

Managing the Impact of Domestic Abuse in the Workplace Policy

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<p>Policy Validity Statement This policy is due for review on the date shown above. The policy will remain valid, but must be reviewed within each 3 year period.</p> <p>Policy users should ensure that they are consulting the currently valid version of the documentation.</p>	

Version Control

Version	Release Date	Author	Update comments
V1	August 2016	NHS North Durham CCG	Policy adopted as part of corporate partnership policy suite
V1.1	July 2018	CCG Designated Nurse Safeguarding Children	Policy reviewed, in line with expiration date. Appendix 2: Contacts updated

Approval

Role	Name	Date
Approval	Governance & Risk Committee	August 2016
Approval	Governance & Risk Committee	July 2018

Review

This document will be reviewed twelve months from its issue date and annually after its first review.

The policy will remain valid, including during its period of review. However, the policy must be reviewed at least once in every 3 year period.

Contents

1. Introduction	4
2. Definition of Domestic Abuse	6
3. The extent of the problem	7
4. The Impact of domestic abuse on the workplace	7
5. Responsibilities: Guidance for Managers.....	9
6. Confidentiality and right to privacy	12
7. Provision of Support.....	13
8. Perpetrators	15
9. Victims and perpetrators working for South Tees CCG.....	16
10. Implementation	16
11. Training Implications.....	16
12. Related Documents.....	17
13. Monitoring, Review and Archiving	17
12. Equality Analysis	18
Appendix 1; Types of Abuse.....	25
Appendix 2; Ten steps to address the effects of domestic abuse.....	26
Appendix 3; Asking difficult questions – guidance for line managers	27
Appendix 4; Domestic Abuse; External Contacts	28

1. Introduction

South Tees Clinical Commissioning Group (CCG) is committed to being a good employer and caring for its staff. This includes supporting staff (both male and female) through new or difficult periods in their lives. Domestic abuse has a devastating impact on individuals and their families and South Tees CCG is committed to raising awareness of these issues and providing ongoing guidance, support and safety for employees and their managers. It is important to promote the understanding that everyone has the right to a life free from abuse in any form. Domestic abuse is wholly unacceptable and inexcusable behaviour, and responsibility for domestic abuse lies with the perpetrator.

1.1 Status

This is a South Tees CCG Policy.

1.2 Purpose and Scope

This policy also outlines South Tees CCG's role and responsibilities towards employees who are perpetrators of domestic abuse.

This Policy applies equally to all staff, whether they are male or female, who are affected by these issues. South Tees CCG recognises the gendered nature of domestic abuse and recognises that the majority of survivors and victims are women and that the majority of perpetrators are men.

However, South Tees CCG also recognises that domestic violence and abuse is experienced in same sex relationships, by men from women partners and family members. This policy is therefore applicable by the nature of the intimate relationship.

South Tees CCG has a responsibility to provide all staff with a safe and effective working environment. For some staff, the workplace is a safe haven and the only place that offers routes to safety.

South Tees CCG acknowledges that domestic abuse is a significant problem which has a devastating impact on victims and their families. This procedure represents a commitment to take all reasonable steps possible to combat the reality and impact of domestic abuse on those being abused and to challenge the behaviour of perpetrators.

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

It is important to note that domestic abuse is not condoned under any circumstance and all staff must adhere to the available standards of professional behaviour.

The purpose of this policy is to;

- a. Promote the health, safety, well-being and productivity of all all employees so that they can remain in a safe and supportive environment.
- b. Acknowledge the significant impact that domestic violence and abuse may have on South Tees CCG employees
- c. Support South Tees CCG employees subjected to domestic violence and abuse and to provide reassurance to them that the issue will be dealt with sympathetically, seriously, safely and confidentially with no fear of stigmatisation.
- d. Raise awareness of domestic violence and abuse amongst employees who may be victims of domestic abuse or involved in identifying risks and supporting colleagues.
- e. Reduce levels of sickness and absence and improve performance, self-confidence and morale.
- f. Retain skilled and experienced staff.
- g. Provide assistance and guidance to employees and managers in identifying and dealing with incidences where domestic violence and abuse and/or its effects become apparent in the workplace.
- h. Provide assistance and guidance to managers to enable them to take effective and appropriate action against perpetrators of domestic violence and abuse.

