



Dr Chris Llewelyn

Prif Weithredwr / Chief Executive

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Welsh Local Government Association**

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Dyddiad / Date: 25 August 2023

Gofynnwch am / Please ask for: Karen Higgins

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Ebost / Email: workforce@wlga.gov.uk

Jenny Rathbone MS
Chair, Equality and Social Justice Committee
Welsh Parliament
Cardiff Bay,
Cardiff,
CF99 1SN

Dear Jenny

Inquiry into the public health approach to preventing gender-based violence

Thank you for your letter of 7 August 2023 and the opportunity to contribute to the above inquiry being undertaken by the Equality and Social Justice Committee. I am pleased to offer a response on behalf of local government to your specific question on how organisations deal with allegations of gender-based violence internally and more specifically what procedures are in place for handling allegations of gender-based violence raised by or against employees.

Local Government employers in Wales are committed to equality, diversity and inclusion within the workplace and councils are active in raising awareness amongst managers and staff of domestic abuse, violence including gender-based violence and sexual violence, with specific policies and procedures in place to manage and respond to issues of this nature raised by or against employees. Domestic abuse, violence and sexual violence policies exist and are often underpinned by guidance, support and training where appropriate, all of which are in accordance with the requirements of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

To demonstrate the extent and nature of these policies, a specific example from Cardiff Council has been provided and is appended to this letter.

Depending on the circumstances of any individual case, local government employers have a number of other policies and procedures which may also be relevant and which can be applied when managing issues of domestic abuse, violence and sexual violence, including handling allegations raised by or against employees, these include:

- Alcohol and Substance Misuse
- Attendance Management
- Code of Conduct
- Dignity at Work
- Disciplinary
- Grievance
- Safeguarding
- Trans Equality
- Whistleblowing

More broadly issues and approaches to address the challenges associated with violence and domestic abuse are often the subject of discussion amongst professional networks and partnerships in local government, with our trade unions, Welsh Government and across public services. Partners share knowledge and practice and continue to explore and address how our workforce and workplaces can be further supported and safeguarded through policies and support. One such example is the Joint Council for Wales (JCW), a social partnership between local government employers and trade unions, which has regularly discussed and previously issued a joint statement to raise awareness of and demonstrate a shared commitment to addressing domestic abuse and violence (attached). More recently, in April 2023 the JCW invited the Wales TUC to share details of their [Sexual Harassment Toolkit](#). Regular discussion and knowledge sharing amongst professionals and partners such as this serves to maintain the profile of this important issue, to renew and refresh our understanding and approaches.

I trust that this addresses your request for information and that the example provided offers the necessary detail regarding specific policies and procedures, including the guidance and support available. However, please do not hesitate to contact me should you require further detail or wish to discuss any of the points raised.

Yours sincerely,



Chris Llewelyn
Chief Executive



Violence against Women, Domestic Abuse and Sexual Violence Policy

**Mae'r ddogfen hon ar gael yn Gymraeg.
This document is available in Welsh.**

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SECTION 1 - INTRODUCTION, ROLES and RESPONSIBILITIES

INTRODUCTION

- 1.1 The Cardiff and Vale of Glamorgan regional Violence against Women, Domestic Abuse and Sexual Violence Strategy 2018-2023 recognises that whilst anyone (women, men, children and young people) can experience and be affected, it also addresses violence and abuse directed towards men and boys and violence and abuse perpetrated by women. It acknowledges that it can happen in any relationship regardless of sex, age, ethnicity, gender, sexuality, disability, religion or belief, income, geography or lifestyle. However it is acknowledged that women and girls are disproportionately affected by domestic abuse, rape and sexual violence, sexual exploitation (including through the sex industry), modern day slavery, forced marriage, female genital mutilation, child sexual exploitation and abuse, stalking and sexual harassment.
- 1.2 Research shows that 75% of violence against women, domestic abuse and sexual violence victims are targeted at work*. It is often possible for perpetrators to use workplace resources, such as telephones, email and other means, to threaten, harass or abuse their current or former partner. In the UK every year, 21% of employed women take time off work because of domestic violence and 2% lose their jobs as a direct result of the abuse**. 53% of abused workers (male and female) miss at least 3 days from work per month***. Whilst both men and women can be victims, women are disproportionately affected by all forms of intimate violence. (Further facts are detailed in Appendix 2)
- 1.3 Violence against women, domestic abuse and sexual violence can be a performance and productivity concern. The effects of violence against women, domestic abuse and sexual violence can include decreased productivity, lateness, stress, absenteeism, performance issues and increase employee turnover.
- 1.4 It is also important to recognise that while violence against women, domestic abuse and sexual violence impacts on the health, safety and wellbeing of employees, for some, the workplace can be the safest place to be, a source of confidence and often a sanctuary. The Council is committed to supporting all employees, regardless of gender and type of abuse, to maintain their employment whilst breaking free from abusive relationships.
- 1.5 This policy should be read in conjunction with the Manager and Employee Guide on Violence Against Women, Domestic Abuse and Sexual Violence.

ROLES AND RESPONSIBILITIES

- 1.6 **Employees who are experiencing violence against women, domestic abuse and/ or sexual violence are encouraged to:**

- Talk to their manager about their situation and how the Council might be able to help them – where an employee would prefer to talk to someone of the same sex they can request this or they can speak to someone in HR People Services or their trade union if they are a member.

Source

*Equality and Human Rights Commission Oct 2017

**Welsh Women's AID

*** TUC and Everyday Sexism Report 2016

- Access the support and guidance available from the Live Fear Free Helpline (tel: 0808 80 10 800), The Employee Assistance Programme – Carefirst, (username ccw001 password diff1234) the Council's Employee Counselling Service or Occupational Health team.
- Agree with their manager, where appropriate, what to tell colleagues and how they should respond if the abuser telephones or visits the workplace.
- Ensure their emergency contacts and next of kin details are up to date, in case we are unable to contact for any reason.
- You should be aware and give consideration to the difficulties which may arise if the organisation is not aware of the full circumstances, for instance, if action is being taken on performance or absence.

1.7 All employees are responsible for:

- Familiarising themselves with the contents of this policy and its guidance, providing appropriate support to colleagues within the provisions of this policy.
- Maintaining confidentiality where appropriate, any breach can be extremely dangerous and should only happen where there is a safeguarding concern and only through the appropriate mechanisms.
- Completing all relevant stages of the National Training Framework. All staff are required to complete the mandatory e-learning module or attend an interactive briefing session.
- Where employees feel able, taking basic steps to assist colleagues in gaining confidence report the problems they are experiencing.
- Displaying their work identification badge when entering Council buildings and being vigilant to individuals who do not have authorisation to enter and direct them to the relevant reception area.

1.8 In addition to their responsibilities as employees, managers are also responsible for:

- Being aware of physical, behavioural and/ or performance changes that may be the result of violence against women, domestic abuse and/ or sexual violence.
- Creating an environment where employees feel safe and able to discuss issues of violence and abuse that are affecting them.
- Taking time to listen to the employee, believing them and making sure the discussion takes place in private.
- Discussing issues confidentially with the employee and advising on any support that may be available to the employee both inside and outside of the workplace (organisations are identified in Appendix 1).
- Arranging any support measures that have been agreed with the employee.
- Working with Facilities Management to develop a personalised safety plan to minimise risk to the employee and colleagues, where appropriate.
- Agreeing a method of communication with the employee.
- Being aware of any additional issues which may be relevant to the employee, e.g. age, disability, ethnicity, sexuality, childcare arrangements and the relevant help available as detailed in Appendix 1.
- Working with HR People Services to clarify what is expected of the employee and what additional support can be provided, where the employee's performance or absence is a cause for concern.
- Liaising with HR People Services on appropriate action where an employee is suspected of perpetrating domestic abuse and/ or violence.
- Maintaining confidentiality where possible however, it is essential to inform the employee that if it is a safeguarding or criminal issue confidentiality cannot be ensured and appropriate steps may need to be taken.

1.9 HR People Services are responsible for:

- Being aware of the support and information available in this policy and its guidance.
- Working with managers and employees to arrange any support measures, e.g. leave, adjusting work schedules/ hours or working at another office location.

- Advising managers on the sensitive use of performance/attendance procedures where necessary.
- Supporting managers to implement the disciplinary policy if an employee is alleged to have perpetrated domestic abuse and/ or violence.

1.10 Occupational Health are responsible for:

- Providing confidential support to employees experiencing violence against women, domestic abuse and/or sexual violence.
- Providing support to managers on dealing with work issues and associated support.

1.11

Trade Union Representatives are responsible for:

- Familiarising themselves with the provisions of this Policy and its guidance.
- Encouraging members who are experiencing violence against women, domestic abuse and/or violence to seek support as outlined in this policy.

This policy will be reviewed in light of operational experience or changes to legislation.

SECTION 2 - POLICY

PURPOSE

- 2.1 This policy provides information and guidance to all employees on issues relating to violence against women, domestic abuse and sexual violence, with the reassurance that all reasonable and appropriate steps will be taken to provide a safe and supportive workplace.
- 2.2 Incidents of violence against women, domestic abuse and sexual violence are common and have a serious impact on those who experience it. Whilst women are disproportionately affected by all forms violence, there are also incidents of violence and abuse, domestic abuse and sexual violence against men, in both heterosexual and in same sex relationships.
- 2.3 Despite this, its effects and costs within the workplace remain largely hidden and unidentified by most employers. Research has shown that a significant proportion of employees who experience violence against women, domestic abuse and sexual violence had to take time off work. Many other employees also reported symptoms that had a long-term effect on their work performance such as depression, anxiety or stress.

- 2.4 Violence against women, domestic abuse and sexual violence is therefore, not just an issue for agencies that provide services directly to the public. It is an issue that affects all sections of society. Within the Council workforce, there are those who have experienced violence and abuse in their personal or professional lives and those who are perpetrators of violence and abuse. The Council promotes a zero tolerance approach to violence against women, domestic abuse and sexual violence.
- 2.5 This policy aims to raise awareness of violence against women, domestic abuse and sexual violence and outlines how the Council is committed to responding sensitively and effectively to those needing help and support, and to take action against those perpetrating domestic violence and abuse. It provides information on the specialist help that is available within and outside the Council to protect and support employees through difficult periods of their lives.
- 2.6 The Council gained the White Ribbon re-accreditation in 2018 and is committed to working in partnership with other agencies or bodies in the statutory or voluntary sector to raise awareness of how men can combat domestic abuse and sexual violence.
- 2.7 The implementation of this policy can assist the Council to meet its legal obligations under the Violence Against Women, Domestic Abuse & Sexual Violence (Wales) Act 2015, the Human Rights Act 1998, the Gender Equality Duty, the Equality Act 2010, the Social Services and Wellbeing (Wales) Act 2015, the Well Being of Future Generations (Wales) Act 2015, Equality and Human Rights Commission's Report 2015, and Health and Safety legislation.

Men and Domestic Abuse and Sexual Violence

- 2.8 What about the Men? This is a question that is always asked at public engagement events and in training sessions. All partners in the region know that men can also be victims of domestic abuse, sexual assault, forced marriage, trafficking and honour based violence and have acknowledged this throughout the regional strategy and continue to highlight this at all public events and staff training.
- 2.9 Partners working across Cardiff and the Vale recognise that more work is needed to support male victims of domestic and sexual violence, both in terms of recognising abuse when it occurs and in accessing appropriate services for support. Work is required to ensure that our communities recognise that violence and abuse perpetrated by anyone is unacceptable and does not have a place in our society. With our specialist partners, we will continue to address any gaps whilst continuing to support services that are already in place, targeting additional resources where there is greatest need. The views of victims will be integral to this.

