

Domestic Abuse Policy and Guidance

Version: 3.6

Our Staff Values
Focus. Passion. Inspiration.



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Domestic Abuse Policy

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Related Forms/ Template Letters	<ul style="list-style-type: none"> • N/A
Related documents	<ul style="list-style-type: none"> • Violence against Women Strategy 2015-18 • Respect and Dignity at Work Policy • Disciplinary Policy and Procedures

Version Number	Effective Date	Details of Last Revision
3.1	01.05.15	Updated to reflect COSLA model guidance and local Violence against Women Strategy 2015-18
3.2	21.08.15	Updated to replace reference to Navigate with 'Connects'
3.3	12.06.19	Updated to reflect cabinet decision on 10 days paid Safe Leave, updated support contacts and GBV Advisor.
3.4	26.02.20	Updated contact details
3.5	30.06.20	Inserted Covid-19 guidance for Line Managers in appendices.

3.6	23.09.20	Aligned with Accessibility Regulations.
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Equality Impact Assessment	13.04.15
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1. Introduction

North Ayrshire Council is dedicated to being an employer of choice and to ensuring that its employees and communities are safe and better protected. The Council is also committed to promoting equalities and to combating social exclusion.

1.1 Policy Statement

- 1.1.1 North Ayrshire Council recognises that domestic abuse is a serious issue within society which affects the lives of many adults and children. Domestic abuse is unacceptable and inexcusable. For many victims of domestic abuse there is no escape, even when they go to work. We are committed to assisting and supporting employees, both male and female, who may be experiencing domestic abuse.
- 1.1.2 This Domestic Abuse Policy complements our policies for Employee Welfare and Health & Safety and focuses on the issues relating to domestic abuse from an employment perspective. It has been prepared taking account of the recommendations contained in Equally Safe – Scotland’s Strategy for Preventing and Eradicating Violence against Women and Girls and the Council’s Anti-Social Behaviour, Violence Against Women and Homelessness Strategies.
- 1.1.3 The Council is aware of its duty of care as a good employer for ensuring, so far as is reasonably practicable, the health, safety and welfare of its employees at work, and for creating an environment in which employees are safe to disclose their experience of abuse in order to access support and increase safety for themselves and others. However, the right of employees not to disclose must be respected and no employee should feel pressured into sharing this information if they do not wish to do so. For some employees the workplace is a safe haven and the only place that offers routes to safety.

1.2 Objectives

1.2.1 The purposes of this policy are:

- to assist and support employees requesting help in addressing problems arising from domestic abuse and ensure confidential and sympathetic handling of situations for employees arising from domestic abuse
- to provide a framework for addressing the behaviour of employees who may be perpetrators of abuse and who may pose a risk to other employees within the context of their work
- to set out for employees generally the Council's position in relation to addressing domestic abuse and ensure that all employees are aware of our policy through communication and making information easily accessible

2. General Principles/Definitions

2.1 Application

2.1.1 This policy and associated guidance refers principally to women, but it applies equally to men. Research shows that women are more likely to experience domestic abuse than men and to suffer more serious injury and ongoing assaults than men. However, it should be acknowledged that men can experience domestic abuse from their female partner and that domestic abuse also occurs in same-sex relationships.

2.1.2 All employees have the right to receive support where needed irrespective of the type of abuse they have experienced.

2.1.3 This policy applies to all employees of the Council and can also be used to support agency workers and individuals who are training with the Council but not employed.

2.2 Definitions

2.2.1 For the purposes of this policy, domestic abuse is defined as "Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are, or have been, intimate partners or family members, regardless of gender or sexuality".

2.2.2 Domestic abuse is the abuse of power and control over one person by another and can take many different forms including physical, sexual, emotional, verbal and financial abuse as well as coercive control.