1.3 Legal obligations

Under the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1992) South Tees CCG recognises its legal responsibilities and duty of care in promoting the welfare and safety of all staff.

Under the Human Rights Act all public bodies have an obligation to protect the human rights of individuals and to ensure that their human rights are not being violated. Domestic abuse denies the most fundamental of human rights. Implementing an effective Domestic Abuse in the Workplace Policy can help South Tees CCG to meet its human rights duties in relation to incidents of domestic abuse.

The Equality Act 2010 includes a public sector duty which means that South Tees CCG must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity for protected groups; and foster good relations.

The nine protected characteristics set out in the Act are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion and belief
- sex
- sexual orientation

2. Definition of Domestic Abuse

Domestic abuse is defined by the [Home Office](#) as ***“Any incident of controlling, coercive or threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 16 and over, who are or have been intimate partners or are family members, regardless of gender and sexuality.”***

This definition includes honour-based violence, forced marriage and female genital mutilation.

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, which is not a legal 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.

Domestic abuse happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy. When dealing with domestic abuse it is important to recognise differences between all protected characteristics. It follows that different approaches and resources are needed when addressing domestic abuse with different groups.

3. The extent of the problem

In England and Wales domestic abuse costs £1.9 billion a year¹ in lost economic output. This is due to decreased productivity, administrative difficulties from unplanned time off, lost wages and sick pay.

Studies have consistently demonstrated the prevalence of domestic violence and abuse (DVA), with an estimated 1 in 10 women experiencing domestic abuse each year and 1 in 4 women and 1 in 7 men experiencing domestic abuse in their lifetime²

Every year across the UK at least three million women experience violence and many more are living with the legacies of past abuse.³ Increasing research however demonstrates that partner abuse is as common and as severe among same sex couples as among heterosexual couples.⁴

One-fifth of employed women take time off work because of domestic abuse and 2% lose their jobs as a direct result of abuse. Research evidences that 56% of those enduring abuse arrive late for work at least five times a month , 28% leave early at least five days a month and 54% miss at least three days of work a month due to abuse.⁵

4. The Impact of domestic abuse on the workplace

Seventy five percent of those people experiencing domestic abuse are targeted at work as it is often possible for perpetrators to use workplace resources such as phones, email and other means to threaten, harass or abuse their current or former partner but less than 30% of workplaces know how to respond.⁶

4.1 The impact of domestic abuse on the employee

Home and work issues cannot always be separated and domestic abuse can impact negatively on the working life and well -being of someone who is being abused.

Possible signs of domestic abuse include:

- Changes in behaviour including uncharacteristic depression, anxiety, distraction or problems with concentration
- Changes in the quality of work for no apparent reason
- Arriving late or leaving early
- Poor attendance or high absenteeism without an explanation
- Needing regular time off for appointments

¹ Walby S (2004) *The Cost of Domestic Violence*. London: Women and Equality Unit

² [Office for National Statistics](#)

³ Coy, M., Kelly, L. and Ford, J. (2009) *Map of Gaps 2: The postcode lottery of Violence Against Women support services in Britain*, London: End of Violence Against Women

⁴ Collins D, Vallely M. (2001) *Homophobic Crime and Same Sex Domestic Abuse*

⁵ *Guidance on Domestic Abuse Workplace Policy (2013)* Equality and Human Rights Commission

⁶ [Corporate Alliance Against Domestic Abuse](#)

- Inappropriate or excessive clothing particularly if a significant change
- Physical signs of bruising, suspicious marks

4.2 The impact of domestic abuse on work colleagues

Domestic abuse also affects people close to the victim and this can include work colleagues.

Some effects may include:

- Being followed to or from work
- Being subject to questioning about the victim's contact details or locations
- Covering for other workers during absence from work
- Trying to deal with the abuse and fear for their own safety
- Being unaware of the abuse or not knowing how to help

4.3 The impact of domestic abuse on the employer

Some effects may include:

- Negative impact on performance and morale
- Staff turnover, as employees may have to leave work or move away to escape abuse

South Tees Clinical Commissioning Group expects all staff to report their concerns if they suspect a colleague is experiencing or perpetrating abuse. A member of staff should speak to their line manager about their concerns in confidence. Alternatively a confidential reporting line is now available through the National Domestic Violence Freephone Helpline 0808 2000 247. This is a 24 hour hotline that allows any member of staff to report any concern they may have about a colleague or practices in the workplace. The hotline can be used anonymously.

