic abuse policy will help it to retain valued staff and improve employee performance and morale.

## **2. EQUALITY STATEMENT**

Blaenau Gwent County Borough Council acknowledges that domestic violence and abuse can occur in all areas of society. The Council recognises that domestic abuse is an equalities issue and that some employees may face additional barriers and issues in seeking help because of their ethnic background, religion, age, sexual orientation, disability or gender which might make them feel particularly vulnerable when talking about their situation.

Any employee training on the subject of domestic violence will incorporate an appreciation of these issues and how to effectively manage them.

Blaenau Gwent County Borough Council has completed an Equalities Impact Assessment on this workplace policy which is available on request.

## **3. INTRODUCTION**

Blaenau Gwent County Borough Council recognises that domestic violence and abuse is a significant issue in today's society. Statistics indicate that every year across the UK at least three million women experience violence/abuse and many more are living with the legacies of past abuse. Two women a week are killed and one in six men is affected, and it is also known that 90% of children are in the same or adjacent room when domestic abuse is occurring.

It is further recognised that whilst the majority of victims are women, men are also subjected to domestic violence and/or abuse, as are women and men in same sex relationships.

The Council acknowledges that some of its employees will be amongst those affected – either as an individual who is living with domestic violence and/or abuse or as an individual who perpetrates violence and/or abuse.

Blaenau Gwent Local Service Board has identified tackling domestic abuse as a priority in the Single Integrated Plan, under the Fair and Safe Theme. The responsibility for the delivery of the LSB commitments rests with the Domestic Abuse and Sexual Violence Forum. The Forum has an Action Plan that sets out the breadth of activity commissioned to tackle this issue.

#### **4. POLICY AIMS AND OBJECTIVES**

This Policy sets out the approach of the Council to its employees experiencing domestic violence or abuse.

The Council and the Trade Unions are committed to ensuring support is available to employees who are experiencing or surviving domestic violence or abuse.

The main aims and objectives of this policy are to:

- Increase awareness of the main issues associated with domestic violence and abuse.
- Positively assist and support employees who are experiencing or surviving domestic violence and abuse.
- Provide guidance and assist managers in supporting employees who are experiencing domestic violence and abuse in their personal lives – whether as a victim or as a perpetrator.
- Reduce absences from work resulting from domestic violence and abuse; and assist in improving performance by offering practical support to employees who are affected.
- Help everyone (including managers and elected members) recognise potential victims or perpetrators of domestic violence and/or abuse and to provide a supportive environment for them.
- Reinforce that Blaenau Gwent County Borough Council is committed to the principle that domestic violence and abuse is unacceptable behaviour and that everyone has a right to live free from fear and abuse.

There is currently no legislation which enables an employer to intervene if made aware that an employee is experiencing domestic violence and/or abuse, however the Council does have a responsibility under the Health and Safety at Work Act 1974 to provide a safe working environment. Additionally, Equality legislation places an onus on Public Sector organisations to demonstrate fair treatment for all in the delivery of policy and services.

#### **5. SCOPE**

All employees of the Council have the potential to be either a survivor or a current victim of domestic violence/abuse. Likewise, it is possible that perpetrators of domestic violence/abuse are employed by the Council. This policy applies to all workers who may benefit from increased awareness of the scale of the issue and what support is available.

#### **6. DEFINITION**

The definition of abuse, violence against women and sexual violence which informs this policy and procedure is set out in the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. This addresses all forms of gender-based violence, domestic abuse and sexual violence however particular forms of violence are disproportionately experienced by women and girls.

**Domestic Abuse and Violence – Home Office**

The cross-government definition of domestic violence and abuse is:

any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. (For example, this can include abuse and violence perpetrated by sons, daughters, grandparents or any other person who has a close or blood relationship with the victim).

The abuse can encompass, but is not limited to:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

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

### **Violence against women – United Nations**

Any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

### **Sexual Violence – United Nations**

Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting.

The Council recognises that domestic abuse is rarely confined to a single incident and typically forms a pattern of coercive or controlling behaviour.

Domestic violence/abuse can manifest itself through a variety of actions such as:

- Physical assault or threats of physical assault (e.g. slapping, pushing, kicking, punching, stabbing or destruction of personal property);
- Sexual assault or threats of sexual assault;
- Emotional or psychological abuse (e.g. intimidation, verbal abuse, humiliation, not allowing friends or relatives to visit);
- Denial of rights or restriction of personal freedom (e.g. with-holding money or medical help);
- The imposition of social isolation or movement deprivation.

## **7. IMPACT OF DOMESTIC VIOLENCE/ABUSE ON THE WORKPLACE**

Domestic abuse can lead to a variety of problems such as low self esteem, social exclusion, disturbed patterns of eating and sleeping, lack of confidence, depression, extreme anxiety, alcohol and substance misuse, self harm and suicide. The social and economic consequences of domestic violence can include homelessness, loss or separation from family friends, isolation, loss of employment, debt and destitution.