- 2.2.3 Gender-based violence is violence that is directed against a woman because she is a woman, or violence that affects women disproportionately and is a manifestation of historically unequal power relations between men and women.
- 2.2.4 Harassment and stalking is unwanted, persistent often threatening attention for example following someone, constantly phoning, texting or e-mailing at home or work.
- 2.2.5 Honour crimes are violence excused as forms of punishment for behaviour which is perceived as deviating from what the family or community believes to be the 'correct' form of behaviour sometimes referred to as 'family honour'.

2.3 Responsibilities

- 2.3.1 Domestic abuse, as a recognised form of gender-based violence has a devastating impact on individuals and their families. Being an employer of choice includes supporting employees through new or difficult periods in their lives.
- 2.3.2 The Council supports various campaigns against domestic abuse and broader violence against women issues including the White Ribbon Campaign which aims to involve men in taking more responsibility for reducing the level of violence against women.
- 2.3.3 Although domestic abuse will occur predominately outside of the workplace, the employment implications for employees who experience abuse are significant. It can have a detrimental impact on health and well-being, which may affect attendance, performance and effectiveness.
- 2.3.4 Managers have the responsibility to ensure their skills are up to date to support employees and therefore must attend the training available. This allows Managers to be equipped when employees raise their experience of domestic abuse, and therefore able to provide flexible support tailored to meet the circumstances of each individuals, taking into account any additional needs that they may have.
- 2.3.5 All disclosures of abuse experienced by employees should be treated confidentially, the key exception being situations where there is reason to believe that there may be a risk to others, including harm to children. In these circumstances, local child/adult protection procedures should be followed.
- 2.3.6 Employees are encouraged to respond appropriately if they suspect that a colleague is experiencing or perpetrating abuse. Employees may not want

to discuss the abuse, but concerns should be raised in confidence with a Manager.

2.3.7 Where an employee feels more comfortable discussing the situation out with their own Service, they may wish to contact GBV Advisor, Occupational Health or the HR Team.

2.3.8 Employees can contact the Gender Based Violence (GBV) Advisor who is able to sign post employees to appropriate support agencies and offer guidance/support. The GBV Advisor can be contacted on: gbvsupport@north-ayrshire.gov.uk, all correspondence to the GBV Advisor is confidential and aligned with GDPR.

3 Guidance for Managers

3.1 Introduction

3.1.1 The following guidance may assist Managers. A flowchart with management guidance is shown at [Appendix 2](#).

3.1.2 An employee who is experiencing domestic abuse may want to seek advice/support from their Manager. The employee may also disclose information about domestic abuse as part of other discussions e.g. during a PPD, supervision or return to work discussion. Alternatively, the employee may seek support from a colleague, Trade Union, GBV Advisor, Representative or HR, who may, at the employee's request, approach the Manager on the employee's behalf. If an employee requires work place adjustments, their Manager should liaise with the Health and Safety Team as required on the employee's behalf.

3.1.3 The role of a Manager is not to deal with the abuse itself but to make it clear through the Domestic Abuse Policy that employees will be supported and to outline what help is available.

3.1.4 In your role as manager, you should be aware of the potential barriers that make it difficult for employees to seek support and should be conscious not to make judgements or to provide counselling or advice but seek expert input where appropriate.

3.2 Spotting the Signs

3.2.1 An employee approaching their Manager for help may not be the first sign that the employee is suffering from domestic abuse. As a Manager, you are in a unique position to observe your team members' performance, behaviour and demeanour at work, and you may have your own suspicions or have heard rumours from colleagues. People experiencing domestic abuse may feel stigmatised and disempowered. They often do not want to admit or share their experiences because they feel some responsibility for their situation, they feel shame, or they feel they should be able to deal with the situation on their own. It is unlikely that an employee who feels this way will admit that they are experiencing domestic abuse if confronted by their Manager. However, you should still ask the employee in a sensitive manner if everything is all right at home. This may be the lifeline someone needs.

3.2.2 If an employee's work performance and/or attendance has become a cause for concern, you should ask for an explanation, as you would from any member of your team. It is then up to the employee whether they wish to disclose personal information during this or a future discussion with you. You should ensure that any discussion takes place somewhere private and try to ensure that there will be no interruptions. You should take time to listen, as you may be the first person the employee has told.