People experiencing domestic abuse are especially vulnerable once they attempt to leave their partners and may become vulnerable going to or coming from work or while they are at work as the abuser knows where they can be located. This can give rise to health and safety issues and an increased risk of violence in the workplace.

However, it is also important to recognise that for some, the workplace can be a safe haven and provide a route to safety.

By having this policy in place to assist those experiencing domestic abuse it is possible to create a safer and more supportive environment where the workplace can become a place of safety. This policy strengthens South Tees CCG's Duty of Care to staff by making their working life as positive as it can possibly be and by recognising the potential adverse impact of domestic abuse on an individual's capacity to achieve this.

4.4 Information and raising awareness

It is important to promote the understanding that everyone has the right to a life free from abuse in any form. Domestic abuse is unacceptable behaviour and the responsibility for domestic abuse lies with the perpetrator.

South Tees CCG will:

- a) Provide information about this policy (and relevant support services) to existing employees via all communication opportunities
- b) Provide appropriate levels of training on the implementation and the maintenance of this policy to managers and other relevant staff
- c) Ensure that the information in this policy and the support available is incorporated into the induction of all new employees.
- d) Provide clear guidance to managers to ensure that they can identify domestic abuse, respond appropriately to disclosures, manage the impact of domestic abuse on the individual within the workplace and refer and signpost to other services as appropriate.

5. Responsibilities: Guidance for Managers

5.1 An individual who is experiencing domestic abuse may choose to seek advice/support from a number of sources, including their line manager. If approached, managers need to be prepared to listen and to be sensitive and non-judgemental in order that the most appropriate help can be offered. In the event that the individual is not comfortable with approaching their line manager as an initial contact, the employee may seek the support of a colleague, union representative, staff representative, HR department or Occupational Health Department, who may make the initial contact with the individual's manager on their behalf.

5.2 Guiding Principles

Managers do not have a counselling role. They should:

- Be available and approachable for those employees experiencing domestic abuse;
- Listen, reassure and support individuals;
- Keep information confidential (subject to the requirements of child and adult protection and high risk domestic abuse cases);
- Respond in a sensitive and non-judgemental manner;
- Discuss the specific steps that can be taken to help this person stay safe in the workplace;
- Ensure that the employee is aware of the options available to them;
- Encourage the employee to seek the advice of relevant agencies (see Appendix 4)
- Be aware that there may be additional issues faced by the employee because of age, sex, transgender, sexual orientation, ethnic background, religion/beliefs, disability, pregnancy, or marriage or civil partnership, and respond to these appropriately and sensitively.

5.3 Identification

People experiencing domestic abuse may feel stigmatised and disempowered. They often do not want to admit or share their experience because they feel it is their fault, they feel ashamed, or they feel that they should be able to deal with the situation on their own. There can also be fears that they will not be believed, that their experiences will be trivialised or that they will cause trouble for the perpetrator. However, research has shown that whilst victims of domestic abuse may be reluctant to disclose what is happening to them, often they are also hoping that someone will realise that something is wrong and ask them about it. An early identification of a problem of this nature could also result in the employee being able to deal with their situation more effectively.

Identifying that an employee is experiencing difficulties at an early stage can help ensure that appropriate support is provided and help the employee to deal with their situation more effectively. This can reduce repeated work absences and can ultimately reduce the extent of the domestic violence and abuse experienced.

Managers should create an environment where employees feel safe and able to talk about issues that are affecting them.

Managers need to consider the possibility of domestic abuse if an employee is visibly injured, depressed, distressed or unusually lacking in self-confidence and self-esteem.

It is important to recognise that whilst employees are more likely to be affected by domestic abuse, rape and sexual violence, stalking and harassment are often interlinked with domestic abuse.

