

Domestic Abuse Workplace Policy

SCCG QP02

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1. INTRODUCTION

SouthendCCG (“the CCG”) recognises that domestic abuse is prevalent across all sections of society and is bound to employ people who have been or are currently experiencing or perpetrating domestic abuse. The CCG recognises that domestic abuse can affect an employee’s work performance and that as an employer we have a responsibility for health, safety and welfare at work. The CCG will endeavour to form a working environment that promotes the understanding that everyone has the right to live free from violence or abuse and makes a clear commitment to reducing inequality and promoting dignity at work. Southend CCG recognises that every employee, male or female, who experiences domestic abuse has the right to raise the issue with their employer in the knowledge that the employee will be offered access to information on appropriate agencies and support in accessing protection and help.

2. PURPOSE

This policy applies to all members of staff (including locum, agency, volunteer and seconded staff, whether temporary or permanent) working within or outside of the CCG premises.

This policy is:-

- To safely assist and support employees asking for help in addressing domestic violence and abuse issues;
- To remove fears of stigmatisation for employees who are affected by domestic violence and abuse;
- To ensure those employees seeking assistance are confident their situation will be handled safely, sympathetically and confidentially within the constraints of the SET Safeguarding Policy and Procedures.
- To ensure all employees who are experiencing domestic abuse are aware of the policy.
- To make employees aware that domestic abuse is unacceptable and can lead to criminal convictions.

3.0 ROLES AND RESPONSIBILITIES

3.1 All Employees

It is important that employees at all levels are aware of this policy in order to comply with its requirements.

All Service Managers must ensure a copy of this policy is available to all staff in their respective departments. Line managers have a crucial role to play in enabling employees experiencing domestic abuse to access information and help and to provide support. Information relating to support networks and contacts is in Appendix A.

Departments such as Occupational Health and HR will provide support to employees and managers. Key CCG employees can support Managers and may include staff from the following:

- CCG Safeguarding Team.
- Occupational Health and Safety Services
- Human Resources
- Trade Unions

3.2 The CCG Governing Body

Ultimate responsibility for the implementation of this policy and procedure rests with the CCG Board and Chief Executive.

4.0 DEFINITIONS

4.1 The Government defines domestic abuse as:

“Any incident or pattern of incidents of controlling, coercive or 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. This can encompass, but is not limited to, the following types of abuse:

*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.”

This definition includes so called ‘honour’ based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

4.2 Honour based violence

The Crown Prosecution Service (CPS) and the Association Chief Police Officers (ACPO) have a common definition of honour based violence:

"Honour based violence" is a crime or incident, which has or may have been committed to protect or defend the honour of the family and/or community

It is a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and / or community by breaking their honour code.

A child or adult at risk of abuse in the name of honour is at significant risk of physical harm (including being murdered) and/or neglect, and may also suffer significant emotional harm through the threat of violence or witnessing abuse directed towards a sibling or other family member.

4.3 Forced marriage

The definition of forced marriage that the CPS use is the definition adopted by the Government and ACPO. Forced marriage as set out in A Choice by Right published by HM Government in June 2000:

“Forced marriage” is a marriage conducted without the valid consent of one or both parties where duress is a factor.

This is further expanded upon in multi-agency practice Guidelines: Handling cases of Forced Marriage (HM Government 2008):

"A forced marriage is a marriage in which one or both spouses do not (or in the case of some adults with learning or physical disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure."

There is a clear distinction between a forced marriage and an arranged marriage. In arranged marriages the families of both spouses take a leading role in arranging the marriage but the choice whether or not to accept the arrangement remains with the prospective spouses. Consent is essential to all marriages – only the spouses will know if they gave consent freely.

4.4 Female Genital Mutilation

Female Genital Mutilation (FGM) is a collective term for a range of procedures which involve partial or total removal of the external female genitalia for non-medical reasons. It is sometimes referred to as female circumcision, or female genital cutting.

The procedure is not required by any religion and is medically unnecessary, painful and has serious health consequences at the time and in later life. In certain communities there is a cultural expectation that women undergo FGM before being able to marry – usually this will be performed during childhood but there have been reports of young girls and women undergoing FGM just before a forced marriage.