3.2.3 Out with formal discussions, other things you can do to spot the signs are:

- Look for sudden changes in behaviour such as an employee becoming withdrawn and quiet and/or changes in the quality of work performance for unexplained reasons
- Look for changes in the way an employee dresses for example excessive clothing on a hot day, changes to the amount of make-up used which may indicate the covering up of signs of physical violence
- Look for injuries such as bruises that are explained away; explanations for injuries that are inconsistent with the injuries displayed
- Look for other possible indicators, for example employees with a high absenteeism rate without explanation, employees who seem overly secretive regarding home life, or employees who appear to be isolated from friends and family
- Be aware of interruptions at work for example repeated upsetting calls/texts/emails, reluctance to turn off mobile phone at work, etc

3.3 Responding and Providing Support

3.3.1 Managers are not trained counsellors and are not expected to counsel victims but should listen and provide information regarding support mechanisms and encourage the employee to seek support from appropriate agencies (see Appendix to this Domestic Abuse Policy for details). **No referrals should be made on behalf of the employee without their express consent.**

3.3.2 Effective 'first contact' responding includes some simple measures Managers can take:

- Believe an employee if they disclose that they are experiencing domestic abuse – do not ask for proof. Speak to the employee about their immediate and future safety and assist them to think through their options for example agree a safety plan, discuss Safe Leave, available support networks, protection strategies and provide telephone numbers for organisations that can help including the police, women's aid, men's aid and rape crisis.
- Reassure the employee that the Council has an understanding of how domestic abuse may affect their work performance and the support that can be offered
- Undertake a risk assessment where relevant to ensure that the potential risk to employees and colleagues is lessened. Provide a range of practical workplace safety measures such as an assumed name at work, provision of temporary mobile phone, mutual agreement of a safe, confidential method of communication etc.
- Be aware of the parameters of your role as a Manager and make clear to an employee what you can and cannot provide.

3.3.3 Providing support can include directing the employee to sources of support, both within the Council (e.g. GBV Advisor, Occupational Health Services, Human Resources, etc.) and out with as referred to above, and considering work related adjustments and supports such as:

- Role of GBV Advisor:
 - Provide support and guidance
 - Sign-post to support agencies
 - Authorise Safe leave
 - Hold confidential records of employee granted Safe Leave

- Granting 10 days Safe Leave (paid) for appointments where necessary and related to the employee's circumstances e.g. re arranging housing or childcare, court appointments, solicitor, support agencies
- Unpaid Safe Leave to cover an extended period of absence where the complexity of the situation demands this.
- Access to Employee Counselling Support
- Diverting phone calls or changing phone extension number if employee is receiving harassing calls, with the consent of the employee
- Agreeing with the employee what, if anything, to tell colleagues and how they should respond if their partner or former partner telephones or visits the workplace
- Ensuring the employee does not work alone or in an isolated area and checking that the employee has arrangements for getting safely to and from home
- Keeping a record of any incidents of abuse in the workplace, including persistent telephone calls, emails or visits to the workplace
- Supporting the employee in a sympathetic, non-judgemental and confident manner
- Changing work patterns or adjusting workload for a temporary period to make it more manageable, or giving favourable consideration to any request for a change of workplace/work arrangements
- Agreeing that an employee can use an assumed name at work
- Reviewing the security of information held such as temporary or new addresses, bank or healthcare details
- With the employee's consent, advising colleagues of the situation on a need to know basis and agreeing the response should the perpetrator/alleged perpetrator contact the workplace or present themselves at the workplace
- At times when the employee needs to be absent from work, mutually agreeing a safe, confidential method of communication and consider safety implications that may arise when working from home
- Implementing particular security arrangements that may have to be put in place to ensure the safety of the employee and colleagues
- The Council's Homeless Assessment, Prevention and Advice team (HAPA) focus on housing legislation that relates to domestic abuse and should be contacted if the employee requires accommodation (see [Appendix 1](#) for details).