- 2.10 The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 addresses domestic abuse and sexual violence perpetrated against **all** people in Wales. Both men and women have the same rights to be protected from all forms of violence against women, domestic violence and sexual violence. Domestic abuse against a man is just as abhorrent as when a woman is the victim.
- 2.11 Domestic abuse and sexual violence can lead to male victims feeling shame, guilt, isolation and worthlessness. Due to social prejudices, men can find it hard to let other people know that they are being abused or have been abused/experienced violence and to seek help. They may feel that the very fact that they have suffered domestic and/or sexual violence weakens them in their own or other people's eyes.
- 2.12 Male victims can experience domestic abuse at the hands of their wives, partners or ex-partners, other family members whether female or male and male victims can also experience sexual violence

WHO IS COVERED?

- 2.13 This Policy applies to all employees of the Council, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation and Welsh language, except those employed directly by Schools. The policy is commended to school governing bodies.

KEY PRINCIPLES

- 2.14 Every employee who is experiencing or has experienced violence against women, domestic abuse and sexual violence has the right to raise the issue with their manager in the knowledge that the matter will be treated effectively, sympathetically and confidentially.
- 2.15 The Council is committed to promoting zero tolerance of violence against women, domestic abuse and sexual violence against adults and children. It is essential therefore, that the working environment promotes the view that violence against women, domestic abuse and sexual violence against others is unacceptable, and it will not be condoned or made the subject of jokes, graffiti, social media or graphics.
- 2.16 The Council will aim to raise awareness of this policy through the following measures:
- (i) Preparation and distribution of information publicising the issue and the Council's policy and guidance;
 - (ii) Briefings to Directorates, appropriate managers and supervisors;
 - (iii) Inclusion of issues relating to violence against women, domestic abuse and sexual violence in relevant in-house training sessions and as part of corporate induction;

- (iv) Publicising the attainment of White Ribbon Status and encourage employee participation;
- (v) Complete the Welsh Government National Training Framework e-learning module on violence against women, domestic abuse and sexual violence and other levels as required (a requirement of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015).

SECTION 3 - PROCEDURE

3.1 Managers need to develop a sensitive and non-judgemental approach when dealing with employees who have experienced violence against women, domestic abuse or sexual violence: This should include:

- (i) Taking the employee seriously, taking time to listen to them and believing what they say.
- (ii) Ensuring that any discussion about the employee's situation takes place in privacy and that confidentiality is respected as far as possible.
- (iii) Understanding that the employee may not wish to approach their line manager and may prefer to involve a third party such as a colleague or trade union representative. It may be appropriate to offer the option of speaking to another colleague or someone from HR People Services who will be able to advise the employee and/ or their line manager on what measures can be taken.
- (iv) If an employee does not wish to speak to their line manager, they should be advised of the difficulties that may arise if the manager is not aware of the relevant facts and circumstances (for instance if there is a potential health and safety issue or if other action is being taken on performance or absence monitoring).
- (vi) Being aware that there may be additional issues faced by the employee because of their age, disability, gender identity/reassignment, language, race, religion or belief, sex, sexual orientation, marital or civil partnership status, pregnancy or maternity.
- (vi) Being non-judgemental – the employee may need some time to decide what to do and may try many different options during this process. Research has shown that it can take a long time to break free of an abusive relationship. It should not be assumed that because an employee returns or stays in an abusive relationship that the abuse was not severe or did not take place.
- (vii) Being aware of what support is available and explore these options with the employee (a list of support agencies is detailed in Appendix 1). However, if the employee does not want you to contact specialist support, you must respect their wishes, however if there are safeguarding concerns, then the appropriate procedures should be followed.

REDUCING THE RISK OF VIOLENCE AGAINST WOMEN, DOMESTIC ABUSE, AND SEXUAL VIOLENCE IN THE WORKPLACE

- 3.2 Under, the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1992) the Council recognises its legal responsibilities in promoting the welfare and safety of all employees. This Council has developed guidance on reducing the risk of violence to staff at work ([Code of Guidance – Violence at Work](#)).
- 3.3 The Code of Guidance will apply to most situations of violence in the workplace. However, managers may have to consider additional factors if these incidents involve violence against women, domestic abuse and sexual violence. These incidents may involve violent partners or ex-partners visiting the workplace, abusive phone calls, intimidation, harassment or stalking of an employee by the alleged perpetrator.

CONFIDENTIALITY

- 3.4 Once an employee has confided to their manager that they are experiencing violence against women, domestic abuse and/or sexual violence, the manager should reassure them that they will keep this information confidential as far as possible. It is important to remember that perpetrators can be very persistent and will go to great lengths to contact a victim.
- 3.5 Whilst confidentiality is a key element to ensure that victims make disclosures and seek support, it should be borne in mind that the local authority will have specific responsibilities under All Wales Child Protection Procedures 2008. Therefore one of the exceptions to confidentiality is when there are concerns about children or vulnerable adults, for instance, if an employee gives information that suggests that their child or another child is at risk from abuse (whether physical, emotional, sexual or neglect). In these circumstances, the manager should inform the employee that they are seeking further advice, and that safeguarding concerns need to be shared.
- 3.6 Managers have a duty to maintain a secure and safe environment for all employees and this could be made easier if colleagues are aware of potential risks. However, it is essential that managers agree with the employee concerned what information to tell colleagues. As far as possible, information should only be shared on a 'need to know basis'. Employees should be told that this information is confidential and any unauthorised breaches of this could be subject to disciplinary action being taken.
- 3.7 The consequences of breaching confidentiality could have serious effects including death for the person experiencing violence against women, domestic abuse and sexual violence. Statistics have shown that the risk of more serious assaults, permanent injury and murder takes place when a victim decides to end a relationship or immediately after. It is important therefore, not to underestimate the danger or assume that the fear of violence is exaggerated.
- 3.8 If any manager or employee is concerned about violence against women domestic abuse and/or violence situation but is unsure of how to deal with it, they should talk to their senior manager so that it can be managed in the best

way for the employee experiencing violence and/or abuse and violence. This will not be regarded as breaking confidentiality.

TAKE ACCOUNT OF DIFFERENT NEEDS AND EXPERIENCES

3.9 Experiences of violence and abuse may be very different. Each case should be dealt with individually but it is useful to be aware of the following*:

- Disabled women are twice as likely to experience domestic abuse as nondisabled women.
- Older colleagues may be less likely to report their experiences.
- Men often reach crisis point before they show any signs that they are experiencing abuse or violence and will only seek help at this point. They may not know that there are services available to them.
- Black Minority Ethnic colleagues may be reluctant to discuss family abuse or violence for fear of bringing shame on their family and ostracism from the community.
- Employees who are lesbian, gay or bisexual women may be fearful of being “outed” to colleagues, employers and family members. They may have limited social networks away from their relationships, limiting the support they can access.
- Transgender colleagues may have their gender identity used as part of the abuse they experience and may feel that there are fewer services available to them.

*Source-Welsh Women’s Aid Policy Template 2017

WHERE A COUNCIL EMPLOYEE IS THE PERPETRATOR OF VIOLENCE

3.10 The Council recognises that abusive and violent behaviour is the responsibility of the perpetrator and will not tolerate any form of abuse or violence within the workplace. Perpetrators of such behaviour will be dealt with under the Disciplinary policy and Procedure. Employees should be aware that violence against women, domestic abuse and sexual violence is a serious matter that can lead to criminal convictions.

3.11 Conduct outside of work (whether or not it leads to a criminal conviction) can also lead to disciplinary action against an employee because of its employment implications and because it undermines the confidence, the Council (as employer) has in the employee. There should be an investigation of the facts, in accordance with the Council’s [Disciplinary Policy and Procedure](#), and consideration given as to whether the conduct is sufficiently serious to warrant instituting the Council’s disciplinary procedures. Factors to consider include the:

- (i) nature of the conduct and the nature of the work to be done;
- (ii) extent to which it involves contact with other employees or the general public and;
- (iii) employment status of the employee.

3.12 In addition, such conduct may make certain job duties inappropriate and justify consideration for transfer or dismissal. For example, it may not be appropriate for a perpetrator of violence against women, domestic abuse and/or sexual violence to be providing services to vulnerable adults, children, domestic violence victims, or having access to information regarding the rehousing their or payroll information.

3.13 Similarly, stalking, harassment and intimidation of Council employees by their partner or ex partner who also works for the Council will be viewed seriously and will lead to disciplinary action.

3.14 Prior to embarking on disciplinary action, advice must be sought from HR People Services.

3.15 It is however recognised that it may be appropriate to support an employee who is seeking help to address their behaviour and this decision will be taken on an individual case basis.

NATIONAL TRAINING FRAMEWORK (NTF)

3.16 The NTF on violence against women, domestic abuse and sexual violence has been mapped against the possible journeys a victim of such violence or abuse could take through public and specialist services. The purpose of the mapping is to work from the broadest needs assessment – ranging from awareness and prevention, to proactive identification, assertive and supportive engagement through to longer term recovery and support.

3.17 The NTF will ensure that high quality and consistent training is available to employees across the Council. The Framework has two main functions:

- To provide consistent, proportionately disseminated training to fundamentally improve the understanding of the general workforce and therefore the response to those who experience violence against women, domestic abuse and sexual violence;
- To align existing specialist training to further professionalise the specialist sector, to improve consistency of specialist subject training provision nationally and to set core requirements of specialist service provision.

3.18 A training plan will be completed which will identify the type of training that employees will be required to undertake, although all employees with access to a computer and with a Council email address must complete the e-learning module as per Group 1. For staff with limited IT access, interactive briefing sessions will be considered as an appropriate alternative.

The training is aimed at six distinct groups; this is explained in more detail in **Appendix 4**.

Record Keeping

3.19 Any record made under this guidance must be held securely and in accordance with the Data Protection Act. Please see the Council's Data Protection Policy and Procedure for specific information.

3.20 Employees have responsibilities under data protection laws to ensure that their activities comply with the Data Protection Principles. Employees must not access data for which they have no business need or disclose personal data outside the Council's policy and procedures.

SUPPORT AGENCIES

FOR ALL VICTIMS

Employee Assistance Programme – Carefirst – This free phone telephone service is available 24 hours a day, 365 days of the year. All calls are answered directly by a team of qualified and experienced counsellors. Professional information and advice services are also provided by a separate team of information specialists plus there is access to a web based information service. Telephone 0800 174319
<http://cmsweb/cardiff/content.asp?id=40976>

Employee Counselling Service – The Employee Counselling Service (ECS) offers free and confidential counselling to anyone who is employed by the City of Cardiff Council. Telephone 029 2078 8301
<http://cmsweb/cardiff/content.asp?id=11153&d1=0>

SPECIALIST SUPPORT SERVICES

Violence Against Women, Domestic Abuse and Sexual Violence

Live Fear Free Helpline

Live Fear Free Helpline and website –www.gov.wales/livefearfree.

Live Fear Free is a Welsh Government helpline, providing information and advice for those suffering with domestic abuse, sexual violence and other forms of violence against women. The helpline can also provide information and advice to professionals and to friends and family members who may be worried about someone. Individuals concerned about their own behaviour can also contact the helpline.

The helpline number is free and staff are available 24 hours, 7 days a week.

Live chat service is also available 24hrs, 7 days per week * You must have pop-ups enabled in your browser to use this service

Tel: 0808 8010 800

info@livefearfreehelpline.wales

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

RISE-Cardiff

A strategically designed and specialist service for women affected by violence and abuse in Cardiff is being delivered by a local consortium – the lead provider Cardiff Women’s Aid has teamed up with Bawso and Llamau to cover all aspects of violence against women.

It will provide services, including group work and therapeutic interventions, which will be delivered via a One Stop Shop.