It is an offence for anyone (regardless of their nationality and residence status) to perform FGM in the UK or to assist a girl to perform FGM on herself in the UK. It is an offence for a UK national or permanent UK resident to perform FGM, or to assist a girl to perform FGM on herself, outside the UK.

4.5 A child

A child is anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, or is identified as a victim/perpetrator of domestic abuse does not change his/her status or entitlements to services or protection under the Children Act 1989. Safeguarding of children is paramount and safeguarding policies should always be followed.

5.0 POLICY

5.1 Domestic Abuse includes any of the following behaviours:

5.1.1 Physical abuse

Includes, for example, hitting, slapping, pushing, kicking, shaking, smacking, punching, kicking, biting, starving, tying up, stabbing, suffocation, drowning, throwing things, using objects as weapons, misuse of medication, restraint, or inappropriate sanctions, female genital mutilation, "honour violence".

5.1.2 Emotional abuse

Swearing, undermining confidence, making racist remarks, making a person feel unattractive, calling them stupid or useless, eroding their independence.

5.1.3 Psychological abuse

Includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks including friends and family, intimidation, stalking, insulting, criticising, denying the abuse, treating them as an inferior, threatening to harm children or take them away,

5.1.4 Sexual abuse

Includes rape and sexual assault or sexual acts to which the adult at risk has not consented, or could not consent or was pressured into consenting, forced prostitution, ignoring religious prohibitions about sex, refusal to practice safe sex, sexual insults, sexually transmitted diseases, preventing breastfeeding

5.1.5 Financial or material abuse

Refusing to give money, asking for an explanation of how every penny is spent, making them beg for money, gambling not paying bills, insisting on joint account Includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits;

5.1.6 Neglect and acts of omission

Includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating;

5.1.7 Discriminatory abuse

Includes racist, sexist behaviour that maybe based on a person's disability, and other forms of harassment, slurs or similar treatment.

5.2 Possible signs of domestic abuse

Possible signs of domestic abuse may include;

Physical signs

- Explanations of injuries are often inconsistent with the injury
- Clothing to cover injury that may not be appropriate for weather
- Constantly tired due to being deprived from sleep leading to decreased concentration / attention span/ impaired thinking
- Physical effects are often in areas of the body that are covered and hidden (i.e. breasts and abdomen particularly in pregnancy)
- Frequent visits to GP/A&E
- Alcohol / drug misuse
- Frequent use of minor tranquilisers
- Self harm including attempting suicide

Emotional signs

- Panic attacks / anxiety / depression
- Exhibiting severe stress reactions
- Emotional exhaustion, lack of emotional control
- Eruptions of aggressiveness, anger out of context

Behavioural signs

- Behavioural change

- Person may be frightened, evasive, ashamed or embarrassed
- Startle response is elevated
- Withdrawn and quiet due to feelings of isolation
- Low self esteem
- Unusual number of calls from home and strong reaction to these calls
- Arriving at work late, needing to leave early
- Frequent sick leave
- Secretive about home life
- Partner may attempt to limit their work or social contacts
- Partner may ridicule them in public
- Partner exerts unusual amount of control over their life

5.3 Implications for the workplace

Domestic abuse may have a varying impact on performance at work and could have a direct effect on quality of service provision. Domestic abuse has implications for the workplace and this could include:

- Lateness
- Health and safety: risk of workplace violence
- Career progression
- Absenteeism
- Work performance including increased pressures on colleagues covering work
- Physical incapability.

5.4 Line Managers Role

5.4.1 When meeting with members of staff who are affected by domestic abuse, Managers must;

- Never raise the issue of domestic abuse unless the employee is alone.
- The “One Chance” Rule
All practitioners working with victims of forced marriage and honour-based violence need to be aware of the “one chance” rule. That is, they may only have one chance to speak to a potential victim and thus they may only have one chance to save a life.
This means that all practitioners working within statutory agencies need to be aware of their responsibilities and obligations when they come across forced marriage cases.
If the victim is allowed to walk out of the door without support, that one chance might be lost.
- Ensure privacy making sure that you cannot be overheard
- Ensure sufficient time is given without interruption
- Aim to have a supportive non judgemental conversation which reinforces that the abusive behaviour is the responsibility of the perpetrator
- No proof of abuse is needed and an employee’s statement alone will be sufficient for them to be given access to information on appropriate agencies and support in accessing protection and help
- Let the employee know that you believe them and make it clear to them that it is not their fault
- Explain the limits of confidentiality, as per the information sharing guide.
- Focus on the employee’s safety and that of their children and/or the perpetrators if they have any. Bear in mind the close links between domestic abuse and child abuse. See section 6 below
- Complete Domestic Abuse, Stalking and Honour Based Violence (DASH 2009) Risk Identification, Assessment and Management Model risk assessment if you have received relevant training
- Listen to what the person is saying and go at the employees pace