3.4 Confidentiality and Recording

3.4.1 All advice, information and support should remain confidential. No information should be disclosed without the express written consent of the employee. However, Managers need to explain to the employee that where issues regarding the protection of children or the protection of adults in need

of support arise, the child protection and the adult protection services will need to become involved without consent.

- 3.4.2 A brief note should be placed in the employee's personal file detailing the date the meeting took place and outlining that personal information was shared. Line Managers should give a copy of this to the employee. Managers should not post a copy of any correspondence to the employee; they should give a copy to the employee in person, as the abuser may have access to mail at home.
- 3.4.3 If any arrangements are made regarding changes to working hours/post/location the agreement and review date should be put in writing and a copy placed in the employee's personal file and on the HR & Payroll System. The reason for changes should be 'personal circumstance' and not full details of the situation.
- 3.4.4 If any Safe Leave is agreed, to ensure confidentiality, this will be recorded by the GBV Advisor on their own recording system and on Kelio using the "authorised absence" category. If Safe Leave is authorised by the employee's Manager, they should inform the GBV Advisor to ensure this is recorded appropriately.

3.5 Perpetrators of Abuse

- 3.5.1 Any employees who are alleged perpetrators of abuse within the workplace may be dealt with in accordance with the Council's Dignity and Respect at Work Policy and Procedure and where applicable the Council's Disciplinary Policy and Procedures.
- 3.5.2 Any employees who are alleged perpetrators of abuse out with the workplace may be dealt with in accordance with the Council's Disciplinary Policy and Procedures, if the allegations are considered to fundamentally affect the employee's suitability for the post which they hold with the Council. Examples of alleged abuse may include domestic abuse; gender-based violence; physical or sexual abuse of children; downloading child pornography; sexual violence; involvement in honour violence or stalking.
- 3.5.3 The Council's Code of Conduct requires that where an employee is charged or convicted specifically in connection with offences outside working hours relating to illegal drugs, dishonesty, violence or of a sexual nature, such criminal charges or convictions may result in disciplinary proceedings being taken against the employee, up to and including summary dismissal.
- 3.5.4 Employees should inform the Council immediately of any cautions or convictions for domestic abuse. Failure to do so may itself be viewed as a disciplinary matter.

3.5.5 Where an employee has made an allegation without foundation that another employee is perpetrating abuse, this will be viewed as a serious employee conduct issue and will be investigated and addressed where appropriate using the Council's Disciplinary Policy and Procedure.

3.5.6 Employees should not suffer victimisation as a result of the application of any aspect of this Policy. Where there is evidence that an employee has been victimised, this will be considered as a serious employee conduct issue and will be investigated under the Council's Disciplinary Policy and Procedure.

3.6 Employees who do not wish to take up support

3.6.1 Although the Council seeks to provide a supportive environment in which employees can raise issues relating to domestic abuse, some employees affected by domestic abuse, depending on their situation, may refuse support or only take up partial support. Dealing with domestic abuse is a process that takes time and there are various reasons why employees may find it difficult to seek support. For example, they may have pressure from family to remain silent/stay in the relationship; financial pressures may restrict their options especially if children are involved; and/or they may feel it is safer to stay. It should be noted that contrary to popular belief evidence shows that women are likely to experience the most significant episode of violence at the point of ending an abusive relationship or once the relationship has ended.

3.6.2 It is the employee's choice on whether or not to accept support and managers should respect their decision, reassure them the Council's primary concern is for their safety and remind them that support is available if they need it in future.

3.6.3 Even if a manager disagrees with the decisions being made by the employee regarding an employee's relationship it is important to understand that a victim of domestic abuse may make a number of attempts to leave their partner before they are finally able to do so.

4 Support for Employees

4.1 Council Wide Initiatives

4.1.1 The North Ayrshire Violence against Women Forum partnership group was established to tackle domestic abuse in North Ayrshire. Its remit encompasses the wider 'violence against women' agenda. This incorporates physical, sexual and psychological violence occurring within

the family, including domestic abuse, rape, incest and child sexual abuse. It also includes sexual harassment and exploitation.