One Stop Shop/VAWDASV response centre: 16 Moira Terrace, Adamsdown, Cardiff, CF24 0EJ – interim information at <https://cardiffwomenscentre.org.uk>

Call: 029 2046 0566 – open 24/7 for all services

Email: reception@cardiffwomenscentre.org.uk

SEXUAL VIOLENCE SUPPORT

Ynys Saff /Safe Island Sexual Assault Referral Centre

Ynys Saff Sexual Assault Referral Centre (SARC) is based in the centre of Cardiff and offers a service for those who live in or have experienced an incident within the Cardiff and Vale of Glamorgan. We see people of all ages and regardless of gender, sexuality or ethnicity

029 2033 5795

Monday to Friday, 9am-5pm (excluding Bank Holidays)

The SARC website also provides helpful information for friends and family members

<http://www.cardiffandvaleuhb.wales.nhs.uk/contact-ynys-saff>

New Pathways

Counselling support for those who have experienced trauma, particularly from rape or sexual abuse, non- judgemental and there to help

Tel: 01685 379 310

Email: enquiries@newpathways.org.uk

MALE VICTIMS**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.

Tel: 02920 220033 Mon and Tue 10.00am to 4.00pm, Wed 10.00am to 1.00pm Email: support@dynwales.org www.dynwales.org

Mankind

UK's leading charity for supporting male victim's of abuse.
Confidential helpline for all male victims of domestic abuse and domestic violence perpetrated by their current or former wife or partner (including same-sex partner).

Tel: 01823 334244 Monday to Friday 10am - 4pm

Email: admin@mankind.org.uk www.mankind.org.uk

LGBTQ VICTIMS**National LGBT+ Domestic Abuse Helpline**

T: 0800 999 5428

Opening Times:

10am – 5pm Monday

10am – 5pm Tuesday (1pm – 5pm Tuesday is trans specific service)

10am – 5pm Wednesday

10am – 8pm Thursday

1pm – 5pm Friday

12pm - 4pm Sunday

Online chat: E: help@galop.org.uk 5pm - 8pm Thursday

<https://www.galop.org.uk/galop-to-run-national-lgbt-domestic-violence-helpline/>

Rainbow Bridge - Victim Support 0300 3031 982

Rainbow Bridge is a Victim Support run service that specifically supports victims of domestic abuse who identify as Lesbian, Gay, Bisexual and Transgender in Cardiff and The Vale. This includes abuse from intimate partners, ex partners (also heterosexual ex partners) and family relatives.

<https://www.reportheate.victimsupport.org.uk/rainbow-bridge/>

ADDITIONAL SUPPORT SERVICES

Modern Slavery Helpline

To report a suspicion, get help or seek advice or information

Tel: 0800 0121 700

<https://www.modernslaveryhelpline.org/>

Victims of Stalking

www.suzylamplugh.org

www.stalkinghelpline.org

<http://www.protectionagainststalking.org/>

Forced Marriage Unit Helpline

Advice and support to victims of forced marriage

020 7008 0151

SUPPORT FOR CHILDREN

Childline

ChildLine is a private and confidential service for children and young people up to the age of nineteen. They can contact a ChildLine counsellor about anything - no problem is too big or too small. Children can call free the number below or have a 1-2-1 chat online or send an email.

Tel: 0800 1111 (24hrs hours)

<http://childline.org.uk>

NSPCC

The NSPCC's work is focused on helping those children who are in greatest danger and distress. Their services are all designed to make the biggest difference to children possible.

Tel: 0808 800 5000 – 24/7 help and advice for adults concerned about a child

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

NSPCC FGM helpline

For those who are worried a child is at risk of, or has had, FGM

0800 028 3550

fgmhelp@nspcc.org.uk

Worried about your own behaviour?

Respect 0808 802 4040 - For those who are concerned about their own use of violence

Live Fear Free Helpline – 0808 80 10 800

If you are experiencing Domestic Violence and Abuse or an assault and require urgent Police Intervention and support Ring: 999

NB. The details of the above agencies were correct at time of writing

FACTS**Violence Against Women, Domestic Abuse and Sexual Violence Statistics**

Headline Statistic - It is estimated that around 3 million women across the UK experience rape, domestic violence, forced marriage, stalking, trafficking and sexual exploitation and other forms of violence every year. This is the equivalent to the entire population of Wales (Report to the Secretary General 2006).

Approximately 69,000 women and 9,000 men in the UK are victims of rape or attempted rape each year (Crime Survey of England and Wales 2013/14).

1 in 5 women in the UK have experienced some form of sexual violence since the age of 16 (Crime Survey of England and Wales, 2013/14).

Approximately 90% of those who are raped know the perpetrator prior to the offence (Crime Survey of England and Wales, 2013).

Around one third of all violent crime is 'domestic incident' related (Home Office).

Women are far more likely than men to be killed by partners/ex-partners - 44% of female victims compared with 6% of male victims (Office of National Statistics 2016).

Around 1 in 5 children have been exposed to Domestic Abuse and 1 in 3 children who have witnessed domestic abuse will have also been subject to other forms of abuse, including sexual abuse (NSPCC 2011).

75% of those experiencing domestic abuse are targeted at work. (CAADV (2012) Why is CAADV important).

In England and Wales domestic abuse costs £1.9 billion a year in lost economic output. (Walby, S (2009) The cost of domestic violence: update 2009. Lancaster: Lancaster University

The Welsh Context

Last year in Wales, over 10,000 adults and over 4000 children access refuge support and other specialist community based interventions (Welsh Women's Aid 2017).

During 2014-15, there were 205 cases of rape perpetrated against girls under the age of 13 in Wales (NSPCC).

South Wales Police had the third highest rate of recorded domestic abuse incidents across the 43 police forces of England and Wales during 2012/2013 and it accounts for six per cent of all calls to the police for assistance and eight per cent of recorded crime (South Wales Police 2014).

A local perspective – Cardiff

During 2015/16, the Police completed 3145 PPN's in respect of domestic violence, of these over 1000 victims were immediately identified as 'high risk'. (It is accepted that many victims initially identified as medium risk at the time of the incident will often be assessed as 'high risk' once specialist support has been accessed - It is less likely that the risk decreases).

During 2015-16, 71 people presented at Accident and Emergency Unit due to domestic violence - 68 of these were women and 11 cases were pregnant. Children were involved in 41 of the cases (Cardiff & Vale UHB 2016).

During 2015-16, 1014 referrals were made to the Cardiff MARAC. Of the 488 discussed, 68 victims were identified as repeat victims and there were 728 children identified. 469 of the victims were female, 19 were male. 8 victims were identified as being between 16-17 years old (South Wales Police 2016).

Appendix 3 – DEFINITIONS

Domestic abuse

Domestic abuse is the exercise of control by one person over another within an intimate or close family relationship; the abuse can be sexual, physical, financial, emotional or psychological. The abuse can happen in the home or elsewhere.

It is usually a pattern of behaviour, and happens regardless of sex, age, carer responsibility, class, disability, gender identity, immigration status, ethnicity, geography or religion. However the gender of the victim and of the perpetrator influences the severity, risk, and harm caused.

There are many different forms of domestic abuse, these include but are not limited to:

- coercively controlling behaviour (a pattern of control, isolation, degradation, intimidation and the use of threats)
- emotional / psychological abuse
- physical abuse
- sexual abuse
- financial abuse
- harassment and stalking
-

The cross UK 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.

Sexual violence

Sexual violence is any unwanted sexual act or activity. There are many different kinds of sexual violence, including but not restricted to: rape, sexual assault, child sexual abuse, sexual harassment, rape within marriage/relationships, trafficking, sexual exploitation, and ritual abuse.

Sexual violence can be committed by someone known and even trusted, such as a friend, colleague, family member, partner or ex-partner as well as by strangers and acquaintances. Sexual violence can happen regardless of sex, age, carer responsibility, class, disability, gender identity, immigration status, ethnicity, geography or religion.

Sexual violence can take many forms, it can include but is not limited to:

- forcing or coercing someone into sexual activities against their will
- using objects violently or in a non-consensual way during sex
- forcing or coercing someone to have sex with another person when they do not wish to
- sharing sexual stories or images about someone without their consent
- forcing or coercing someone to perform sexual acts in front of others when they do not want to
- forcing or coercing someone to mimic pornography
- forcing or coercing someone to be photographed or filmed during sex/whilst sexual abuse is taking place
- forcing or coercing someone to watch or look at pornography
- calling someone sexual or derogatory names.
-

Sexual violence is always the fault of the perpetrator regardless of what the survivor has previously done, the clothes they are wearing or if they are drunk or have taken drugs.

Sexual harassment or stalking

Sexual harassment is any unwanted behaviour of a sexual nature that may cause offense or distress or will intimidate or humiliate a person.

Sexual harassment can take many forms, it can include but is not limited to:

- making sexually degrading comments or gestures
- being stared or leered at
- unwanted or inappropriate sexual jokes or propositions
- e-mails, social media or text messages with sexual content
- unwelcome sexual advances and touching, forms of sexual assault
- displaying sexually explicit pictures in a shared space, such as at work.
-

Sexual harassment commonly takes place in public, including workplaces, public spaces and schools.

Under the Equality Act 2010 it is a criminal offence to cause sexual harassment, alarm or distress by a course of conduct on more than one occasion and conduct can include speech. Putting someone at fear of violence is when someone says or does two or more things that make you fear that violence will be used against you.

The Protection of Freedoms Act 2012 created two new offences of stalking. Stalking is not legally defined but section 2A (3) of the Public Harassment Act 1997 lists examples of behaviours. This includes:

- (a) following a person
- (b) contacting, or attempting to contact, a person by any means
- (c) publishing any statement or other material relating or purporting to relate to a person, or purporting to originate from a person
- (d) monitoring the use by a person of the internet, email or any other form of electronic communication
- (e) loitering in any place (whether public or private)
- (f) interfering with any property in the possession of a person
- (g) watching or spying on a person

Forced marriage

Forced marriage is when one or both people do not or cannot consent to the marriage. It can include forcing someone to marry through coercion, pressure or abuse from family members or others.

People can be physically, emotionally, psychologically and financially pressured to marry a person that they do not consent to marry. Physical pressure can include threats, actual physical violence and sexual violence. Emotional and psychological pressure can make someone feel like they will bring shame on the family. Financial pressure can be when someone's wages are removed or their access to money is restricted.

A forced marriage is not the same as an arranged marriage. In an arranged marriage, whilst family members can match the couple to be married, either party has a choice as to whether or not to agree consent for the marriage. Forced marriage is not an issue that is specific to any religion, ethnic group or culture.

Forced marriage is sometimes interpreted as a religious practice but it cannot be justified on religious grounds: every major faith condemns it and freely given consent is a prerequisite of Christian, Jewish, Hindu, Muslim and Sikh marriages.

The Anti-social Behaviour, Crime and Policing Act 2014 made it a criminal offence to force someone to marry. This includes:

- taking someone overseas to force them to marry (whether or not the forced marriage takes place)
- marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not)
- breaching a Forced Marriage Protection Order is also a criminal offence

The civil remedy of obtaining a Forced Marriage Protection Order through the family courts will continue to exist alongside the new criminal offence, so victims can choose how they wish to be assisted.

So-called 'honour' based violence

Crimes in the name of so-called honour are acts of violence against women perpetrated crimes that are committed to protect perceived cultural and religious beliefs and/or honour. 'Honour based violence' can be distinguished from other forms of violence, as it is often committed with some degree of approval and/or collusion from family and/or community members.. It is a violation of human rights and may be a form of domestic and/or sexual violence. There is no, and cannot be, honour or justification for abusing the human rights of others.

