

# **Domestic Violence and Abuse and Violence Against Women and Girls Policy**

**2018**

# Document Control

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<b>Version History</b>	6
<b>Summary of Change</b>	Incorporating changes from HR, Legal, SSCC and the LADO and the Unions
<b>Contact (job title)</b>	Fiona Dwyer (Strategic Lead for Violence Against Women and Girls)
<b>Implementation date</b>	
<b>Review Date</b>	
<b>EqlA Date</b>	
<b>Decision making body &amp; date of approval</b>	
<b>Classification</b>	

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## 1. Introduction

- 1.1 Haringey Council takes the safety of its workforce (permanent/temporary employees, agency workers and contractors) very seriously. Haringey Council managers have a duty to respond appropriately to concerns about the safety or wellbeing of employees and other workers.
- 1.2 This policy, together with guidance and training, forms part of Haringey's Violence Against Women and Girls 2016-2026 Strategy and sits under the governance of the Violence Against Women and Girls Strategic Group.
- 1.3 Given the size of the organisation, it is statistically likely that within teams, service areas and directorates that there are staff experiencing or who have experienced different forms of domestic abuse in its broadest definition.
- 1.4 The term Violence Against Women and Girls is used throughout this document to reflect the disproportionate numbers of women affected across all the strands<sup>1</sup> of VAWG but the policy and the accompanying guidance is clear that anyone can be a victim of abuse.
- 1.5 This policy should be read in conjunction with the guidance on responding to disclosures of domestic abuse and with the accompanying training for managers.

## 2. Scope

- 2.1 This policy applies to all staff, including permanent/temporary employees, contractors or agency staff working on behalf of Haringey. There are some Council policies and procedures referred to which do not apply to contractors or agency workers e.g. the disciplinary procedure and special leave policy. Managers should seek HR guidance.

## 3. Purpose

- 3.1 Haringey's [Corporate Plan](#) Priorities make a clear public commitment to ensuring a safe borough with stronger communities and partnerships as well as enabling all adults and children to be healthy and achieve their potential. As part of achieving these Corporate Priorities, the Council is taking action to help eradicate violence against women and girls and launched a 10-year Violence Against Women and Girls Strategy in November 2016. The Strategy builds on existing work in Haringey and recognises that both women and men can be victims of abuse.
- 3.2 Haringey Council recognises that there are occasions where staff could have been better supported through existing Human Resources' policies. The need to develop a specific policy to consolidate existing policies into a domestic abuse specific policy is a recommendation in two [Domestic Homicide Reviews](#) held into deaths in Haringey.

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<sup>1</sup> In Haringey's VAWG Strategy we include the following strands of violence and abuse: domestic violence and abuse, sexual violence abuse and exploitation, coercive and controlling behaviour, forced marriage, sexual harassment and bullying, female genital mutilation, stalking and harassment, trafficking and modern slavery and crimes committed in the name of 'honour' ('so-called 'honour based violence').

### 3.3 Haringey believes that:

- All forms of violence and abuse are unacceptable and should not be tolerated;
- Violence and abuse is about power and control of women's behaviour and sexual choices by partners or family members
- Abuse can take place regardless of gender, class, income levels, ethnicity, faith, ability, sexuality or age
- A coordinated community response, where agencies and the community work together, is the only effective way to prevent and respond to violence and abuse.
- The forms of violence against women and girls are not discrete strands – they are often connected in a continuum of abuse. Victims often experience more than one form of this violence at any one time, or during their experience of abuse.
- Violence and abuse is a workplace issue because we have a responsibility for the welfare and wellbeing of our workforce.

3.4 Support for employees and workers experiencing all forms of abuse is an important element of the Council's commitment to tackling all forms of violence and abuse. It promotes an effective, confidential and empathetic response to staff who experience violence and abuse in their personal or family relationships. The Council has a legal responsibility to provide all staff with a safe and effective working environment.

3.5 This policy ensures that both victims and perpetrators of domestic abuse are aware of the support that is available within the organisation. It also provides guidance to line managers when supporting staff who are affected by domestic abuse.

## 4. Definitions

### 4.1 Domestic Violence and Abuse

The Cross-Government definition (implemented in March 2013) of domestic 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.”*

The definition includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage.