In adopting this policy the Council recognises that domestic abuse is not a private matter and can impact greatly on an individual's working life. Research shows that 75% of domestic abuse victims are targeted at work. It is often possible for perpetrators to use workplace resources, such as telephones, e-mail and other means, to threaten, harass or abuse their current or former partner.

It is known that domestic abuse can affect performance and productivity. The effects of domestic abuse can include decreased productivity, lateness, stress, absenteeism, errors and increased employee turnover. This can have an impact on financial resources and service delivery.

Colleagues may also be affected; they may be followed to or from work, or subject to questioning about the victim's contact details or location. They may have to cover workers while they are off work, try to fend off the abuse and may fear for their own safety.

## **8. EMPLOYEES EXPERIENCING DOMESTIC VIOLENCE/ABUSE**

Employees who make it known to Blaenau Gwent County Borough Council that they are experiencing domestic violence/abuse will be treated in a sympathetic and supportive manner. They will not be judged by other employees and will be encouraged to help themselves out of their abusive circumstances, having due regard for their personal safety and that of their children, where applicable.

Employees can seek advice and support from their line manager. Organisational Development provides a range of supportive and signposting services as set out at [Appendix 1](#), which include:

- [Occupational Health Service](#)
- Trade Union representatives should also be able to provide advice and support □ Other specialist service providers
- [Live Fear Free](#)

Employees who recognise or suspect that a colleague is living in an abusive situation at home should speak in confidence to their line manager. Employees should recognise that they are NOT counsellors and should be wary of promising more than they can deliver in terms of support. They should also consider their own wellbeing, as they may be putting themselves in danger if the abuser becomes aware of their support.

## **9. THE ROLE OF MANAGERS**

Managers should appreciate how difficult it may be for an employee to discuss their personal circumstances and should always offer support in a sensitive and non-judgemental manner. They should also remember that, very often, signs of abuse will not be visible and that an individual may leave their abusive environment only to return again sometime in the future.

Where a manager suspects that an employee is experiencing domestic violence/abuse, they can contact their Organisational Development Business Partner for advice before any discussion takes place with the employee. Any discussion about the employee's situation should take place in private and any questions should be asked with care and sensitivity. Employees should never be pressured into disclosing any personal information that they do not feel comfortable sharing.

Managers may consider implementing reasonable measures which would protect the safety of employees who are experiencing domestic violence/abuse. For example, employees who are concerned for their safety while travelling between work and home, or whilst at work, may benefit from a temporary change of hours or place of work.

Managers should offer ongoing support to employees who are experiencing domestic violence/abuse including time off, for example, for counselling, visits to a solicitor or support agencies, for re-housing or re-organising childcare.

Employees who are experiencing domestic violence/abuse may demonstrate poor punctuality, attendance, work performance and productivity. Managers should be aware that these factors may be symptoms of domestic violence/abuse and take appropriate steps to try and establish this prior to instigating any disciplinary procedures.

## **10. THE ROLE OF ORGANISATIONAL DEVELOPMENT**

The Organisational Development Division provides a range of supportive services accessible for potential victims of domestic violence/abuse. Organisational Development Business Partners can also support managers in the management of cases of domestic violence/abuse.

## **11. THE ROLE OF THE COMMUNITY SAFETY MANAGER (POLICY TEAM LEADER)**

To raise awareness of the policy and to organise and develop training in conjunction with the Organisational Development Division.

## **12. THE ROLE OF THE TRADE UNION**

The Trade Union Representative will provide support to their members in dealing with cases of domestic abuse/violence.

## **13. CONFIDENTIALITY AND SECURITY**

Discussions between a manager and an employee who is experiencing domestic violence/abuse will be treated in confidence. However, in some circumstances this confidence

may need to be broken in order to protect children or Adults at Risk in conjunction with Corporate Safeguarding policies, or where the employer needs to act to protect the safety of employees.

In circumstances where the Council has to breach confidentiality it will seek specialist advice before doing so. If it decides to proceed in breaching confidentiality after having taken advice, it will discuss with the employee why it is doing so and it will seek the employee's agreement where possible.

As far as possible, information will only be shared on a need-to-know basis.

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 experiencing domestic abuse may choose to be accompanied at meetings by a colleague, trade union representative or a friend.

Employees should be reminded never to divulge personal information about colleagues to callers. On occasions, an employee who is being subjected to domestic violence and/or abuse may ask for telephone calls or personal visits to be directed through a colleague. This should happen only where the colleague is comfortable with such action and any such calls/visits should be reported to the appropriate line manager with the individual's consent.

#### **14. RIGHT TO PRIVACY**

The Council respects employees' right to privacy. Whilst the Council strongly encourages victims of domestic abuse to disclose domestic abuse for the safety of themselves and all those in the workplace, it does not force them to share this information with us if they do not want to. The Council does however require perpetrators of domestic abuse to declare any related prosecutions.

#### **15. ANTI-DISCRIMINATION**

The Council will not discriminate against anyone who has been subjected to domestic abuse both in terms of current employment or future development. If an employee discloses domestic abuse during disciplinary procedures in relation to performance, absenteeism, etc, then this will be taken into account. If it is felt that the issue can be resolved by addressing the support or safety needs of the employee the disciplinary process may be suspended.

