

FALKIRK COUNCIL

Workplace Policy on Domestic Violence and Abuse

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PART 1

1.1 POLICY STATEMENT

Falkirk Council recognises that domestic violence and abuse is a significant issue in today's society. Statistics indicate that between a quarter and a third of all women in Scotland will experience some form of domestic violence and/or abuse at some time in their lives and that it affects approximately 100,000 children.

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

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

1.2 EQUALITY STATEMENT

Falkirk Council acknowledges that domestic violence and abuse can occur in all areas of society. It is recognised, however, that some employees may face additional barriers and issues in seeking help because of their ethnic background, religion, age, sexual orientation, disability or gender which might make them feel particularly vulnerable when talking about their situation.

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

PART 2

2.1 INTRODUCTION

The main aims and objectives of this policy are to:

- increase awareness of the main issues associated with domestic violence and abuse
- provide guidance and support to all employees of Falkirk Council who are experiencing domestic violence and abuse in their personal lives – whether as a victim or as a perpetrator
- help everyone (including managers, human resources personnel and elected members) recognise potential victims or perpetrators of domestic violence and/or abuse and to provide a supportive environment for them
- reinforce that Falkirk Council is committed to the principle that domestic violence and abuse is unacceptable behaviour and that everyone has a right to live free from fear and abuse.

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

2.2 SCOPE

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

2.3 DEFINITION

The Scottish Government adopted the following definition in its National Strategy to Address Domestic Abuse in Scotland:

Domestic abuse (as gender-based abuse), can be perpetrated by partners or ex-partners and can include physical abuse (assault and physical attack involving a range of behaviour), sexual abuse (acts which degrade and humiliate women and are perpetrated against their will, including rape) and mental and emotional abuse (such as threats, verbal abuse, racial abuse, withholding money and other types of controlling behaviour such as isolation from family or friends)

Domestic Violence and abuse is essentially a pattern of behavior that is characterised by the exercise of control and misuse of power by one person over another with whom they are, or have been, in a relationship with. It is usually persistent, occurring frequently, and is most often perpetrated by a man against a woman, although domestic violence and abuse also occurs in same sex relationships and can be committed by a woman against a man.

Domestic violence and abuse knows no boundaries such as age, gender, race, religion, sexual orientation, ability or disability, wealth or geography.

Domestic violence and abuse can include violence inflicted on, or witnessed by, children and young people. As such, the wide adverse affects of living with domestic violence and abuse is recognised as a child protection issue.

Domestic violence and abuse can also manifest itself through the actions of immediate and extended family members through the perpetration of unlawful actions, such as forced marriage and honour crimes where women are often killed if they are deemed to have brought shame on the family. Extended family members may condone or take part in the pattern of violence and abuse.

2.4 MULTI AGENCY PARTNERSHIPS

Falkirk Council demonstrates its commitment to the issue of domestic violence/abuse and other acts of violence towards women by participating in the local multi agency domestic abuse forum. This forum meets on a quarterly basis and is chaired by Corporate and Neighbourhood Services. Other members include Education Services, Social Work Services, Victim Support, VIA, Falkirk & District Womens Aid, Central Scotland Rape Crisis Centre and Open Secret.

The Council is also a key stakeholder in the Forth Valley Domestic Abuse Strategy Group (FVDASG) and works with partners from the Crown Office Procurator Fiscal Service, Central Scotland Police, Forth Valley NHS, Scottish Children's Reporter Administration, the Chairs of the three local Violence Against Women Multi-Agency Partnerships (Clackmannan, Falkirk and Stirling) and a representative from the voluntary sector to ensure a consistent approach to dealing with these issues across the Forth Valley area.

2.5 EMPLOYEES EXPERIENCING DOMESTIC VIOLENCE/ABUSE

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

Employees can seek advice and support from their line manager or Service Human Resources Adviser. Alternatively, employees can contact the Employee Counselling Service or Occupational Health Service for confidential advice. Trade Union representatives should also be able to provide advice and support.

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

2.6 MANAGER'S RESPONSIBILITIES

Managers should appreciate how difficult it may be for an employee to discuss his/her personal circumstances and should always offer support in a non-judgemental fashion. They should also remember that, very often, signs of abuse will not be visible and that an individual may leave their abusive environment only to return again sometime in the future. (Refer to Appendix 2 for possible signs of domestic violence/abuse)

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

Managers may consider implementing reasonable measures which would protect the safety of employees who are experiencing domestic violence/abuse. For example, employees who are concerned for their safety while travelling between work and home, or whilst at work, may benefit from a temporary change of hours or place of work. In some circumstances it may be appropriate to permanently relocate or redeploy an employee as a supportive measure.

Managers should offer ongoing support to employees who are experiencing domestic violence/abuse including time off, for example, for counselling, visits to a solicitor or support agencies, for re-housing or re-organising childcare. (Refer to appendix 3 for further possible workplace adjustments)

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

Managers who wish to support an employee who is experiencing domestic violence or abuse should contact their Human Resources Adviser for assistance and/or advice.

2.7 CONFIDENTIALITY AND SECURITY

Discussions between a manager and an employee who is experiencing domestic violence/abuse will be treated in confidence. However, in some circumstances this confidence may need to be broken in order to protect children or vulnerable adults.

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

2.8 COMMUNICATION AND TRAINING

Training is sourced by the Forth Valley Domestic Abuse Training Consortium for employees of the Council in various issues around domestic abuse. Managers, HR personnel and front line staff, in particular, are encouraged to utilise this, as per the agreed commitment in the Falkirk Council Domestic Abuse Training Strategy. Specific training can also be developed where required. Details of domestic violence/abuse training can be found in the 'Equality' section on the Council's Internet or the Human Resources page on the intranet.