### 4.2 Violence against Women and Girls

Violence against Women and Girls (VAWG) is both a form of discrimination and a violation of human rights. Haringey has adopted the United Nations Declaration on Elimination of Violence against Women, which defines violence against women as: *‘Any act of gender based violence that results in or is likely to result in physical, sexual or psychological harm or suffering to women [or girls], including threats of such acts, coercion or arbitrary deprivation of liberty’* (1993, Article 1)

The definition incorporates a wide range of abusive behaviours including physical, sexual, financial, emotional and psychological abuse.

As outlined above, Haringey's [VAWG Strategy](#) includes 9 strands: domestic violence and abuse, sexual violence, abuse and exploitation, sexual harassment and bullying, coercive and controlling behaviour, stalking and harassment, so-called 'honour' based violence, forced marriage, female genital mutilation and trafficking.

## **5. Impact of Violence and Abuse**

### **5.1 The Impact of violence and abuse on the work place**

This policy recognises that within the workforce, there are those who have experienced violence in their personal or professional lives and those who may be perpetrators of violence. Violence and Abuse has a negative impact on our workforce. It impacts upon the individuals affected as well as the wider workforce morale, productivity and performance. By adopting this policy, Haringey Council aims to address this through a coordinated approach.

### **5.2 The Impact of violence and abuse on the workforce**

- Direct impact on productivity at work due to physical or psychological abuse.
- Absenteeism due to injuries such as chronic pain, vision or hearing loss and the psychological impacts of domestic violence such as anxiety, depression, post-traumatic stress disorder and or use of alcohol or drugs as a coping mechanism.
- Taking time off as a result of having to seek help from solicitors, doctors or specialist support agencies.
- Lateness as a result of the abuser trying to prevent a member of staff from going to work.
- Harassment in the workplace: perpetrators of domestic violence may target a victim at work. This can include numerous telephone calls, social media, emails, and the abuser turning up at the workplace or leaving unwelcome notes on the victim's car.

### **5.3 The Impact of violence and abuse on work colleagues**

Domestic abuse also affects people close to the victim and this can include work colleagues. Other staff members may:

- Have to cover or fill in for affected colleagues.
- Try to shield the victim from unwanted communication (phone calls, emails or visits).
- Feel helpless and unsure about how to intervene.
- Feel distracted or disinterested from their own work.
- Experience a negative impact on their own mental health, especially if they are being abused themselves or have previous experience of being abused.
- Experience vicarious trauma.

## 6. General Principles

- 6.1 The responsibilities of employers, employees and others for the health and safety of persons at work are defined by the [Health and Safety at Work Act 1974](#). Under the Act and the [Workplace Health, Safety and Welfare Policy Guidance](#), employers have a duty to ensure, as far as is reasonably practical, the health, safety and welfare of employees and others at work. The Council has developed guidance for managers to deal with incidents where a member of staff is verbally abused or threatened or physically assaulted in the course of their duties.
- 6.2 The strategies outlined in the [Violence at Work Policy](#) will apply to most situations of non-intimate partner or wider family violence and abuse in the workplace. However, managers may have to consider additional factors if these incidents involve domestic violence abuse or wider forms of VAWG. These incidents may involve violent partners, ex-partners or abusive family members visiting the workplace, abusive phone calls, emails or social media as well as intimidation or harassment of a member of staff by the alleged perpetrator. These issues could be addressed by the following measures:
- Improving security measures, including ensuring appropriate challenge to those without swipe ID cards and that access to buildings is open to authorised staff only.
  - Ensuring reception or security staff are trained not to divulge information about staff, especially personal details such as addresses, telephone numbers or work patterns and alerting them (with the individual's consent) if the perpetrator(s) is known to come to the workplace.
  - Offering temporary or permanent changes in workplace, work-times and patterns, helping to make the member of staff less at risk at work and on their journeys to and from work. This could include changes to the office layout to ensure that the staff member is not visible from reception points or from any ground floor windows.
  - Offering changes in specific duties, such as answering phones or working in reception area, or, in exceptional circumstances, redeployment to another post (if at all possible).
  - Agreeing what to tell colleagues and how they should respond if the abuser(s) rings or comes to the workplace (with the individual's consent to do so).
  - Avoiding co-location for the partners who work together in the same 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 how risks can be minimised (e.g. changing duties, allowing another colleague to accompany them on certain journeys and ensuring safety planning is conducted for those who need to travel alone to external meetings).
  - Recording any incidents of abuse in the workplace, including persistent phone calls e-mails or visits, to a member of staff by their abuser(s). Details of any witnesses to these incidents should also be noted. These records could be used if the member of staff wants to press charges or apply for an injunction against the alleged perpetrator.
  - Managers may have to take into account whether the above measures are operationally appropriate. However, ensuring that staff are safe should be of primary consideration throughout this process and staff should not be made to feel guilty about any of these changes being made.