If managers are aware of issues with employees arising because of potential or actual forced marriage or 'honour'-based violence they should seek advice and guidance from the Designated Nurse or Designated Doctor for Safeguarding Children or from the Head of Quality and Safeguarding Adults, Police or Forced Marriage Unit (see Appendix 4)

5.4 Other indicators of domestic abuse may include

- Increased absenteeism or lateness;
- Needing to leave early without explanation
- Excessive clothing to hide injuries;
- Repeated injuries or unexplained bruising;
- Uncharacteristically depressed, anxious, distracted or lacking in concentration;
- Changes in the quality of work for no apparent reason;
- Receiving repeated upsetting telephone calls or emails;
- Obsession with time;
- Avoiding lunch breaks or socialising outside work;
- Reluctance to leave work at the end of the working day;
- Isolating themselves at work;
- Repeatedly requiring time off for appointments.

- Partner exerting control; employee dropped off and picked up from work, unable to do business trips.
- Reluctance to turn off mobile at work
- Increased hours being worked for no apparent reason
- Change in behaviours; more quiet, avoid interaction
- Secretive of home life
- Frequent/ sudden medical problems
- Fatigue
- Changes in the way an employee dresses or the amount of make- up worn

It may be the case that the employee discloses information about domestic abuse as part of other discussions e.g. during an appraisal interview, informal discussion about performance, sickness absence etc.

Managers need to be approachable and available if employees want to raise domestic violence and abuse issues. Managers should sensitively address personal safety issues with the employee, if they suspect that domestic abuse is being experienced. Such suspicions may be aroused, if employees have visible bruising or other unexplained injuries, or are nervous and distracted at work etc. This is in line with the view that professionals need to be proactive in addressing domestic abuse.

5.5 Asking questions if there is no disclosure of domestic abuse

If a manager suspects an employee is experiencing domestic abuse, but there is no disclosure, they should facilitate a conversation to be able to discuss this and identify and implement appropriate support.

As this is a difficult subject to approach with an employee, it must be handled in a sensitive, empathetic and non-judgemental manner and with extreme care. However, shying away from the subject can perpetuate fear of stigma and increase feelings of anxiety. Often employees will not feel confident in speaking up, so a manager making the first move to begin a conversation can be critical.

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

Below are some examples of questions that could be used:

- How are you doing at the moment? Are there any issues you would like to discuss with me?
- I have noticed recently that you are not yourself, is anything the matter?
- Are there any problems or reason that may be contributing to your frequent sickness absence/under-performance at work/conduct?
- Is everything all right at home?
- How can I help support you

Avoid victim blaming. It is important that managers are able to provide a non-judgemental and supportive environment. Respecting the employee's boundaries and privacy is essential.

The role of the manager is not to deal with the abuse itself but to make it clear that employees will be supported and to outline what help is available.

6. Confidentiality and right to privacy

Staff who disclose that they are a victim of domestic abuse can be assured that the information they provide is confidential and will not be shared with other colleagues without their permission.

Breaching confidentiality could have serious consequences for the person experiencing domestic abuse. It is important therefore, not to underestimate the danger or assume that the fear is exaggerated.

Exceptions to this would include:

- 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 this instance, the manager should inform the employee that they are seeking further advice from the Designated Nurse or Designated Doctor for Safeguarding Children or where not available from Children's Social Care (see Appendix 4); the manager should refer to the [CCG Safeguarding Children policy](#) or [Tees Safeguarding Children Procedures](#)
- If an employee is a Vulnerable Adult, seek further advice from the Head of Quality and Safeguarding Adults or where not available from Adult's Social Care (see Appendix 4); the manager should refer to the [CCG Safeguarding Adult policy](#) or [Tees Safeguarding Adults Board Procedures](#)
- Where the organisation is required to protect the safety of their staff including through the prevention, detection and prosecution of serious crime. In these instances the manager should seek further advice from the Head of Quality and Safeguarding Adults (see Appendix 4) and consider referral into the local Multi Agency Risk Assessment Conference (MARAC) process. Serious crime means any crime which causes or is likely to cause significant harm to a child or young person or serious harm to an adult.

In these circumstances, the member of staff will be informed as to the reasons why confidentiality cannot be maintained. As far as possible, information will only be shared on a need to know basis.

However confidentiality cannot be assured for staff who disclose that they are a perpetrator of domestic abuse.