- 4.1.2 The North Ayrshire Violence against Women Forum has a Strategy and Action Plan to tackle domestic abuse which includes dealing with perpetrators. The Council works with its partners on the Forum to support women who are survivors of abuse, in particular Women's Aid, Victim Support, Strathclyde Police, the Procurator Fiscals Office and NHS Ayrshire & Arran and to consider ways of addressing the issues of domestic abuse at source.

4.2 Additional advice and guidance

- 4.2.1 North Ayrshire Council will aim to make all employees aware of this Domestic Abuse Policy and publicise the support available to employees through channels such as notice boards, Connects, training, employee briefings and any other means as deemed appropriate.

- 4.2.2 Employees who feel they require support should meet with their Manager, who will discuss and seek advice on any concerns you may have about confidentiality. However, the employee may feel more comfortable discussing the situation out with their own Service, in which case they may wish to contact:

1. Gender Based Violence (GBV) Advisor
2. Occupational Health Service
3. Human Resources Advisers
4. Trade Union Representative
5. Relevant Referral Agency
6. Support Agency

All contact details are available on [Appendix 1](#). If the employee approaches Human Resources it may be appropriate for a Manager within the employee's service to be informed, particularly if the employee has specific needs i.e. redeployment, safe leave or unpaid special leave. However, the Manager will not be informed without the employee's prior consent.

- 4.2.3 Once employees disclose their situation they can be assured that their Manager will not approach any outside organisations, including the police, without their written consent. However, when issues regarding child protection or adults in need of support and protection arise, the child and adult protection services will be informed without consent.
- 4.2.4 For further additional sources of support see [Appendix 1](#) – 'Sources of Domestic Abuse Support' which details the websites and contact numbers

of local and national agencies that provide support for victims of domestic abuse.

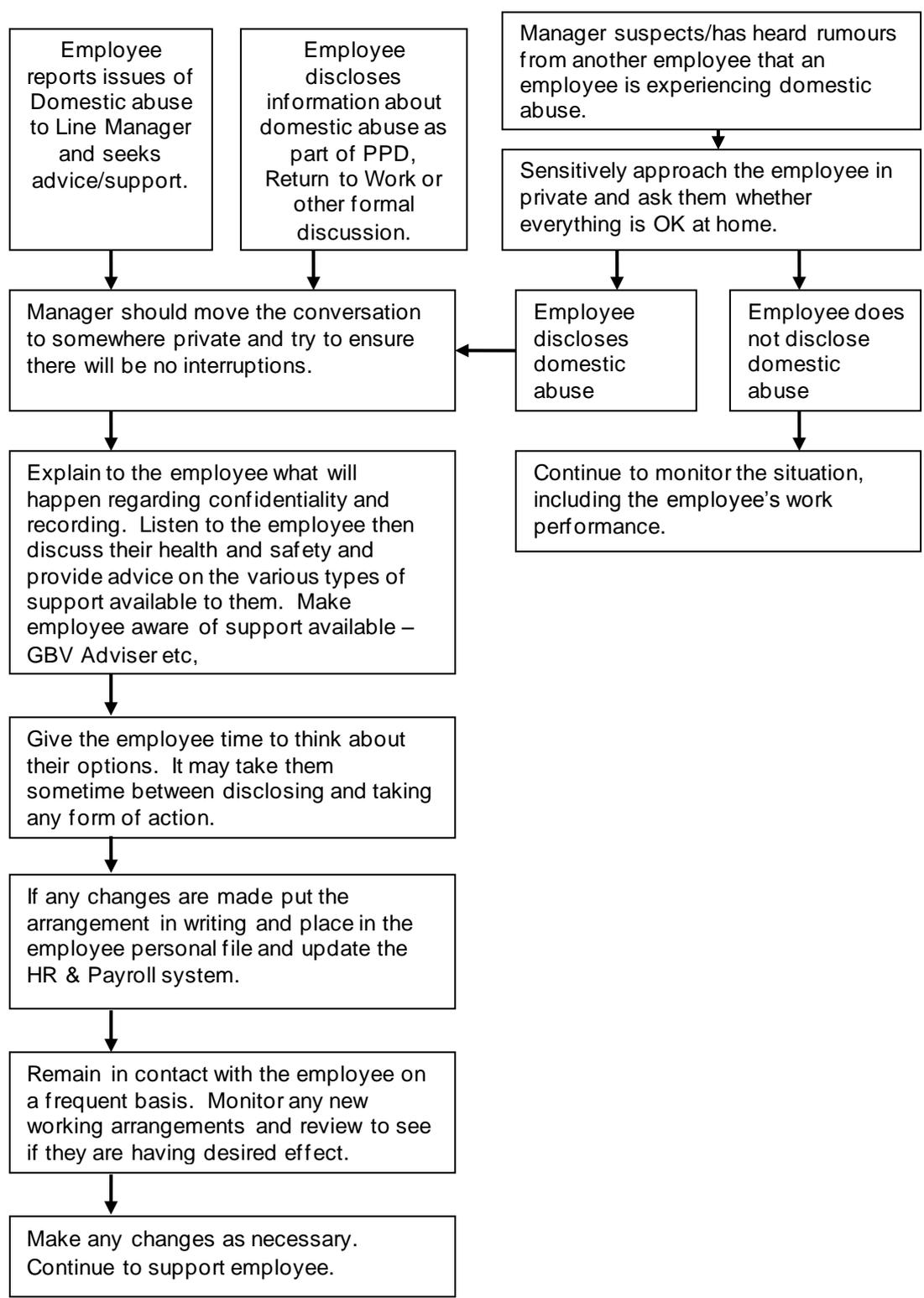
Appendix 1- Sources of Domestic Abuse Support (as at April 2019)