- Never accept culture or religion as an excuse for domestic abuse
- Make employees aware of the Domestic Abuse Workplace Policy
- Recognise limitations of their role and seek help when appropriate from CCG Safeguarding team, HR, Occupational Health and Associated Services etc.,

5.3.2 Supportive measures that can be used to address abuse are;

- To allow time off to visit solicitors and other agencies under the Special Leave Policy.
- To reassure the employee that their job is guaranteed should extended leave be required
- Finance is often difficult in this type of situation and an advance of pay could be considered. This would need to be discussed with the HR Department.
- Where an employee requests a change of work site, redeployment should be sought by the manager. A change in working hours or other temporary measures could also be an option
- To ensure that security arrangements have been considered for all employees working alone. Managers should ensure that all staff are aware that under no circumstances should the workplace of any lone employee be divulged
- Advice is provided within the Lone worker Policy
- To consider arranging temporary flexible working hours. Advice is provided within the Flexible Working Policy
- To ensure that confidential counselling is made available to an employee experiencing domestic abuse
- Establish how to contact the employee as contacting him/her at home may not be appropriate

5.3.3 When considering the employers response to people who are experiencing domestic abuse it is important to keep in mind the following:

- A Domestic Abuse, Stalking and Honour Based Violence (DASH 2009) Risk Identification, Assessment and Management Model risk assessment is needed in order to safely plan for the member of staff, their family and colleagues. You can complete this if you have received relevant training.
- The safety of the employee and their children and any identified vulnerable adults at risk is paramount and safeguarding concerns should always be considered and acted on in line with the SET Safeguarding and Child Protection Procedures / SET Safeguarding Adults Guidelines Individuals may have been experiencing abuse over a long period of time.
- The violence and abuse may be a mix of physical, sexual, emotional, financial and threatening behaviour
- Individuals may have no access to their own money or may be excluded from dealing with finances

- Individuals may have done a whole range of different things to try and stop the violence and abuse
- You may be the first person they have spoken to or the 20th person
- Individuals may want to try and save the relationship. Do not try and make decisions for the employee. It is crucial that they decide what it is they want to do next. However any safeguarding concerns regarding children or vulnerable adult need to be discussed and action taken in line with SET Safeguarding and Child Protection Procedures / SET Safeguarding Adults Guidelines. Individuals may be frightened of the perpetrator and possibly you and fearful of losing their children
- Don't make assumptions. For example do not assume that employees from an ethnic minority will want to speak to someone from their own culture. Often they feel that it is dangerous to speak to someone who is a part of their own community, whilst others feel that it is safer
- People are most at risk of life threatening or fatal violence when they try to attempt to leave or have recently left a violent partner

6.0 EFFECT OF DOMESTIC ABUSE ON CHILDREN

The non abusive parent living with domestic abuse is often unable to protect their children from the direct and indirect effects of the abuse, despite their best efforts

6.1 Children experience abuse by:

- seeing violent and abusive acts and behaviours.
- hearing arguments.
- seeing the physical and emotional effects of abuse.
- they may try to intervene be directly abused themselves.

6.2 Removal from an abuser does not automatically mean safety for the child.

6.3 Where the victim or perpetrator of domestic abuse has children, advice should be sought from the CCG Safeguarding children team. Remember perpetrators children may be exposed to his abusive behaviour outside the confines of the identified relationship e.g. through access visits, other relationships.

6.4 If a child is at immediate risk of significant harm the SET procedures (2015) should be followed and social care/police contacted without delay.