7. Provision of Support

7.1 Support for employees

There are a number of ways in which staff experiencing domestic abuse can be supported by the organisation:

- Through offering practical support
- Raising awareness generally of the issues and in particular amongst managers
- Providing training opportunities to line managers
- Signpost to an appropriate counselling service if appropriate
- Taking a clear anti-abuse stance against perpetrators.

It is essential staff feel able to disclose their personal circumstances and are encouraged to discuss this with their line manager. However if they feel unable to raise this with their line manager, support is available from second line managers, HR Advisors/ managers and members of the Safeguarding Team.

7.2 Within South Tees CCG confidential advice and support is available from:

- Head of Quality and Adult Safeguarding
- Designated Nurse Safeguarding Children and Looked After Children (Both of whom are the CCG's Domestic Abuse Champions)
or
- Human Resources; 0191 301 1300

Having raised the issue, it is vital that employees have the chance to think through all the available options and decide for themselves how they wish to handle matters. Therefore managers should pay considerable regard to the employee's views before deciding how to proceed. Managers should be able to advise the employee of available sources of support, including access to counselling, referral to appropriate agencies, involvement of the police etc. However, no referrals should be made on behalf of the employee without their express consent, unless there is a significant risk of extreme violence to the victim, their children need to be safeguarded, or the victim is a vulnerable adult. In these instances, managers should consult with the appropriate Safeguarding Children or Adult Lead for the CCG.

Individuals leaving a violent partner may face considerable financial hardship or have concerns about finding suitable accommodation for themselves and their family. They may also face an increased risk of violence because they are leaving their partner. Advice should be sought from the appropriate Safeguarding Lead as to what measures can be taken to help employees in these circumstances, which may include a referral into a Multi-Agency Risk Assessment Conference (MARAC)

Support and assistance need to be tailored to the individual employee's needs and the demands of the workplace. This recognises that individuals experiencing domestic abuse will have different needs at any one time and these needs can vary over time.

Details of the support services available, in respect of advice and referral to both men and women suffering domestic abuse (including Forced Marriage and Female Genital Mutilation) are included in Appendix 4

7.3 Support for line Managers

7.3.1 Identifying domestic abuse

Domestic abuse is unlikely to be disclosed easily by victims or perpetrators. There are a number of steps that can be taken to address the workplace effects of domestic abuse including how to recognise the problem, respond, provide support and refer to the appropriate help.

See appendix 2 - Ten steps to address the effects of domestic abuse

Guidance for line managers when facilitating a conversation with a member of staff about domestic abuse.

See appendix 3 - Asking difficult questions – Guidance for line managers

If line managers require further advice or assistance before speaking to a member of staff, further support is available from Human Resources (HR) Advisers/ managers or the Safeguarding Team.

7.3.2 Support available

Line managers may consider offering a broad range of support to staff experiencing domestic abuse including:

- a. Annual leave, flexi-time or lieu time for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments.
- b. Special leave provisions (e.g. compassionate leave or unpaid leave) where the officer or member of staff's annual leave entitlement has been exhausted.
- c. Temporary or permanent changes to working times and patterns using existing procedures i.e. flexible working.
- d. Changes to specific duties, for example to avoid potential contact with the perpetrator in a customer facing role.
- e. Measures to ensure a safe working environment, for example blocking emails / screening telephone calls; alerting reception / security if the perpetrator is known to come to the workplace; and ensuring arrangements are in place for safely travelling to and from work.
- f. Redeployment or relocation.
- g. With the member of staff's consent:
 - i. advise colleagues on a need-to-know basis and agree a response if the perpetrator contacts the workplace.
 - ii. provide a photograph of the perpetrator to line management, security staff and reception.
- h. Review the security of personal information held, such as temporary or new address and bank details.

The right of staff to make their own decision about the course of action at every stage will be respected. It is recognised that a member of staff may need some time to decide what to do and may try different options during this process.

8. Perpetrators

Domestic abuse perpetrated by staff **will not** be condoned under any circumstance nor will it be treated as a purely private matter. Staff should be aware that domestic abuse is a serious matter which can lead to criminal convictions. Conduct outside of work (whether or not it leads to a criminal conviction) may lead to disciplinary action being taken against a member of staff; as such conduct may undermine the confidence and trust the organisation has in them. However, South Tees CCG recognises that it has a role in encouraging and supporting perpetrators to address violent and abusive behaviour of all kinds.