Resource	Contact Details
Internal North Ayrshire Council Contacts:	
GBV Advisor	gbvsupport@north-ayrshire.gov.uk
HR Team	01294 324669/ HROperationsTeam@north-ayrshire.gov.uk
Occupational Health	01294 327210
Women's Aid Offices:	
North Ayrshire Women's Aid	01294 602424 or www.nawomensaid.org.uk
South Ayrshire Women's Aid	01292 266482
East Ayrshire Women's Aid	01563 536001
Cumnock & Doon Valley Women's Aid	01290 423434
Women's Centre, Kilmarnock	01563 544807
If preferred for Black and Minority Women:	
Hemat Gryffe Women's Aid	0141 353 0859 or www.hematgryffe.org.uk
Shakti Women's Aid	0131 475 2399 or www.shaktiedinburgh.co.uk
Support for Men experiencing domestic abuse:	
Men's advice line	0808 801 0327 Email: info@mensadvice.org.uk Internet: www.mensadvice.org.uk
www.domesticabuse.co.uk	
Respect Phone Line	0808 802 4040 Email: info@respectphoneline.org.uk Internet: www.respectphoneline.org.uk
Police Scotland:	
National advice	http://www.scotland.police.uk/keep-safe/advice-for-victims-of-crime/domestic-abuse/
Domestic Abuse Unit	01563 505 076 www.scotland.police.uk
Concern Hub	01563 505 131 www.scotland.police.uk
Other Local Support:	
Ayrshire Samaritans	116 123 (UK) jo@samaritans.org
North Ayrshire Victim Support	01294 277040 (Mon-Fri 10am – 2pm) or 0345 603 9213 (Mon-Fri 8am – 8pm)
NAC Homelessness Assessment, Prevention and Advice	01294 314600 or 0800 0196 500 (out with office hours)
Citizens Advice Bureau, Irvine	01294 311333
Rape Counselling and Resource Centre	01563 544686
National Resource Support:	