### 6.3 Confidentiality

Any information obtained in relation to violence and abuse shall be treated in the utmost confidence. Information should only be disclosed in very limited circumstances – this would include:

- Where individuals, service providers, service users, or colleagues could be at risk of significant harm the [Data Protection Act 1998](#) enables the lawful sharing of information although it is best practice to first seek the person's permission to disclose unless it may place anyone at further risk of harm.
- Where child or adult protection may be a concern, for example if a member of staff discloses that a child or a vulnerable adult is at risk from abuse (whether it is physical, sexual, emotional, psychological or neglect).

Where information needs to be disclosed, the staff member must be informed that the information may be disclosed as well as provided with information about where, to whom and why the information may be disclosed. As far as possible, information will only be shared on a need to know basis. Any unauthorised breaches could be subject to disciplinary action being taken for those employed by the Council and could potentially bring legal action against the local authority.

The consequences of breaching confidentiality could have serious effects for the person experiencing violence and abuse – statistically, the risk of serious harm and murder increase when an individual separates from their partner. It is vital, therefore, not to underestimate the danger or assume that the fear of abuse is exaggerated. It is also important to recognise that for a host of reasons a person may return to an abusive partner and the importance of maintaining a commitment to the provisions of the policy and a non-judgmental attitude is paramount.

### 6.4 Mechanisms of Support

The Council has a number of support mechanisms available for employees which includes:

- The availability of [Occupational Health and/or Employee Assistance Programme \(EAP\)](#) who can offer emotional support to help to those employed by the Council to find a good work/life balance, help with financial or debt planning, or can offer counselling to help with periods of stress.
- Supporting the staff member to change their bank details if the employee has disclosed that their partner/ex-partner or family members have access to their finances or is exerting economic pressure upon them.
- Ability to request leave within the provisions of the [Special Leave Policy](#) (for those employed by the Council) to arrange appointments (with specialist support services, solicitors, schools etc.) during the normal working day. These requests should be treated sympathetically.
- Managers should also explore other measures supportively, such as temporary negotiated hours, where requested by employees experiencing domestic abuse.
- Managers should seek HR advice for those who are not Council employees (agency workers and contractors).

### 6.5 Where a member of staff is a perpetrator of abuse



The Council may report the conduct of any employee, contractor or agency worker who is found to be a perpetrator of abuse to the Police and staff members may be subject to the Council's disciplinary procedures

All employees (including temporary staff, agency workers, consultants, contract workers and anyone supplying a service) must adhere to the Code of Conduct. This includes all employees working on the Council's behalf, including Homes for Haringey, AMEY and others. All employees should be made aware that perpetrating any form of violence and abuse is a serious matter that could lead to criminal convictions.

Violence and abuse outside work (whether or not it leads to a criminal conviction) can also lead to disciplinary action against an employee because of its employment implications. This is because such conduct undermines the confidence the Council (as employer) has in the employee and may also bring the Council into disrepute. There should be an investigation of the facts as far as possible, a view taken and consideration given as to whether the conduct is sufficiently serious to warrant instituting the disciplinary procedures for those employed by the Council.

Conduct outside of work may lead to disciplinary action being taken against a member of staff; as such conduct may undermine the confidence and trust the organisation has in them. However, the Council recognises that it has a role in encouraging and supporting perpetrators to address violent and abusive behaviour of all kinds.

In addition, such conduct may make certain job duties inappropriate and justify dismissal or redeployment. It will not be appropriate for a perpetrator of domestic abuse to be providing services to vulnerable adults and / or children.

Disciplinary action could result in the employee being dismissed or a change of duties or a transfer may need to be considered in such circumstances.

Similarly, proven harassment or intimidation of Council employees by their partner, ex- partner or family member who also works for the Council will be viewed seriously and may be considered as gross misconduct with immediate dismissal.

If any of these circumstances are brought to a manager's attention, advice from Human Resources should be sought in the first instance. Managers should seek HR advice for those who are not Council employees (agency workers and contractors).