A leaflet has been developed by the local multi agency domestic abuse partnership specifically to provide information about domestic violence/abuse and to direct individuals to appropriate local support agencies. This leaflet can be found in various outlets across the Falkirk Council area and can also be downloaded from the 'Equality' section on Council's Internet or the Human Resources page on the intranet.

Contact details of local support agencies can also be found on stickers in ladies toilet cubicles across Council premises.

In order to further raise awareness of the issues, posters and details of campaigns are displayed on noticeboards in Council buildings.

2.9 PERPETRATORS OF DOMESTIC VIOLENCE AND ABUSE

Where a manager is aware that an employee is perpetrating abuse during working hours the matter should be discussed urgently with their Human Resources Adviser.

If an employee is abusive to a partner who is also an employee of Falkirk Council disciplinary action should be considered.

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

Any individual who is cautioned or convicted of a criminal offence may be subject to the Council's Disciplinary Procedure. Falkirk Council reserves the right to consider implementing its Disciplinary Procedure should an employee's activities outside work have an impact on their ability to perform the role for which they are employed, or where their actions are likely to bring the Council into disrepute. This applies particularly to those individuals who work with the public, with children or with vulnerable adults.

Any individual who is violent to or abusive of, their partner and who is concerned by this behaviour should seek support and help from an appropriate source, such as the Employee Counselling Service, Occupational Health Service or www.mensadvice.org.

PART 3

3.1 IMPLEMENTATION

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

The policy will be advertised in appropriate Council newsletters/publications and will be made available on the Intranet.

Managers who require training as a result of this policy should contact their Service Human Resources Adviser.

3.2 MONITORING & REVIEW

Monitoring of support enquiries will be carried out by Human Resources and reported to the Falkirk Multi Agency Domestic Abuse Forum on an annual basis.

This policy will be reviewed by the Head of Human Resources in conjunction with Service Directors/Heads of Service and Trade Unions as appropriate.

SUPPORT SERVICES

Falkirk Council Housing Services	01324 503600 01324 503050 (out of hours)	
Falkirk Council Social Work Services	01324 506400 01786 470500 (out of Hours)	
Falkirk Council Child Protection	Contact your local Social Work office for Advice.	
Falkirk & District Women's Aid	01324 635661	
Central Scotland Police – Domestic Abuse Unit, Falkirk	01324 678830	
Shakti Women's Aid	0131 475 2399	Offers support to black and ethnic minority women
Hemat Gryffe Women's Aid	0141 353 0859	Offer support to black and ethnic minority women
Men's Advice Line	08450 646800	www.mensadviceline.org
National Helpline for Domestic Abuse	0800 027 1234	

ADDITIONAL SUPPORT SERVICES

Central Scotland Rape Crisis & Sexual Abuse Centre	01786 471771	Free, confidential support & information on any form of sexual abuse
Open Secret	01324 630100	Confidential service for adult survivors of childhood sexual abuse
Victim Support	01324 633433	
Department of Work & Pensions	01324 505000	Information regarding benefits

POSSIBLE SIGNS OF DOMESTIC VIOLENCE AND ABUSE*

It is important to note that the examples below are **not** a checklist. Some people may display no signs of violence or abuse. Individuals experiencing domestic violence and/or abuse suffer a broad range of both physical and emotional consequences. For some, the violence greatly affects their lives over a significant period of time and the process of recovery is often long and difficult. Others may be able to recover and start a new life again relatively quickly after leaving an abusive relationship.

Some possible signs of identifying domestic violence and abuse include:

- A late or high absenteeism rate without explanation.
- Uncharacteristic depression, anxiety, distraction or problems with concentration.
- Changes in the quality of work performance for no apparent reason.
- The receipt of repeated upsetting telephone calls/faxes/emails or the individual being a victim of vandalism or threats.
- Obsession with time.
- Needing regular time off for appointments.
- Inappropriate or excessive clothing.
- Repeated injuries or unexplained bruising or explanations that do not fit the injuries displayed.
- Increased hours being work for no apparent reason.

* *These suggestions are taken from the Northern Ireland Office, Guidance for Employers on Developing a Workplace Policy on Domestic Violence and Abuse (May 2006) www.dhsspsni.gov.uk*

WORKPLACE ADJUSTMENTS*

The following is a list of possible adjustments that could be considered to help employees experiencing domestic abuse. Any possible adjustment should be fully discussed with the individual and their opinions sought as to suitability.

- If the individual is absent from work, a method of communication should be arranged with the line manager so that they are aware the individual is safe.
- Identify a work contact for support and an emergency contact should the Council be unable to contact the individual.
- Allow the individual to change work patterns or workload, and allow flexible (or more flexible) working or special leave to facilitate any practical arrangements that are required, such as seeking legal advice, attending counselling or support group meetings or to attend court.
- Diverting telephone calls.
- Diverting emails to a separate folder.
- Alerting reception and/or security staff if the abuser/alleged abuser is known to come to the workplace.
- Alerting workplace nurseries, if there is a fear about child abduction.
- Checking the individual has arrangements in place for safely getting to and from home.
- Consider allowing the individual to use an assumed name at work.
- Ensure communication is maintained with the employee during any absence, whilst maintaining the confidentiality of their whereabouts.
- Review the security of personnel information held, such as temporary or new address, bank or healthcare details.
- If appropriate, facilitate a transfer to another post.
- With the individual's consent, advise colleagues of the situation on a need-to-know basis and agree what the response should be if the abuser/alleged abuser contacts the workplace.
- With the individual's consent provide a photograph of the abuser/alleged abuser to the supervisor, security staff, reception and childcare providers.

* *These suggestions are taken from the Northern Ireland Office, Guidance for Employers on Developing a Workplace Policy on Domestic Violence and Abuse (May 2006) www.dhsspsni.gov.uk*