So-called honour based violence can include:

- murder
- un-explained death (suicide)
- domestic imprisonment
- kidnapping and abduction of children
- forced marriages
- female genital mutilation
- acid attacks
- rape

Female genital mutilation (FGM)

Female genital mutilation (FGM) covers a range of procedures which involve the partial or complete removal of the external female genitalia or other injury to the female genital organs whether for cultural or any other non-therapeutic reason.

There are four main 'types' of FGM:

- **type 1 (clitoridectomy)** – removing part or all of the clitoris
- **type 2 (excision)** – removing part or all of the clitoris and the inner labia
- **type 3 (infibulation)** – narrowing of the vaginal opening by creating a seal, formed by cutting and repositioning the labia
- **other harmful procedures** to the female genitals, including pricking, piercing, cutting, scraping or burning the area
-

FGM most often happens when girls are between the ages of 4-10 before they enter puberty, however it can also happen to them when they are babies or toddlers. The Female Genital Mutilation Act³ (which replaced the Prohibition of Female Circumcision Act, 1985) was introduced in 2003 and came into effect in March 2004. The Act:

- makes it illegal to practice FGM in the UK

- makes it illegal to take girls who are British nationals or permanent residents of the UK abroad for FGM, whether or not it is lawful in that country (known as extraterritoriality)
- makes it illegal to aid, abet, counsel or procure the carrying out of FGM abroad
- has a penalty of up to 14 years in prison and/or a fine

Prostitution

Prostitution is a sexual act undertaken in exchange for some form of payment (money, drugs, food, accommodation etc)

There are two types of prostitution:

- Off the street prostitution (women selling sex in brothels, saunas, massage parlours, escort agencies, private flats and other premises).
- Street prostitution (outdoor prostitution usually on the street).

Pornography.

Pornography is defined as any printed or visual material containing the explicit description or display of sexual organs or activity, intended to stimulate sexual excitement.

Violence against women

Violence against women is defined by the **United Nations** 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, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life’.

Accordingly, violence against women encompasses but is not limited to the following:

1. Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
2. Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
3. Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.”

Human trafficking and sexual exploitation

The most widely cited definition of human trafficking is in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons (1):

‘The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.’

Sex trafficking is human trafficking for the purpose of Commercial Sexual Exploitation.

Welsh Government Definitions

The Welsh Government has adopted the following definitions in the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

Domestic abuse is physical, sexual, psychological, emotional or financial abuse where the victim is or has been associated with the abuser.

Gender-based violence is violence, threats of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation, female genital mutilation and forced marriage.

Sexual violence includes sexual exploitation, sexual harassment, or threats of violence of a sexual nature. It is important to note that emotional abuse and coercive control are common within all forms of abuse.

Violence against women, domestic abuse and sexual 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, grand-parents 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.

APPENDIX 4

NATIONAL TRAINING FRAMEWORK – GROUPS

Group 1 – aimed at all public service professionals to ensure all staff working with the Public Service will have a basic understanding and awareness of what violence against women, domestic abused and sexual violence is, how to recognise it and what help is available.

Group 2 – aimed at professionals who are likely to be in jobs where this is an issue for their client group. It will ensure individuals in appropriate roles can recognise the signs that someone is being abused, be able to talk to that person sensitively (if appropriate) and offer options and services to them quickly and efficiently (‘Ask and Act’).

Group 3 – aimed at individuals in roles which require them to do more than ‘Ask and Act’ and those who perform a ‘Champion’ role. It will ensure a proportion of those working in the Public Service will be able to support colleagues as they make difficult decisions in relation to these issues, offer services to all family members affected and act as a champion with their organisation.

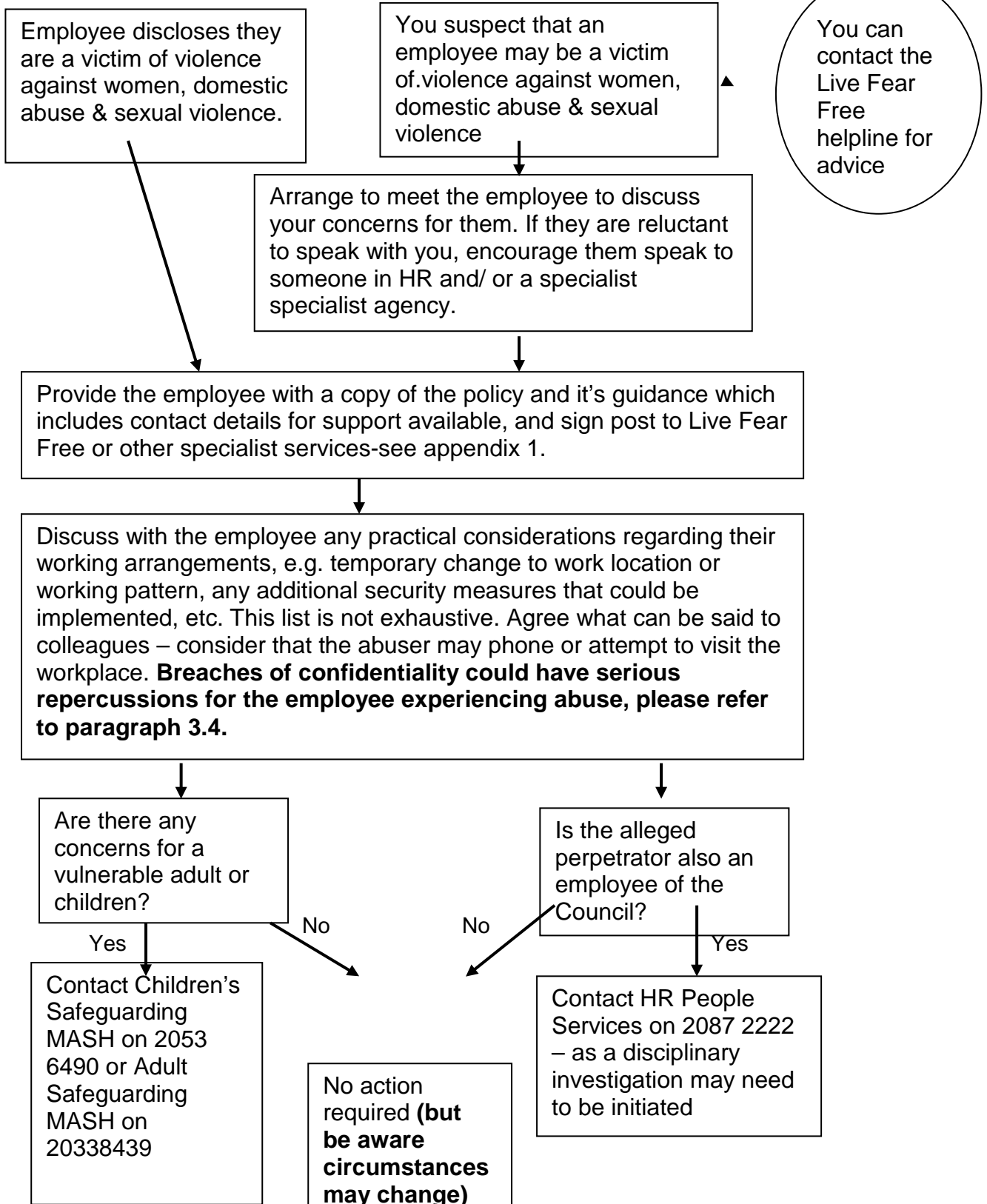
Group 4 – aimed at professionals whose client group is specifically those affected by violence against women, domestic abuse and sexual violence. It will ensure such professionals will be professional, expert and appropriately qualified.

Group 5 – aimed at service managers working in the violence against women, domestic abuse and sexual violence sector. It will enhance professional standards and support the delivery and leadership of service which are the highest quality.

Group 6 – aimed at strategic leaders who have a responsibility to foster a culture and infrastructure in which such issues are acknowledged as affecting the workforce, the client group and friends / family. The training is via a series of short films which can be used to shape strategic direction, share within teams and improve knowledge.

Appendix 5
WHAT SHOULD MANAGERS DO?

1. **Ensure that you are familiar with the Violence against Women, Domestic Abuse, and Sexual Violence Policy and its guidance.**
2. **Undertake the E-Learning module regarding Violence Against Women, Domestic Abuse and Sexual Violence**



You can contact the Live Fear Free helpline for advice



Managers and Employees Guide on Violence against Women, Domestic Abuse and Sexual Violence Guide

**Cardiff Council
HR People Services
Employee Relations Team**

**Mae'r ddogfen hon ar gael yn Gymraeg.
This document is available in Welsh.**

October- 2018

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This guidance should be read in conjunction with the Policy on Violence against Women, Domestic Abuse and Sexual Violence.

1.0 Manager's role in supporting employees who violence against women, experience domestic abuse and violence.

1.1 The manager's role is to create a supportive environment so that employees who are victims of violence against women domestic abuse and/or violence know they have the right to raise this issue in the knowledge that it will be treated seriously, effectively and confidentially (within the provisions of paragraph 8).

1.2 Managers are not expected to be experts in the issue of violence against women, domestic abuse or sexual violence. The role of a manager is not to deal with the abuse itself but to make it clear through the workplace policy that employees will be supported and to outline what help is available.

1.3 The manager should look to signpost and support the individual to seek help from the specialist sources of support and guidance available including suggesting the employees contacts the Live Fear Free Helpline on **0808 80 10 800**. All references to the Helpline in this guidance refer to these details.

1.4 The manager should also seek help on how to best support the victim and on how to handle issues that arise. These situations are complex and managers should not try to handle them alone. Managers can access support by ringing the Helpline or talking to a more senior manager or HR People Services. Seeking this support is not a breach of confidentiality and is in the best interests of the employee.

1.5 Managers must never attempt to mediate between an employee and a perpetrator of domestic abuse and/or sexual violence or suggest that they access professional mediation services. If the perpetrator becomes aware that someone knows about the abuse and/or violence, this could compromise the employee's safety or make a difficult situation even worse.

1.6 In some situations both the victim and the alleged perpetrator may work for the Council or allegations may be made against both parties, in such cases advice should be sought from HR People Services.

1.7 If at any time the manager is concerned that a serious risk may be present for example to the employee, other work colleagues or to the public, they must not try to assess the risk but must contact their senior manager, who in turn will contact the Helpline, Facilities Management or HR People Services. If a serious risk occurs when these internal contacts are not available e.g. working late in the office, weekend or out of hours working, the Helpline is a 24 hour, 365 days a year service. It gives you access to professional specialist advice and guidance which will signpost you to any other agencies you need to contact to ensure risks are managed effectively.

1.8 Managers must keep a record of any incidents of abuse or violence at the workplace, including persistent telephone calls, emails or visits to the employee by their partner/ex-partner or close relative. These records will

form part of the evidence needed to support any action against the perpetrator and ensure that the appropriate help is given to the employee. Records must be factual and not contain any inflammatory or subjective comments. Records must be held securely and in accordance with the Data Protection Act.

2.0 Recognising the signs of violence against women, domestic abuse and sexual violence.

2.1 As part of normal day-to-day management, managers should be alert to changes in behaviour that may signal that an employee may be experiencing difficulties at home or at work. There is no simple way to know whether or not an employee is experiencing domestic abuse and/or violence but there are signs that you can look out for. They may be small at first but over time they may become more obvious. Such signs include:

Work productivity

- Persistently late with no real explanation &/ or needing to leave work early.
- High absenteeism rate without explanation.
- Needing regular time off for appointments.
- Changes in quality of work performance for unexplained reasons.
- Interruptions at work e.g. repeated upsetting calls/texts/e-mails.
- Increased hours being worked for no apparent reason.