Note: If an employee receives a conviction, caution, reprimand or any warning from the police, they must immediately disclose this to their manager and professional body (where applicable). The manager must refer to the South Tees CCG Managing Allegations against a Person in a Position of Trust Policy

8.1 Managers' Responsibilities

Where a manager becomes aware of such conduct, advice should be sought from the CCG's Designated Nurse for Safeguarding Children or the Head of Quality and Adult Safeguarding who are responsible for dealing with allegations against workers and volunteers in contact with children and vulnerable adults (contact details in Appendix 4). This is because of the potential implications of the allegation for the employee's suitability in their role. There should be a thorough investigation of facts, and consideration given as to whether the conduct is sufficiently serious to warrant instituting the organisations disciplinary procedures.

Factors to take into account when considering disciplinary action include:

- the nature of the conduct;
- job role – such conduct may make certain job duties (e.g. working with vulnerable adults, children and young people) inappropriate
- seniority – the level and areas of responsibility held by the employee

If a member of staff discloses perpetrating domestic abuse, the police should be informed as well as the HR Adviser/ Manager so that the disciplinary or other internal procedures can be considered. However, the member of staff will be provided with information about the services and support available to them.

This procedure can be applicable in cases where a member of staff has:

- Behaved in a way that has harmed or threatened their partner
- Possibly committed a criminal offence against their partner
- Had an allegation of domestic abuse made against them
- Disclosed concerns about their behaviour within an intimate relationship.

South Tees CCG will ensure:

- Allegations will be dealt with fairly and in way that provides support for the person who is the subject of the allegation or disclosure
- All staff will receive guidance and support
- Investigations will be sufficiently independent.

The accused member of staff will be:

- Treated fairly and honestly
- Helped to understand the concerns expressed and processes involved
- Kept informed of the progress and outcome of any investigation and the implications for any disciplinary process

9. Victims and perpetrators working for South Tees CCG

In cases where both the victim and perpetrator of domestic abuse work for South Tees CCG appropriate action will be taken.

In addition to considering disciplinary action against the perpetrator, action may need to be taken to ensure that the victim and perpetrator do not come into contact in the workplace.

Action may also need to be taken to minimise the potential for the perpetrator to use their position or work resources to find out details about the whereabouts of the victim. This may include a change of duties or withdrawing the perpetrators access to certain computer programs. Further advice can be sought from the HR Advisers/ Manager.

10. Implementation

This policy will be available to all Staff for use in relation to the specific function of the policy.

All directors and managers are responsible for ensuring that relevant staff within their own directorates and departments have read and understood this document and are competent to carry out their duties in accordance with the procedures described.

It may be necessary to develop specific implementation plans.

11. Training Implications

Employees' awareness of the safeguarding issues and responsibilities within this policy will be undertaken through both Safeguarding Induction and mandatory training.

Managers must ensure that employees are made aware of this policy, their role and responsibilities during their induction.

12. Related Documents

12.1 Other related policy documents

- www.safeguardingdurhamadults.info/SiteCollectionDocuments/Safeguarding-Adults-Policies-and-Procedures.
- Managing Allegations Against Staff Policy and Procedures (NDCCG 2016)
- Safeguarding Vulnerable People in the NHS: Accountability and Assurance Framework (NHS England, 2015)
- The Care Act (2014).
- Working Together to Safeguard Children and Young People (2015, page 54) www.unison.org.uk/welfare

12.2 Legislation and statutory requirements

- Children Acts (1989 and 2004),
- Family Law ACT 1996 (amended in Part 1 of the Domestic Violence Crime and Victims Act 2004), Protection from Harassment Act 1997
- Health and Safety at Work etc. Act 1974 (the “1974 Act”). Management of Health and Safety at Work Regulations 1999 (the 1999 Regulations). Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. Health and Safety (Consultation with Employees) Regulations 1996.

13. Monitoring, Review and Archiving

13.1 Monitoring

The Governance and Risk Committee will agree a method for monitoring the dissemination and implementation of this policy. Monitoring information will be recorded in the policy database.