#### **16. PERPETRATORS OF DOMESTIC VIOLENCE AND ABUSE**

Where a manager is aware that an employee is perpetrating abuse during working hours the matter should be discussed urgently with the Organisational Development Division.

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



The Council views the use of violence and abusive behaviour by an employee, wherever this occurs, as a serious matter and as such may invoke disciplinary proceedings in line with Council or School Policy.

Where appropriate, action may need to be taken to minimise the potential for perpetrators to use their position or work resources to find out details or the whereabouts of their partners. This may include a change of duties or withdrawing access to certain computer programmes.

If a colleague is found to be assisting an abuser in perpetrating the abuse, for example, by giving them access to facilities such as telephones, e-mail or fax machines this will be taken seriously and as such may invoke disciplinary proceedings in line with Council or School Policy.

Any individual who is cautioned or convicted of a criminal offence may be subject to the Council's or Schools Disciplinary Procedure. Blaenau Gwent County Borough Council and School Governing Bodies therein reserves the right to consider implementing its Disciplinary Procedure should an employee's activities outside work have an impact on their ability to perform the role for which they are employed, or where their actions are likely to bring the Council or School into disrepute. This applies particularly to those individuals who work with the public, with children or with Adults at Risk. Any individual who is violent to or abusive of, their partner and who is concerned by this behaviour should seek support and help from an appropriate source, such as Occupational Health and other specialist services.

## **17. IMPLEMENTATION**

A training programme in line with VAWDASV National Training Framework will be delivered to all Managers to raise awareness of domestic/ violence/abuse and the understanding of this policy and guidance.

Managers are responsible for raising the awareness of all employees of the policy.

All employees will be made aware of the policy and supporting information by means of the Council newsletters/publications, noticeboards, leaflets and the Intranet.

## **18. LINKS WITH OTHER POLICIES**

This policy links with the following Council policies:

- Work-life Balance/Family Friendly policies
- Managing Attendance
- Management of Violence and Aggression in the Workplace
- Health and Safety
- Schedule of Leave
- Bullying and Harassment
- Capability Policy
- Disciplinary Code
- Alcohol and Drug Policy
- Strategic Equality Scheme
- Safeguarding

## 19. PERFORMANCE MEASURES

It is recognised that due to confidentiality issues and sensitivities around cases of violence against women, domestic abuse and sexual violence, monitoring and evaluation is not always easy. However the following information will be recorded and shared with the Violence Against Women and Domestic Abuse Team in Welsh Government:

- How the Policy has been promoted and staff awareness raised;
- Details of planned training and/or numbers of staff who have completed training; and
- The number of hits on the Blaenau Gwent intranet page hosting the workplace policy.

## 20. HELP AND SUPPORT

- **Occupational Health (Workforce Wellbeing)**

For details contact your Business Partner in the [Organisational Development Division](#).

- **Trade Unions**

Contact your Trade Union Representative

- **All Wales Academy**

Welsh Government has developed an e-learning module to raise awareness regarding violence against women, domestic abuse and sexual violence. This is available on the All Wales Academy, our online learning platform. It is anticipated that it will take approximately 45 minutes to complete the course.

Please click on the link below or paste it into your browser:

<https://learning.wales.nhs.uk/course/view.php?id=219>

Your login/username will be your personal reference number (found on your pay slip) prefixed with BGCBC e.g. **BGCBC123456** and your initial password is **Welcome1%**

If you are asked to enter an enrolment key it is **Blaen15%**

A helpdesk is available to assist with any username/password issues.

Email: [elarning@wales.nhs.uk](mailto:elarning@wales.nhs.uk)

Telephone: 01443 848636

- **Phoenix Domestic Abuse Services**

Phoenix Domestic Abuse Services is a registered charity established in 2002 to provide a free and confidential information and support service to those affected by domestic abuse within the borough of Blaenau Gwent.

Helpline: 01495 291202

Email: [info@phoenixdas.co.uk](mailto:info@phoenixdas.co.uk)

Website: <http://www.phoenixdas.co.uk>

- **Live Fear Free**

Live Fear Free is a Welsh Government website, providing information and advice for those suffering with domestic abuse, sexual violence and other forms of violence against women.

Helpline: 0808 8010 800 (24 hour, 365 days per year)

Email: [info@livefearfreehelpline.wales](mailto:info@livefearfreehelpline.wales)

Website: <http://www.livefearfree.gov.wales/>

- **The Dyn Project**

The Safer Wales Dyn project provides support to Heterosexual, Gay, Bisexual and Trans men who are experiencing Domestic abuse from a partner. The Safer Wales Dyn helpline lets you speak confidentially to someone who can listen to you without judging your situation. We can give you support to deal with the problems faced and tell you if there are any services already available in your area. All calls to this line are free & confidential.

Helpline: 0808 801 0321 (Mon: 10am-4pm, Tues: 10am-4pm, Wed: 10am-1pm)

Email: [support@dynwales.org](mailto:support@dynwales.org)

Website: <http://www.dynwales.org/>