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Scottish Women's Aid – 24hr Helpline	0800 027 1234 www.scottishwomensaid.org.uk
Rape Crisis	0808 801 0302 or www.rapecrisisscotland.org.uk
Shelter	0808 800 4444 or www.scotland.shelter.org.uk
One Parent Families Scotland	0808 801 0323 or www.opfs.org.uk
Breathing Space Scotland	0800 83 85 87 or www.breathingspace.scot
Breaking the Silence	1800 737 732 or info@breakingsilence.com.au

Appendix 2: Management Guidance Flowchart – Employees experiencing Domestic Abuse



Appendix 3 – Guidance for Line Managers on Domestic Abuse, Work and Covid-19



Guidance for Line Managers on Domestic Abuse, Work and Covid-19

Introduction

Due to the coronavirus (COVID-19) pandemic, many line managers are adjusting to managing their teams remotely and for the first time the majority of employees will be working from home. It is important that we recognise that domestic abuse is a serious issue and we are committed to supporting employees who may be experiencing domestic abuse.

What is domestic abuse?

Women's Aid define domestic abuse as an incident or, pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence, in the majority of cases by a partner or ex-partner, but also by a family member or carer.

Recent measures to tackle COVID-19 have seen people's day-to-day lives altered drastically. Home working, social distancing, shielding and self-isolation can cause heightened anxiety for those who are experiencing or have experienced domestic abuse.

Signs of Domestic Abuse

Working from Home

Signs that an employee may be experiencing a form of Domestic Violence when working from home includes:

- Changes in their behaviour, such as acting unusual or out of character.
- Withdrawing from previous sources of support, including teams chats and catch ups.
- Minimal participation or contribution in team meetings.
- Nervousness or increased anxiety about their partner or family member coming into the room whilst you are speaking to them.

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- Suddenly not using video function where previously they did, without an explanation or the explanation doesn't quite fit.
- Signs of tension such as audible conflict in the home.
- Unresponsive in online chats or constantly offline.
- Reluctance to talk about their home situation or avoiding answering questions.
- A loss of confidence or self-esteem
- Reluctance to speak on the phone or refrains from using video calling option.
- Partner is always visible in the background.

In the workplace

- Avoiding lunch breaks or reluctance to socialise .
- Obsessing about time.
- Being secretive about their home life.
- Changes in behaviour such as becoming quiet or avoiding speaking to colleagues.
- Avoiding male colleagues or acting visibly uncomfortable around male/female colleagues.

Other signs

Many employees may be experiencing increased mental health problems not only due to COVID-19 but due to their working environment changing. For many victim-survivors this may exacerbate the below signs and may indicate an employee needs additional support:

- Increased stress, anxiety, depression or feeling overwhelmed.
- Increased sickness absence.
- Reduced productivity or missing deadlines.
- Fatigue or exhaustion.

How can we support employees who we believe may be experiencing domestic violence?

Starting the conversation

If you suspect an employee may be affected by domestic violence, it is good practice to initiate a conversation. Raising this conversation and often be seen as difficult if employees are reluctant to share information. However, you can ask key questions to see how they are coping during this uncertain time.

Questions you can ask:

- How do you feel about the changes to your working environment?
- Do you feel you've got a good support network during this period?
- Is there anything else we could do to support you during this period?
- Is everything ok at home/How things at home?
- Is everything ok at home/How are you coping?
- I've noticed that you haven't been yourself lately, is everything ok?
- Do you have friends and family to support you just now?

Tips for during the conversation

- Actively listen to the employee and take their disclosure seriously.
- Organise time to have future catch ups.

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- Respect and accept their thoughts and feelings.
- Reassure them that their needs are a priority and outline support available for them.
- Reassure them that any information disclosed will be treated confidentially.

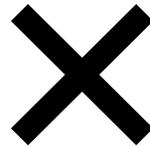
Supports Available

Do's



- Signpost to support agencies
- Access employee counselling services
- Keep in contact and have regular catch ups
- Provide support such as: Occupational Health Services, GBV Advisor, Human Resources.

Don'ts



- Don't ask for proof
- Don't compel an employee to accept support
- Don't break their confidentiality

HR Team