Psychological indicators

- Changes in behaviour, may become quiet and withdrawn, avoid interaction or making acquaintances or friends at work, may always eat alone.
- Problems with concentration.
- May cry at work and or appear to be very anxious.
- Could display fearful behaviour such as startled reactions.
- Fear of partner/references to anger.
- Is seldom or never able to attend social events with colleagues.
- Expresses fears about leaving children at home alone with partner.
- Secretive regarding home life.
- Appears to be isolated from friends & family.

Physical indicators

- Repeated injuries such as bruises that are explained away, explanations for injuries that are inconsistent with the injuries displayed.
 - Frequent and/or sudden or unexpected medical problems/sickness absences.
 - Sleeping/eating disorders.
 - Substance use/dependence.
 - Depression/suicide attempts.
 - Fatigue.
-

- Change in the way the employee dresses e.g. excessive clothing in summer, unkempt or dishevelled appearance, change in the amount of make-up worn.

The above is not an exhaustive list but it shows the key types of behavioural changes that could indicate there is a problem. However, it is important not to make assumptions and to talk to the employee about any concerns. Often victims are feeling too emotionally vulnerable to raise the issue themselves and research shows that the majority of victims say that: “I just wanted someone to ask me what was going on”.

3.0 Managing and Supporting the employee.

3.1 It is recognised that line managers may be hesitant about raising this issue with an employee, examples of questions managers can ask to enquire whether someone is experiencing violence against women, domestic abuse and/or violence are detailed at section 7.

3.2 A manager may also be alerted to the possibility of a potential violence and/or abuse through a colleague reporting it or through raising management concerns because the employee is demonstrating some of the behaviours listed above rather than feeling able to talk about the abuse and/or violence.

3.3 Where possible, issues under procedures such as Attendance and Wellbeing or Performance Management should be raised at the earliest opportunity, by the appropriate level of line management and at the informal stage, unless an issue has arisen which demands a more formal approach.

3.4 Remember that it is the employee's decision whether or not to disclose that they are experiencing and/or violence and/or abuse. If the employee discloses, this must be taken into account as a mitigating factor in line with the appropriate procedure and appropriate help and support given.

3.5 Where an employee does **not** disclose domestic violence and/or abuse but the manager remains concerned that this may be a factor, they should explain that if the employee ever has any issues they wish to raise confidentially that they are always available. Reinforce the help that can be provided through the Occupational Health team, the Employee Assistance Programme and the Helpline. The manager should also discuss the situation with HR People Services to ensure they have followed the correct process and all avenues of support are explored.

4.0 Handling disclosure.

4.1 Where an employee discloses that they are experiencing violence and/or abuse, managers should recognise that these matters can be very complex and that they will not be in a position to give specific advice. The role of the manager is to be understanding and provide the employee with information on protection whilst at work and the sources of help that may be accessed via the Helpline and other avenues of support. In carrying out discussions, the manager should:

- explain the confidentiality provisions outlined in paragraph 8;
 - not ask for proof of abuse or violence;
 - listen, reassure and take seriously what is being disclosed and respond in a sensitive, non-judgmental and supportive manner;
 - ask the employee how best to support them but manage expectations by explaining that the Council may not be able to assist with all their needs;
 - advise the employee of the specialist support that is available to them through the Helpline, Occupational Health team or the Employee Assistance Programme;
 - raise awareness of help that may be available through other policies e.g, the Special Leave policy or flexible working policies;
 - respect the need for privacy as the employee may not feel able particularly at the initial discussion, to disclose some personal details;
 - explain the options that may be available to the employee while respecting their right to determine what is best for them;
 - undertake an internal health and safety risk assessment to identify whether any measures are needed to protect the employee's safety and well-being, and that of their colleagues. Facilities Management and the Helpline will be able to advise on safety planning;
 - ensure the risk assessment plan is actioned.
- and,
- mention that all of the Welsh Police forces operate a positive action policy in relation to violence against women, domestic abuse and sexual violence his means they investigate any incident and will take action against the perpetrator if there is sufficient evidence and work closely with other agencies to secure the victim's, and their family's, safety and provide practical help.

5.0 Continuing to support the victim.

5.1 Cases of violence against women, domestic abuse and/or sexual violence can be complex and are not easily or speedily resolved. Often the employee may continue living with the perpetrator or come into contact with them through access to children or other situations. Even if there is no contact with the perpetrator, it may take a period of time before the employee's health and well-being returns to normal levels.

5.2 Managers may need to give ongoing support to employees and meet with them regularly to assess any further support needed to retain them in work. Advice can be obtained from Occupational Health, the Helpline and the HR People Services on a regular basis.

6.0 SUPPORTIVE MEASURES

Broaching the subject

6.1 If you recognise the indicators of violence against women, domestic abuse and sexual violence, it is important that you are able to start a conversation with the employee in question to offer help and let them know that the workplace can offer some support.

The information below will help you to do this:

- Select a completely confidential and private space in which to have the conversation.
 - Adopt a considerate, sensitive and curious questioning approach. Do not be self-conscious or apologetic. You are asking the question for the right reasons.
 - Explain that this is a confidential conversation but that you have observed some things which have worried you and which you would like to explore.
 - Explain why you are concerned and that you would like to help if you can.
 - Believe an employee if they disclose that they are experiencing violence and/or abuse.
-

- Reassure the employee that the organisation has an understanding of violence against women, domestic abuse and sexual violence and how this may affect people at work and the support that can be offered.
- Ask them if they have thought about what they would like to happen as a result of the disclosure and explore support options with them, if this is something they feel able to do.
- Raise the issue in other private 1:1s to ensure they know you are comfortable to talk about their situation at any point.

6.2 Managers should record absences or applications for special leave in accordance with normal council procedures. However, where these incidents relate to violence against women, domestic abuse and sexual violence, then the special leave requests should be endorsed as “domestic emergency” only so that the incident(s) remains confidential.

6.3 Managers may receive requests for time-off from employees who are experiencing violence against women, domestic abuse and sexual violence, for appointments during the normal working day. Requests for special leave should be treated sympathetically, under the domestic emergency provisions of the Leave Policy. These appointments could include:

- (i) Appointments with support agencies such as specialist violence against women, domestic abuse and/or sexual violence services, Services, Welfare Rights or counsellors;
- (ii) Arranging rehousing;
- (iii) Meetings with solicitors;
- (iv) Making alternative childcare arrangements, including meetings with schools.

6.4 Managers should also consider other supporting measures, such as temporary rearrangement of working hours or a temporary change in office location. Employees are entitled to special leave with pay to attend court hearings as witnesses.

6.5 Individuals may face considerable financial hardship or have concerns about finding suitable accommodation for themselves and their family. Appropriate measures can be taken to help employees in these circumstances, for example referring employees to Cardiff Credit Union for confidential and sympathetic financial advice and assistance. Such referrals can be made regardless of whether the employee is an existing member of the Credit Union.

6.6 If the employee has disclosed that their abuser partner has access to their finances or is exerting economic pressure upon them, the Payroll Section can be approached to change the method of salary payment on a temporary basis. This can be discussed with HR People Services.

6.7 The Employee Assistance Programme and The Employee Counselling Service should be brought to the attention of the employee. The manager with the employee's consent can refer to Occupational Health Service who may be able to offer additional support.

6.8 Managers should provide the employee with a copy of this guidance and the policy which has relevant contact details. Appendix 5 of the policy provides a flowchart on 'What should managers do?' for ease of reference.

6.9 Listed below are a number of practical measures that managers may wish to discuss with an employee and where possible agree together as a means of support:

- Identify a work contact for support and an emergency contact should you be unable to contact the employee.
- Where possible using existing policies to allow the employee to change work patterns or workload and allow flexible or more flexible working or special leave to facilitate any practical arrangements.
- Consider diverting phone calls and email messages.
- Speak to Facilities Management who (where relevant) will alert reception/s if the abuser comes to the workplace.
- Check that employees have arrangements for getting safely to and from home.
- Amend and update personal information, such as temporary or new addresses, bank or health care details, where appropriate.
- Suggest the employee reviews their next of kin information – the abuser may still be listed.
- Where practical, offer changes in specific duties, such as not expecting the employee to answer telephones or sit on reception or in exceptional circumstances temporary redeployment to another post if an alternative is not easily found.
- Where possible offer temporary or permanent changes in workplace, work times and patterns, helping to make the employee less at risk at work and on their journeys to and from work. This should take account of any reasonable adjustments in place for a disabled employee.
- Where practical, move the employee out of public view i.e. ensuring that they are not visible from reception points or ground floor windows.
- Where possible ensure that the employee does not work alone or in an isolated area.

- Agree what to tell colleagues and how they should respond if the abuser rings or calls at the workplace. Providing colleagues or Facilities Management team with details of the individual against whom allegations have been made and other relevant details such as car registration numbers may help them to maintain security in the workplace.
- Making sure that the systems for recording employee 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 or allowing another colleague to accompany them on certain journeys).
- Keep a record of any incidents of abuse in the workplace, including persistent telephone calls, emails or visits to the employee by their partner/ex partner/abuser. Records must be held in accordance with the Data Protection Act. Details of any witnesses to these incidents should also be noted. These records could be used if the employee wants to press charges or apply for an injunction against the alleged perpetrator. The employer can also apply for an injunction if the action of an alleged perpetrator impinges on the health and safety of employees.
- Keep good records, documenting discussions and actions taken as well as storing information confidentially.
- Improve security measures, such as changing keypad numbers and ensuring that access to buildings is open to authorised employees only.
- Reminding all employees not to divulge information about other employees, especially personal details such as addresses, telephone numbers or shift patterns.
- Managers will be mindful that not all employees are office based and service areas will need to be adaptive to the relevant employment setting, in particular managers will need to consider the options where the employee is a home worker as this may put them at greater risk if the perpetrator is at home during the employee's working hours.
- Monitor and review the situation regularly.

NB: Managers may have to take into account whether the above measures are operationally appropriate. However, ensuring that employees are safe should be of primary consideration throughout this process and led the needs of the individual.

7.0 Asking Sensitive Questions

7.1 This guidance will help managers to begin a conversation with an employee where they suspect that they are experiencing violence against women, domestic abuse and/or violence.

- It is important to normalise the process of “asking the question”. The best way to encourage the employee to open up to you is to adopt a considerate questioning approach.
- If your approach is too forthright, you risk your questions being perceived as a threatening intrusion into an employee’s personal life.
- Talking about violence against women, domestic abuse and/or sexual violence is an emotionally charged event for both the person being abused and the confidante and needs to be handled sensitively.
- Begin by letting the employee know that you are concerned, that they are not alone, the abuse/violence is not their fault and that help is available.
- Let the employee know what you have observed.
- Be careful that there isn’t an over-focus on physical violence to the detriment of emotional, psychological, financial and other aspects of domestic abuse.
- Believe an employee– do not ask for proof.
- Reassure the employee that the Council has an understanding of how violence against women, domestic abuse and/or sexual violence may affect them at work and the support that can be offered.

Managers should ask the employee indirect and open questions, to help establish a relationship with the employee and develop empathy.

8.0 Confidentiality.

8.1 Confidentiality must be maintained by any employee who is involved with a case of an employee experiencing violence against women, domestic abuse and/or sexual violence (except in the circumstances outlined in paragraph 3.5 of the policy).

8.2 Maintaining confidentiality is not about keeping secrets, it is about limiting

discussion and information to those involved in managing and supporting a case. Disclosure to those who need to be involved in a case will be discussed and agreed with the employee prior to information being shared, (except in the circumstances outlined in paragraph 3.5 of the policy). Information will only be shared on a need to know basis in order to achieve the best outcome for the employee.

8.3 The employee can be assured that sharing of information will be restricted to the small group of managers and professionals who may be required to help and support. These individuals will normally be limited, as appropriate, to the line manager, HR People Services, trade union representative and Occupational Health. On occasions, others in the line management chain may also need to be informed, for example, to gain agreement to workplace changes to support and protect the employee.