7.0 RECORD KEEPING

7.1 If there is concern about so called "honour" based abuse or forced marriage , make paper records that can be securely stored and inform domestic abuse

lead immediately or the police lead for Honour Based Abuse. Do not discuss with family or colleagues unless you are certain it is safe to do so

- 7.2** If certain that it is not so called “honour” based abuse or forced marriage, keep notes of interviews with an employee experiencing domestic abuse as they may be crucial at a later date
- 7.3** Only share notes of meetings with other colleagues within the Safeguarding or HR teams / other agencies with the agreement of the employee. However, where the safety of other colleagues or workers in other agencies becomes an issue, appropriate information will be communicated in order to take any necessary action. Safeguarding concerns will be discussed and action taken in line with SET Safeguarding Policies and Procedures

8.0 CCG RESPONSIBILITY TO EMPLOYEES WHO ARE PERPETRATORS OF DOMESTIC ABUSE

- 8.1** For staff who are perpetrators of domestic abuse and seek help from the CCG they will be made aware that;
- The CCG recognises that perpetrators of domestic abuse may wish to seek help to change their behaviour. Any employee voluntarily seeking help to change their behaviour will be signposted to obtain the appropriate help through the Occupational Health Department.
- 8.2** Staff who are identified to the CCG as perpetrators of domestic abuse will be made aware that:
- If a perpetrator of domestic abuse wishes to seek help to change their behaviour they will be signposted to obtain the appropriate help through the Occupational Health Department
 - Domestic abuse is a serious matter that can lead to criminal convictions
 - Conduct outside work might also lead to disciplinary action against an employee who is perpetrating domestic abuse because it undermines the organisations’ confidence in them and is likely to harm the employer’s reputation
 - A statement that an allegation of abuse against a partner who also works for the organisation will be handled with sensitivity; providing a safe workplace may involve the suspension or redeployment of the alleged perpetrator pending action under the NHS SCCG Managing Investigations Guidelines

9.0 RESPONSIBILITIES OF EMPLOYEES

- 9.1** An employee affected by domestic abuse may choose to discuss this with their Line Manager. Alternatively they may choose to discuss it with someone they feel comfortable with, maybe a trusted colleague or Occupation Health.

- 9.2** Employees who know of a colleague who is the victim of domestic abuse should act sensitively and consider encouraging them to seek advice and support from the HR team , CCG Safeguarding Team.
- 9.3** In order to receive protection under this policy employees need to disclose that they are at risk from domestic abuse and the organisation will seek to enable employees to disclose such facts by generating a management culture.

10.0 SUPPORT, ASSISTANCE AND COUNSELLING

- 10.1** The Occupational Health department is available to assist and support all employees.
- 10.2** Southend CCG will;
- Deal flexibly with any employee experiencing domestic abuse, tailoring the support and assistance to that individual's needs and request. This recognises that each individual will have different needs at any one time and that these needs can vary over time for the individual concerned.
 - Allow employees to have the right to choose for themselves the support and/or advice they wish to receive.

11.0 ASSOCIATED DOCUMENTATION

- 11.1** The following documents have been referred to and have links to Domestic Abuse Staff Policy:
- Disciplinary Policy
 - Flexible Working Policy
 - Managing Investigations Guidelines
 - Managing Performance CCG
 - Whistleblowing Policy
 - Safeguarding Children Policy
 - Southend Safeguarding Adults Policy
 - Procedure for Managing Allegations Against Staff in Relation to Safeguarding of Children & Young People
 - Lone Worker Policy
 - Security Policy
 - Health and Safety Risk Assessment Policy
 - SET safeguarding children procedures
 - SET Safeguarding Adults Guidelines
 - HM Information sharing guide
- 11.2** The following legislation is relevant to this Policy;

- **Health and Safety at Work 1974**
Duty to ensure, as far as is reasonably practical, the health and safety of their work employees.
- **Management of Health and Safety at Work Regulations 1992 and 1999**
This requires employers to assess the risk of violence to employees and make arrangements for their health and safety by effective planning and control.
- **Protection from Harassment Act 1997**
Employees are entitled to protection from harassment. Harassment is defined as causing alarm or distress and a course of conduct (which can involve speech) must have occurred on at least 2 occasions. The incidents do not have to be the same type of behaviour on both occasions
- **The Crime and Disorder Act 1998 and the Police Reform Act 2002**
These gave Primary Care Trusts a statutory duty to work within Crime and Disorder Reduction Partnerships to reduce local crime – including domestic abuse
- **Children Act 2004**
Duty to protect children from maltreatment and to promote and to support the welfare of children.
- **Care Act 2014**
If a member of staff identified as a victim/perpetrator or domestic abuse and has care responsibilities for a vulnerable adult, the CCG has the responsibility to safeguard the vulnerable adult as per the Care Act 2014 and the Safeguarding Adult Policy