## **7. Roles and Responsibilities**

Below is a brief introduction and outline of the roles and responsibilities of employees/colleagues, line managers, Human Resources and senior managers. It does not replace the need for training and awareness about how to respond appropriately to disclosures or suspicions of violence and abuse.

### **7.1 Employees/Colleagues**

Employees/staff members should understand the important role they can play in supporting their colleagues experiencing violence and abuse by:

- Having an awareness and understanding of the dynamics of abuse and how to respond sensitively and appropriately.

- Raising awareness within teams of what is violence and abuse in team meetings and undergoing training.
- Respecting an individual's confidentiality (unless there are concerns about children or vulnerable adults, as per section 6.3).
- Providing information on local or national sources of help to their colleague experiencing violence and abuse.
- Recognising their limitations and understanding that specialist support services are best placed to provide holistic support.
- Responding positively to the individual's need and any adjustments made.

## **7.2 Line managers**

Line managers have a key role to play in supporting their staff who are experiencing violence and abuse by:

- Adopting a sensitive and non-judgmental approach when dealing with staff who have experienced or are experiencing abuse.
- Ensuring that the staff member can request to have someone of the sex (or gender) of their choosing carry out any of the supporting procedures.
- Ensuring that the staff member is listened to and that any violence or abuse disclosed is taken seriously and responded to appropriately. Training and support is available to support line managers to use existing structures to support their staff better.
- Ensuring that any discussion about the staff member's situation takes place in a private space (including the offer of a discussion off-site) and that their confidentiality is respected as far as possible (explaining the limits of confidentiality).
- Understanding that the staff member may wish to have HR, EAP or First Care to attend any discussion meetings with them as an advocate
- Understanding that the staff member may wish to disclose to a third party such as a colleague, specialist support service, trade union representative etc.
- Being aware of the specialist support services that are available in Haringey and how to refer to the services.
- Ensuring that they have undertaken the necessary training in order to best support their staff.
- Understanding that any support should be led by the staff member and referrals to support or wider disclosures should not be done without their consent (unless there are safeguarding concerns).
- Recognising that they may become aware of violence and abuse through absence or sickness monitoring or poor work performance. Identifying that staff member is experiencing difficulties at an early stage can help ensure appropriate help is provided. The focus should be on supporting rather than penalising or putting additional pressure on staff affected.

- Taking appropriate steps to ensure any files, including all electronic records, containing information about those experiencing abuse do not contain details of current addresses. Addresses may need to be held separately to ensure the abuser has no way of accessing them.
- Being aware that there may be staff who are perpetrators of domestic abuse and that confidentiality is of paramount importance as both victim and perpetrator may work for the Council.

### **7.3 Directors, Assistant Directors and Heads of Service**

Directors, Operational Directors and Heads of Service have overall accountability for the health and wellbeing of the workforce under the Health and Safety at Work Act 1974. They can support the managers in their services by:

- Ensuring that all line managers within their service undertake appropriate training and know how to respond to violence and abuse.
- Acknowledge that within their service they may have managers who are victims and perpetrators and respond sensitively to any requests for discussion from employees bypassing their normal hierarchy.
- Ensure that the wellbeing of their workforce is a paramount consideration.
- Ensure there is zero tolerance to all forms of VAWG, including sexual harassment in the workplace

### **7.4 Human Resources (HR)**

HR has responsibility to:

- Ensure that hiring managers ensure that new staff members are made aware of this policy and its implications.
- Remain vigilant, especially when involved in grievance or disciplinary proceedings, capability procedures or sickness procedures.
- Protect confidentiality in all instances (excepting the requirements of child protection or protection of vulnerable adults).
- Discuss and agree the specific steps that can be taken to help the workforce stay safe in the workplace
- Support the affected staff member to remain productive in work (including homeworking, off site and office based) or if this is not safe to do so using Haringey's [special leave policies and procedures](#) where appropriate.

## **8. Links to other HR Policies/Procedure and Guidance**

There are links to a range of HR policies and procedures, including but not limited to: [Disciplinary Procedure](#); [Sickness](#); [Grievance](#); [Leave Policy](#) and [Flexible Working policy](#).

## 9. Further Reading

DH and Safe Lives (undated) Responding to Colleagues experiencing domestic abuse: Practical guidance for line managers, human resources and employee assistance programmes, London: Department of Health.

Sharp, N., King, L. And Blacklock, N. (2010) *Domestic Violence Resource Manual for Employers*, London: Refuge and Respect.