8.4 Similarly, colleagues may be informed of a limited amount of information on a need to know basis where measures must be taken to safeguard the employee and others in the team. All those involved will be advised that confidentiality must be strictly observed.

8.5 If any manager or employee is concerned about a situation but is unsure of how to deal with it, they should talk to their senior manager so that it can be managed in the best way for the employee experiencing domestic abuse and/or violence. This will not be regarded as breaking confidentiality.

8.6 The employee or the manager/ senior manager could contact the Live Fear Free Helpline for confidential information and advice. The manager/ senior manager will also consult with Facilities Management where necessary and/or the HR People Services and appropriate action will be taken.

8.7 Where it is decided that there is a need to share information to safeguard the employee and/or others from a serious risk, information may be shared more widely internally and externally in consultation with HR People Services. Such situations include circumstances where:

- there is a serious risk to workplace and/or public safety; or
- the risk to the victim is assessed as so high that there is a significant possibility of very serious harm or that their life is in immediate risk; or.
- there is reason to suspect that children, young people or vulnerable adults may be at risk.

9.0 What to do if a colleague tells you that they are experiencing domestic abuse and/or violence.

9.1 If a colleague tells you that they are you should strongly encourage and support them to inform their manager or HR People Services and ring the Helpline. You may also wish to ring the Helpline to find out how you can best support your colleague. If you feel you need support as a result of your colleague confiding in you, you can access confidential support through the Employee Assistance Programme or Occupational Health.

9.2 If they feel they cannot speak to their line manager, encourage them to tell someone else in the line management chain, Occupational Health team or a trade union representative.

9.3 If they choose not to talk to anyone else, you must respect their decision. Your role is to support and encourage your colleague to seek expert help and guidance by ringing the Helpline and suggesting they read this guidance and Violence Against women, Domestic abuse and Sexual violence Policy.

9.4 Outlined below are some steps you can take to help your colleague;

- Acknowledge that it takes strength to trust someone enough to talk about the abuse and violence;
 - Allow time for them to talk and don't push for more detail if they do not wish to give it;
 - Try not to criticise the abuser to your colleague, it may put them off from saying any more;
 - Let them make their own decisions – if they are not ready to take action– that is their decision;
-

- Encourage them to seek expert help from the Helpline and Employee Assistance Programme and to talk to their line manager or HR People Services so that they can be fully supported in the workplace ;
- Don't suggest that they change their behaviour towards the abuser as this could alert the abuser and increase the risk to your colleague.

9.5 You must maintain confidentiality in accordance with paragraph 8 but if at any time you feel that there might be a serious risk to the victim, yourself or colleagues you must immediately speak to your line manager, someone else in your line management chain or HR People Services about your concerns. Such a discussion is not a breach of confidentiality.

10. What to do if you suspect that an employee is a perpetrator of domestic abuse and violence - guidance for colleagues and managers.

10.1 The Council will not tolerate any form of abuse or violence within the workplace. It aims to create a safe working environment which promotes personal health and wellbeing and is free from harassment.

10.2 We encourage employees who are perpetrators of violence against women, domestic abuse and/or sexual violence to voluntarily avail themselves of the support offered by the Occupational Health Team and the Employee Assistance Programme. There are also sources of external support which can be accessed by contacting Respect – the support service for perpetrators of domestic abuse and violence on 0808 802 4040 or at respect.uk.net

10.3 If you suspect that an employee is a perpetrator of domestic abuse and/or violence, you should discuss this with your line manager who will contact the HR People Services for further advice.

10.4 If you are aware of a potential victim who is not your direct employee you must also make this known to your senior manager so that appropriate action can be taken in liaison with the HR People Services and Facilities Management. We look to safeguard the victim, as far as we legally and reasonably can, taking into account data protection considerations, whether or not they work for the Council.

10.5 If there are allegations that an employee is the perpetrator of violence against women, domestic abuse and/or sexual violence and they have used the workplace to commit such acts, we will take action under the disciplinary procedure. Such action will normally be considered as gross misconduct which could lead to dismissal, and in some circumstances, criminal proceedings.

10.6 Before implementing the disciplinary procedure, HR People Services in liaison with the Live Fear Free Helpline will consider the impact of proceedings upon the

victim and take any action that we can reasonably take, provided it is legal, safe and appropriate to do so, to safeguard and minimize the impact upon that individual whether or not they are employed by the Council.

10.7 Where an alleged perpetrator of domestic abuse and/or violence is subject to the disciplinary procedure, the line manager in discussion with the HR should decide whether immediate action should be taken to minimize the potential for the perpetrator to use their position or internal resources to find out information on or the whereabouts of their partner, ex partner or other person they are abusing. This may include a change of duties or role or the withdrawal of access to certain resources.

10.8 Alongside the disciplinary procedure, we will encourage and support perpetrators of such abuse to take action to address their behaviour including referral to the Occupational Health Team, the Employee Assistance Programme and Respect – the support service for perpetrators of domestic abuse and violence. It is therefore, recognised that it may be appropriate to support an employee who is seeking help to address their behaviour.

10.9 Employees are required to advise their manager if they are arrested, given a Police caution, charged to appear before a criminal court or convicted of a criminal offence. Failure to do so in itself may give rise to disciplinary proceedings being taken against the employee.

10.10 Where an employee receives a police caution or is convicted of a criminal offence in relation to violence against women, domestic abuse and/or sexual violence the impact of this upon, their suitability for performing their current duties and their continued employment will be considered in line with the Council's Disciplinary Policy.

11 Dealing with external perpetrators.

11.1 If you suspect that an external person is a perpetrator of violence against women, domestic abuse and/or sexual violence and is using a Council workplace to commit such acts against another employee or a person who works directly for the Council e.g. a secondee or contractor, you should speak to your senior manager. We will take action to protect the employee including reporting the perpetrator to the police where appropriate.

11.2 Your senior manager must contact HR People Services and the Live Fear Free Helpline who will consider what action is appropriate and the impact of taking this action upon the employee or person concerned. We will take action to protect employees, who work directly for the Council provided it is legal, safe and appropriate to do so, whilst minimising the impact upon the victim.

12 Support for anyone involved in supporting an employee.

Anyone involved in a case will need professional, expert advice and may also need personal support to help them deal with their response to what may be a complex and stressful time. The support below is available to you whether you are a victim, line manager or a colleague or team who is managing and/or supporting a member of staff experiencing domestic abuse and/or violence.

Live Fear Free Helpline.

12.2 The Helpline is the primary source of specialist support and guidance for anyone who needs help in dealing with domestic abuse and/or violence. Whether you are a manager, colleague or victim of domestic abuse and /or violence, you are strongly encouraged to contact the Helpline to obtain expert advice and guidance on dealing with your particular situation. It is a 24 hour, 365 days a year service.

The City of Cardiff Council - Employee Assistance Programme.

12.3 Being involved or dealing with a case of domestic abuse and/or violence may be a difficult and stressful time for individuals. If you require personal support, you may contact the Employee Assistance Programme (EAP) for professional, independent advice and support.

Support for perpetrators.

12.4 The Council will not tolerate any form of abuse or violence within the workplace and we will deal with perpetrators of such behaviour under the Disciplinary policy. We recognise our duty of care to all employees and we will encourage and support employees who are perpetrators of domestic abuse and/or violence to voluntarily avail themselves of the support offered by the Occupational Health Team and the Employee Assistance Programme. There are also sources of external support which can be accessed by contacting Respect – the support service for perpetrators of violence against women, domestic abuse and sexual violence on 0808 802 4040 or at respect.uk.net.

13 Equality and Diversity Considerations - Taking account of different needs and experiences.

13.1 It is important that everyone involved in a case recognises that employees' experiences of violence against women, domestic abuse and sexual violence may be very different. Whilst the experience bears many similarities between groups, there are also some specific issues that may affect different groups. For example:

- disabled women are twice as likely to experience domestic abuse as nondisabled women;
- older women are less likely to report their experiences;
- men often reach crisis point before they show any signs that they are experiencing abuse or violence and will only seek help at this point. Often the first help they seek will be professional support outside the workplace;
- women prefer to talk about their experiences to females who can offer professional advice and support;
- men feel equally comfortable talking about their experiences to a man or a women who can offer professional advice and support;
- ethnic minority women face additional barriers to accessing support;
- black minority ethnic women and men may be reluctant to discuss family abuse or violence for fear of bringing shame on the family and ostracism from the community;
- lesbian and bisexual women can be vulnerable to abusers who undermine their sexuality and threaten to “out” them to colleagues, employers and family members; and,
- transgender colleagues may have their gender identity used as part of the abuse they experience and may feel that there are fewer services available to them.

14 Record Keeping

14.1 Any record made under this guidance must be held securely and in accordance with the Data Protection Act. Please see the Council’s Data Protection Policy and Procedure for specific information.



Joint Council for Wales
Joint Statement on Domestic Abuse



JCW Joint Statement on Domestic Abuse

The Joint Council for Wales has adopted the Welsh National Domestic Abuse Strategy definition of domestic abuse, an extract of which states that:

'Domestic Abuse is best described as the use of physical and/or emotional abuse or violence, including undermining of self confidence, sexual violence or the threat of violence, by a person who is or has been in a close relationship.'

Domestic abuse can go beyond actual physical violence. It can also involve emotional abuse, the destruction of a spouse's or partner's property, their isolation from friends, family or other potential sources of support, threats to others including children, control over access to money, personal items, food, transportation and the telephone, and stalking.

Domestic abuse is not a "one-off" occurrence; it is frequent and persistent.'

The Joint Council for Wales notes the publication of 'Call to End Violence against Women and Girls' (25th November 2010) followed by the 'Call to End Violence against Women and Girls Action Plan' (8th March 2011) and acknowledges that public sector organisations have an important role to play in addressing the problem of violence against women and girls.

The Joint Council for Wales acknowledges that public bodies also have duties to promote gender equality in the services they provide and in the employment of their staff.

The Joint Council for Wales is concerned that:

Domestic abuse is still largely a hidden crime: those who have experienced abuse from a partner or ex-partner will often try to keep it from families, friends, or authorities. For all these reasons, and others, victims of abuse are likely to experience repeated attacks before they report the abuse to anyone – and statistics can only be based on known data. On average, 35 assaults happen before the police are called. (Jaffe 1982)

While the majority of incidents of domestic violence recorded by the police involve male-to-female abuse, little is known about the nature of the incidents where men are recorded as victims and women as perpetrators, nor about the circumstances where both partners are recorded as perpetrators.

Domestic abuse is gendered – the majority of perpetrators are men and between 80-95% of those who experience it are women, although it does also occur against men in heterosexual relationships, in same sex relationships and against bisexual and transgender people.

At least one in four people in same sex relationships will experience abuse in a relationship in their lifetime. Most survivors of same sex domestic abuse do not report to public agencies. This is partly because they see their experience as their own problem, and partly because they do not believe they will receive a sympathetic response. (Comparing Domestic Abuse in Same Sex and Heterosexual Relationships by Catherine Donovan, Marianne Hester, Jonathan Holmes & Melanie McCarry, November 2006)

Nearly one million women experience at least one incident of domestic abuse each year; nearly 20,000 women a week. (British Crime Survey 2007/08).

Domestic abuse alone costs UK businesses in excess of £2.7 billion each year due to decreased productivity, poor performance, absenteeism, and employee turnover. (Walby S. The Cost of Domestic Violence, Women and Equality Unit, 2004).

In addition domestic abuse can contribute to unhealthy stress levels in staff, and where domestic abuse spills into the workplace it can threaten the safety of all employees.