12.0 MONITORING COMPLIANCE

- 12.1 Monitoring of the policy and procedure will be undertaken by the Chief Nurse. This Policy will be reviewed regularly by HR, and the Safeguarding Team

13.0 EQUALITY IMPACT ASSESSMENT

- 13.1 NHS Southend CCG is committed to carrying out a systematic review of all its existing and proposed policies to determine whether there are any equality implications.
- 13.2 This policy has been assessed using NHS Southend CCG 's Equality Impact Assessment and identified as having the following impact upon equality and diversity issues.

Age	Disability	Gender	Race	Sexuality	Religion	Human Rights	Total Points	Impact
0	0	0	0	0	0	0	0	Low

14.0 LIST OF STAKEHOLDERS CONSULTED

Name	Title	Comments received Y/N	Comments incorporated Y/N
Human Resources		N	N
Occupational health		N	N

15.0 VERSION CONTROL SHEET

Version	Date Issued	Date of next review	Author Name and Title	Comment
001	January 2018	January 2021	Associated Designated Nurse	New Policy

Appendix 1: Domestic Abuse Staff Policy

Professional Support

Responding to Domestic Abuse: A handbook for professionals- Department of Health http://webarchive.nationalarchives.gov.uk/20130107105354/http://dh.gov.uk/en/publicationsandstatistics/publications/publicationspolicyandguidance/dh_4126161

The Corporate Alliance Against Domestic Violence (CAADV) provides background information for managers and professionals on the workplace implications of domestic violence. They can be found online at: <http://www.caadv.org.uk/>

National Support Services

National Domestic Violence Help Line (0808) 2000247

www.nationaldomesticviolencehelpline.org.uk

Women's Aid

- Advice and support for women and children, friends, family and professionals. Provides refuge accommodation. Extensive links to specialist services and refuge space for ethnic minorities.
- www.womensaid.org.uk
- Interactive website for children www.thehideout.org.uk

Karma Nirvana

- Charity set up for to support Asian men and women who are victims of forced marriage and honour based violence. Provides Asian Women's Refuge www.karmanirvana.org.uk This site allows quick exit and to cover your tracks
- Help line runs 9am -9pm 7 days a week. Honour Network Helpline (0800) 5999247

FORWARD (Foundation for Women's Health Research and Development)

- African Diaspora women led UK-registered campaign and support charity dedicated to advancing and safeguarding the sexual and reproductive health and rights of African girls and women. We tackle female genital mutilation, child marriage and related rights of girls and young women

Respect

- provides practical information and advice on domestic violence for perpetrators, domestic abuse perpetrator programmes and associated support services. www.respect.uk.net

Men's Advice Line

- For men experiencing domestic abuse.

Help line open Monday – Friday 10am -1pm and 2pm – 5pm. (0808) 8010327

National Centre for Domestic Violence

- provides a free, fast emergency service to obtain Non Molestation Order or Prohibitive Step Order for survivors of domestic abuse regardless of their financial circumstance, race, gender or sexual orientation.
- www.lcdv.co.uk

24 Hour Emergency free helpline for advice regarding injunction (0844) 8044 999

NSPCC (0800) 800 500

Childline (24-hour) (0800) 11 11

Victim Support Line (0845) 303 0900

Drugs Helpline (0800) 77 66 00

Alcoholics Anonymous (0845) 769 7555

Parentline (24-hour) (0808) 800 2222

Rape Crisis Federation (0115) 900 3560

Rights of Women (0207) 251 6577

Samaritans (0845) 790 9090

Shelterline (24-hour) (0808) 800 4444

Citizens Advice Bureau (CAB) www.citizensadvice.org.uk

Trade Unions

Royal College of Nursing (RCN) www.rcn.org.uk

Transport & General Workers' Union (TGWU) www.tgwu.org.uk

Unison www.unison.org.uk

Unite www.unitetheunion.com

British Medical Association (BMA) www.bma.org.uk