Domestic violence also affects other staff who may:

- Have to fill in for absent or non-productive colleagues
- Feel resentful of victims needing time off or receiving extra attention
- Try to “protect” victims from unwanted phone calls and visits
- Be completely unaware of how to intervene, often feeling helpless and distracted from their work
- Fear for their own safety in the workplace

Research shows that in the UK, in any one year, more than 20% of employed women take time off work because of domestic abuse, and 2% lose their jobs as a direct result of it. (Walby and Allen, 2004)

The Joint Council for Wales believes that developing workplace initiatives makes good business sense because it enhances employee well being and productivity and reduces abuse-related costs.

When employers are proactive in responding to domestic abuse by raising awareness of the issue, creating a safe working environment, and publicising the authority's response to the issue, employees feel more able to name their own or their colleagues' problems as domestic abuse.

Authorities can also play a key role in promoting awareness of the issue in the wider community, provide support for charities, and at the same time raise the profile of the organisation.

The Joint Council for Wales recommends authorities ensure that workplace domestic abuse policies and procedures are in place, and recommends that the WLGA Policy protocol on Domestic Abuse in the Workplace be adopted as the basis for policy review and development.

The Joint Council for Wales supports its trade unions in raising awareness of domestic abuse and supporting their members.

Trade unions should be fully consulted when policies and procedures are drawn up and when reviewed.

Appendix 1 sets out the Joint Council for Wales guidance on areas that should be included in domestic abuse policies and procedures.

The WLGA Policy protocol on Domestic Abuse in the Workplace is at Appendix 2.

Further guidance

www.refuge.org.uk

Refuge offers a range of services which give women and children access to professional support whatever their situation.

www.respect.uk.net

Respect is the national association for professionals working with people to end their abusive behaviour.

Refuge and Respect have worked together to produce a comprehensive resource designed to help employers and HR professionals respond to employees who are victims or perpetrators of abuse, Details can be found at

<http://www.respect.uk.net/pages/the-domestic-violence-resource-manual-for-employers.html>

www.womensaid.org.uk

Women's Aid is the key national charity working to end domestic violence against women and children. They support a network of over 500 domestic and sexual violence services across the UK

www.broken-rainbow.org.uk

Support for lesbian, gay, bisexual and transgender (LGBT) people experiencing domestic violence.

See also the WLGA Policy protocol on Domestic Abuse in the Workplace for Wales – based guidance.

APPENDIX 1

ELEMENTS WHICH SHOULD BE COVERED BY POLICIES AND PROCEDURES ON DOMESTIC ABUSE

The Joint Council for Wales recommends that policies and procedures should cover:

1. Principles and commitment
2. Definitions of domestic violence
3. Relevant legal obligations towards staff
4. HR's role and the provision of appropriate awareness raising / training to include:
 - Understanding domestic abuse and safety issues
 - How to respond to victims and perpetrators
 - How to signpost to support services (women's aid; health; housing; legal, children etc)
5. Confidentiality, right to privacy issues and record keeping
6. Management of ongoing safety issues and measures to ensure a safe working environment
7. Dealing with Perpetrators of domestic violence
8. Appropriate support to survivors which can include:
 - Special Leave
 - Temporary or permanent changes to working times and patterns
 - Changes in specific duties,
 - Redeployment or relocation
 - Measures to ensure a safe working environment,
 - Training courses for survivors/time off to attend
9. Links with other existing policies (flexible Working policy, harassment and bullying, sickness absence monitoring, supervision and performance) monitoring, confidentiality, redeployment, health and safety, risk assessments, disciplinary and grievance, code of conduct)
10. Sources of advice and support and how to contact them

11. Methods of awareness raising and publicising the policy and support available to all staff

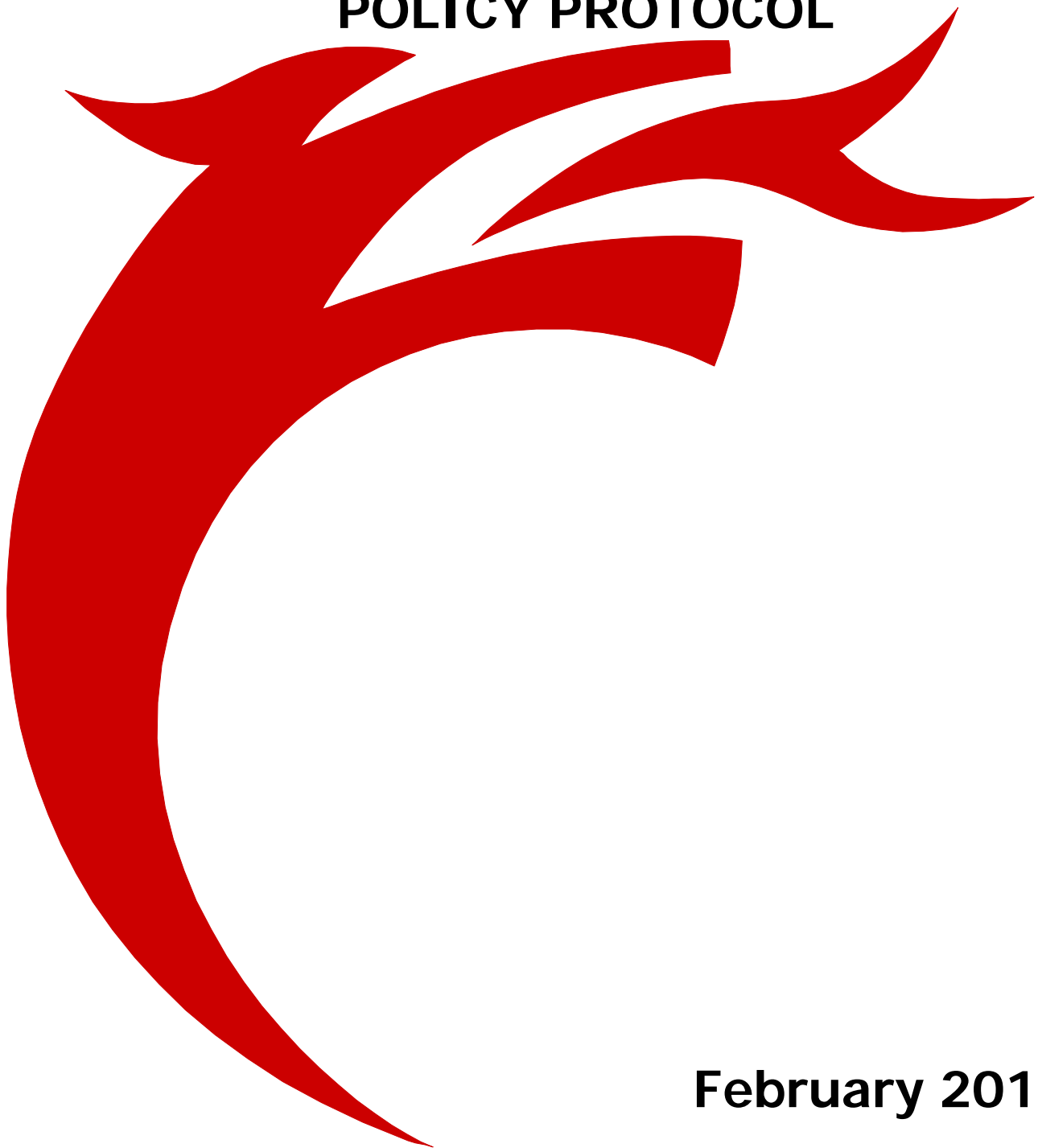
12. Monitoring and review through working together with trade unions

APPENDIX 2



WLGA • CLILC

**DOMESTIC ABUSE IN THE
WORKPLACE
POLICY PROTOCOL**



February 2011

WELSH LOCAL GOVERNMENT ASSOCIATION

Domestic Abuse in the Workplace Policy Protocol

1.0 PURPOSE

The WLGA recognises the impact of domestic abuse and similar acts of violence within our communities. This protocol has been developed to encourage and assist local authorities in Wales to build on existing good practice and put in place policies and procedures for managing domestic abuse within the workplace.

More detailed actions are contained in section 3.0.

2.0 BACKGROUND

2.1 Introduction

Local government already has a role in the prevention of domestic abuse and support to victims of through its involvement in Community Safety Partnerships as part of its wider Community Leadership role. This WLGA protocol reinforces Welsh local government's commitment to tackling domestic abuse by aiming to ensure that all local authorities as employers also have in place a workplace policy.

2.2 Definition of Domestic Abuse

The WLGA has adopted the Welsh National Domestic Abuse Strategy definition of domestic abuse and extract of which states that:

'Domestic Abuse is best described as the use of physical and/or emotional abuse or violence, including undermining of self confidence, sexual violence or the threat of violence, by a person who is or has been in a close relationship.

Domestic abuse can go beyond actual physical violence. It can also involve emotional abuse, the destruction of a spouse's or partner's property, their isolation from friends, family or other potential sources of support, threats to others including children, control over access to money, personal items, food, transportation and the telephone, and stalking.

Domestic abuse is not a "one-off" occurrence; it is frequent and persistent.

The full definition recognises that any person can be the victim of domestic abuse: Women and men can be victims of domestic abuse in heterosexual relationships; domestic abuse can also take place in lesbian, gay, bisexual and transgender relationships. Disabled people can be particularly vulnerable as can older people. The inclusion in the full definition of violence between family members ensures that issues such as 'honour crimes' are fully reflected. The definition also acknowledges that children/young people can be victims of domestic abuse, and that domestic abuse cuts across age, race, and religion. Also domestic abuse is not necessarily a physical act as it can take many forms.

Importantly, however, while the definition accepts that men can also be victims of domestic abuse, it recognises that the great majority of domestic abuse is perpetrated by men against women and their children.

2.3 Domestic Abuse in the Workplace

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, email and other means, to threaten, harass or abuse their current or former partner.

Domestic abuse can be a performance and productivity concern. The effects of domestic abuse can include decreased productivity, lateness, stress, absenteeism, errors and increased employee turnover.

Research demonstrates for example that:

- 56% of abused women arrive late for work at least five times a month.
- 28% leave early at least five days a month.
- 53% miss at least three days of work a month.

Colleagues may also be affected; they may be followed to or from work, or subject to questioning about their victim's contact details or location. They may have to cover for other workers while they are off, try to fend off the abuse and fear for their own safety. Furthermore, colleagues can also be unaware of the abuse, or not know how to help.

It is also important to recognise that while domestic abuse impacts on the health, safety and wellbeing of employees, for some women the workplace can be the safest place to be. A supportive workplace is essential to ensure that routes to safety can be achievable.¹

Further background information is contained in the Guidance Document ¹'Domestic abuse is your business' Equality and Human Rights Commission.

http://www.equalityhumanrights.com/uploaded_files/Wales/guidelines_on_domestic_abuse_workplace_policy.pdf

3.0 ACTIONS and EXPECTATIONS OF LOCAL AUTHORITIES

3.1 Workplace Policy and Statement of Commitment

Local authorities in Wales recognise the importance of having in place a workplace policy that opposes and condemns any form of domestic abuse in the workplace, and will develop procedures to ensure that victims of domestic abuse feel safe and supported at work and that action is taken against perpetrators of domestic abuse who are either employees or enter the workplace.

3.2 Adherence to a set of Overarching Principles

To support this approach it is recommended that local authorities make provision for the following in their Workplace Policy on Domestic Abuse:-

- i. The provision of support to employees who are experiencing domestic abuse in their personal relationships ensuring that the matter is treated seriously, compassionately, and confidentially
- ii. Raising awareness of domestic abuse, its implications for the services provided and its effects within the workplace;
- iii. Ensuring all employees understand the important roles they can play in tackling domestic abuse
- iv. To provide a working environment that removes the perception or fear of stigma for employees who have experienced domestic abuse and prevents inappropriate judgments being made by colleagues
- v. To clearly set out what the local authority will do if employees are found to be perpetrators of domestic abuse
- vi. Ensuring that approaches taken to support victims consider all relevant issues and does not inadvertently make the situation worse.

3.3 Actions To Support The Policy Principles

Local authorities in Wales will aim to develop these principles into a series of actions that ensures the workplace policy is effective in supporting those who are victims of domestic abuse so that they feel safe at work and in taking action against perpetrators of domestic abuse who are employees or who enter the workplace.

To assist authorities as employers meet this aim the EHRC Guidance Document provides a range of actions that authorities can take to support the policy principles. (See below – Supporting Good Practice).

4.0 SPECIFIC LOCAL AUTHORITY CONSIDERATIONS and ISSUES

This protocol recognises that some of the actions required under the policy principles will need careful examination and the following issues are identified that local authorities may need to consider.

4.1 Limits of Confidentiality

Whilst confidentiality is a key element to ensure that victims make disclosures and seek support it should be borne in mind that the local authority will have specific responsibilities under POVA (Protection of Vulnerable Adults) and the All Wales Child Protection Procedures. The implementation of this protocol and any local policy must have regard to these procedures which aim to protect those who are vulnerable from possible harm.

4.2 Disclosure of Information

A victim of domestic abuse will need to feel comfortable about disclosing information about their circumstances and may not always choose to disclose to their manager. Policies and programmes of awareness should reflect that co-workers, friends, trade union representatives and those in other specialist roles like Occupational Health Staff or Counsellors may be the first point of disclosure and need to understand what they should do. This will impact on training and awareness programmes

4.3 Management Training, Awareness and Skills

As with any policy, training will be required to ensure its effectiveness. Any training programme should recognise those issues raised above – Confidentiality and Disclosure – but also enable managers and colleagues to be able to recognise the signs where employees are experiencing domestic abuse. Further guidance is contained in the EHRC materials in the Supporting Good Practice section and Appendix A -*Recognising and Supporting staff who are Victims of Domestic Abuse*.

4.4 Dealing with Perpetrators

Authorities will need to develop procedures to respond to perpetrators who turn up at the workplace or contact and harass victims at work. Authorities may need to look at access to buildings, hours of work, and the use of the telephone and IT systems to contact victims. Authorities will need to develop arrangements to inform the Police to take more formal action against perpetrators.

Authorities will also need to develop procedures to deal with perpetrators who are employees. They will need to develop procedures to again involve the Police if they recognise criminal acts are being performed against victims by members of staff. The policy should state that authorities will not tolerate this action and will take appropriate steps to deal with perpetrators who are members of staff.

The local authority may also encounter situations such as forced marriages or honour crimes. These are very specialist domestic abuse issues. Our communities and

workplaces are becoming much more diverse and it is important that staff and managers are aware that one of their colleagues may be facing these issues. Further information that can be made available to staff is contained in Appendix B - *Domestic Abuse: Forced Marriages and Honour Crimes - Information for Staff and Managers*

5.0 IMPACT ON OTHER POLICIES & PROCEDURES

In developing procedures to help and manage employees who are victims of domestic abuse, and in striving to provide a workplace where staff feel safe and supported, it may be necessary to review a range of existing policies that may have an impact. These may include:-

- Sickness absence procedures
- Flexible Working Arrangement
- Medical Appointments Procedures
- Special Leave Policies
- Maternity Leave

These issues can have an impact upon victims of domestic abuse and how they are managed, and it is important that authorities review these and other policies to ensure that they have a positive impact in supporting victims of domestic abuse.

6.0 DOMESTIC ABUSE CO-ORDINATORS

Domestic Abuse Co-ordinators who provide services to victims of domestic abuse in the community are already in place within the local authority area. Most of these are employed by the Councils themselves with the remainder based within partner organisations. Authorities should ensure that the important role they play is recognised along with the need to link up with wider service developments in the local authority area.

7.0 SUPPORTING GOOD PRACTICE

There are a range of support materials that have been developed to provide further options and actions that councils can take in supporting and implementing this important policy.

Guidance for Developing A Domestic Abuse Workplace Policy

http://www.equalityhumanrights.com/uploaded_files/Wales/guidelines_on_domestic_abuse_workplace_policy.pdf

Employers Campaign Pack

http://www.equalityhumanrights.com/uploaded_files/Wales/final_employers_workplace_campaign_pack.pdf

Leaflet - Why should employers take action

http://www.equalityhumanrights.com/uploaded_files/Wales/dom.abuse-6ppa5-lowres.pdf

Posters http://www.equalityhumanrights.com/uploaded_files/Wales/dom.abuse-6ppa5-lowres.pdf

Training – Powerpoint Presentation

[http://www.equalityhumanrights.com/uploaded_files/Wales/domestic_abuse_is_your_business_presentation.ppt#257.1,](http://www.equalityhumanrights.com/uploaded_files/Wales/domestic_abuse_is_your_business_presentation.ppt#257.1)

Bridget's story: The Business Case for Having a Policy

http://www.equalityhumanrights.com/uploaded_files/Wales/bridgethandout2.pdf

Recognising and Supporting staff who are Victims of Domestic Abuse

Some of the signs of Domestic Abuse

- Lateness or high absenteeism without sufficient explanation;
- Uncharacteristic depression, anxiety, distraction or problems with concentration;
- Changes in the quality of work performance for no apparent reason;
- Obsession with time, avoiding lunch breaks or socialising outside work;
- Inappropriate or excessive clothing;
- Repeated injuries, unexpected bruising or explanations that do not fit the injuries displayed;
- Increased hours being worked for no apparent reason.
- Excessive make-up to disguise bruising or 'crying' eyes

Disclosure

The manager may not be the person approached for advice or help in the first instance. It may be in some cases another manager, colleague, HR Advisor or trade union representative. Anyone contacted for support should take a non-judgmental approach and be prepared to:-

- Listen, reassure and take seriously what is being disclosed;
- Respond in a sensitive and supportive way and ensure the employee is provided with up-to-date information and aware of all the options open to them;
- Actively support the employee to choose an appropriate safe option but recognise and respect their right to decide;
- Ensure that the employee's safety and well-being is prioritised;
- Ensure all discussions take place in privacy and are kept confidential in all but the most exceptional circumstances. These will be where there is a legal requirements to disclose information about other parties such as children and vulnerable adults e.g. POCA and POVA
- Be aware that the employee may need time off work to make personal arrangements and seek specialist advice and support;
- Be aware that there may be additional issues faced by an employee because of their age, gender, sexuality, ethnic background or disability.

VIOLENCE AGAINST WOMEN, DOMESTIC ABUSE AND SEXUAL VIOLENCE POLICY

SUPPLEMENTARY GUIDANCE

Supporting Employees Experiencing Domestic Abuse, During Social Distancing and Self-Isolation.

1. In recent months employees will have needed to work from home, and in many cases will be working from home for an extended period of time. Home working, social distancing and self-isolation can cause anxiety for those who are experiencing or feel at risk of domestic abuse. Domestic abuse often involves the perpetrator isolating the victim from family and friends. Self-isolating and working from home can, therefore, escalate the abuse for victims and survivors, for many the workplace is often the only escape from their perpetrator.
2. Some employees will have avoided working from home in the past as their domestic circumstances are at odds with this way of working. This can have a huge impact on their personal and wider wellbeing. Home is not always the safe haven that it should be.
3. Those who live with an abuser may therefore feel increased anxiety around the prospect of self-isolation and social distancing, or even quarantine. Additionally, for the many victims/survivors who do not live with their abusers, they may feel an increased level of fear at the prospect of their abuser knowing that they are at home, with the possibility for further surveillance and the opportunities for intimidation and abusive acts that this creates.
4. Please be mindful also of employees who may have separated from their abusive partner previously. Isolation and social distancing can provide an opportunity for ex-partners to re commence controlling behaviours including, but not limited to, failing to comply with legal protective orders such as restraining orders, non-molestation order, and child contact orders by not returning children following contact. This will have immense impact on employees experiencing this post separation abuse.
5. In many cases, employees may have been able to keep these issues private but while there is no requirement for them to disclose their personal circumstances, under the current circumstances they may now need to seek support to disclose and manage the situation and arrange safety planning. Isolation and social distancing provide opportunities for a perpetrator of domestic abuse to invent new tactics to control given the change in environment. Therefore being available and supportive to your employees during this time is vital along with understanding that your employee's productivity and opportunity to work from home may differ to their usual working day will help to support through the period.

How to support

6. Providing a safe and supportive environment for employees to be able to speak about their experience with trust and confidence is imperative, and so managers should continue to ensure safe and sympathetic handling of situations arising from domestic abuse.
7. It takes a huge amount of courage to make a disclosure, even if the employee know you have an awareness of them experiencing domestic abuse already. It is fundamental therefore, to create a safe environment to make a disclosure by:
 - Offering thanks and reassuring them for trusting you.
 - Not making promises that you are unable to keep.
 - If in doubt, be honest and ask for clarification 'I'm not sure I understand...'
 - Giving choices and options. Refer to specialist services if appropriate. Do not tell them what to do.
 - Keep boundaries and understand the limitations of your role, you are not a counsellor and need to take care of yourself too.
 - Provide initial support – be clear about available workplace support e.g. employee support schemes.
 - Discuss how you can contribute to safety planning by altering working arrangements and having code words during contact. (see below)
 - Signpost to the **Live Fear Free Helpline on 0808 80 10 800**
8. For some a daily check in with their manager or an appropriate colleague may be the only way they can alert someone they need help. If this is something an employee would find beneficial they should discuss this with their manager as soon as possible, when it is safe to do so. In a situation of potential risk, you may wish to agree with your manager or colleague a word or phrase you will use at a time of escalation. It will be essential to agree with your manager in advance the action to take if this alert is used – for example the manager can call 999 for you, contact a key worker for you, or advise you to leave your house to seek help.
9. Consideration should be given to situations where usual managers may not be available at potentially short notice. Having another designated manager to be aware of the plan made above would be beneficial. This needs to be fully communicated with the employee from the outset so that they are aware and have some control over who knows about their experiences.
10. Managers or colleagues can also offer the following guidance to anyone experiencing domestic abuse:
 - Keep a charged mobile phone with them at all times, not to hesitate to dial 999 if they feel they are in danger, make them aware of the Silent Solutions system

- if they cannot speak press 55 to make the call handler aware you are in danger and can't speak

- Tell someone they trust. Let them know they might be at risk from their partner / family member. Arrange a secret code with someone who lives close by to them (such as ringing and hanging up, or a blank text), that lets them know they need help.
- Get specialist support: the Live Fear Free Helpline 0808 80 10 800 is available 24/7 for free confidential support and advice. The helpline has many ways to get in touch which can be found at the following website, (insert link)there is also a quick exit button on the website which will take them to an inconspicuous webpage should the need to leave the site
- There will be a local specialist domestic abuse support service in their area that can provide ongoing support, and refuge if necessary, without their partner finding out. The Live Fear Free Helpline 0808 80 10 800 can provide contact details for referrals to services in their area, or they can look them up online. If they are searching online, remember that their partner / family member might be tracking their search history – try to use a computer they do not have access to (e.g. work).
- Employees who are members of a Trade Union can also access additional advice and support.
- Keep a record: Think about ways they can gather evidence of their perpetrator's behaviour safely. Make notes of abusive incidents, including times, dates, names and details of how it made them feel. Save any abusive messages. However, make sure they aren't stored anywhere (physically, or digitally) where their partner / family member might find them.
- In an emergency: If the perpetrator is threatening, attacking or pursuing them, ring 999 as soon as possible.

Please note this guidance applies to all employees, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.