13.2 Review

The Governance and Risk Committee will ensure that this policy document is reviewed in accordance with the timescale specified at the time of approval. No policy or procedure will remain operational for a period exceeding three years without a review taking place.

Staff who become aware of any change which may affect a policy should advise their line manager as soon as possible. The Governance and Risk Committee will then consider the need to review the policy or procedure outside of the agreed timescale for revision

For ease of reference for reviewers or approval bodies, changes should be noted in the ‘document history’ table on the front page of this document. (This paragraph to be included in all policies)

Please note if the review consists of a change to an appendix or procedure document, approval may be given by the sponsor director and a revised document may be issued. Review to the main body of the policy must always follow the original approval process.

13.3 Archiving

The Governance and Risk Committee will ensure that archived copies of superseded policy documents are retained in accordance with Records Management: Code of Practice for Health and Social Care 2016.

14. Equality Analysis

A full Equality Impact Assessment has been completed;



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Equality Impact Assessment

Introduction - Equality Impact Assessment

An Equality Impact Assessment (EIA) is a process of analysing a new or existing service, policy or process. The aim is to identify what is the (likely) effect of implementation for different groups within the community (including patients, public and staff).

We need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

This is the law. In simple terms it means thinking about how some people might be excluded from what we are offering.

The way in which we organise things, or the assumptions we make, may mean that they cannot join in or if they do, it will not really work for them.

It's good practice to think of all reasons why people may be excluded, not just the ones covered by the law. Think about people who may be suffering from socio-economic deprivation or the challenges facing carers for example.

This will not only ensure legal compliance, but also help to ensure that services best support the healthcare needs of the local population.

Think of it as simply providing great customer service to everyone.

As a manager or someone who is involved in a service, policy, or process development, you are required to complete an Equality Impact Assessment using this toolkit.

Policy	A written statement of intent describing the broad approach or course of action the Trust is taking with a particular service or issue.
Service	A system or organisation that provides for a public need.
Process	Any of a group of related actions contributing to a larger action.



STEP 1 - EVIDENCE GATHERING

Name of person completing EIA:	Melanie Hesketh, NHS North Durham CCG.
Title of service/policy/process:	Domestic abuse and the workplace policy
Existing: <input type="checkbox"/> New/proposed: <input checked="" type="checkbox"/> Changed: <input type="checkbox"/>	
What are the intended outcomes of this policy/service/process? Include outline of objectives and aims	
The purpose of the policy is to provide internal assistance for staff who are victims of domestic abuse and provide advice and guidance to any manager who may be concerned that their staff are affected by domestic abuse	
Who will be affected by this policy/service /process? (please tick)	
<input type="checkbox"/> Consultants <input type="checkbox"/> Nurses <input type="checkbox"/> Doctors <input checked="" type="checkbox"/> Staff members <input type="checkbox"/> Patients <input type="checkbox"/> Public <input type="checkbox"/> Other	
If other please state:	
<hr/>	
What is your source of feedback/existing evidence? (please tick)	
<input type="checkbox"/> National Reports <input type="checkbox"/> Internal Audits <input type="checkbox"/> Patient Surveys <input type="checkbox"/> Staff Surveys <input type="checkbox"/> Complaints/Incidents <input type="checkbox"/> Focus Groups <input type="checkbox"/> Stakeholder groups <input checked="" type="checkbox"/> Previous EIAs <input type="checkbox"/> Other	
If other please state:	

Evidence	What does it tell me? (about the existing service/policy/process? Is there anything suggest there may be challenges when designing something new?)
National Reports	
Patient Surveys	
Staff Surveys	
Complaints and Incidents	
Results of consultations with different stakeholder groups – staff/local community groups	Policy adopted from County Durham Police “domestic violence and the workplace policy 2015”
Focus Groups	Safeguarding leads and Designated Safeguarding Adults nurse County Durham and Darlington CCG. Safeguarding adults lead GP Director of Nursing North Durham and DDES CCG
Other evidence (please describe)	



STEP 2 - IMPACT ASSESSMENT

What impact will the new policy/system/process have on the following: (Please refer to the 'EIA Impact Questions to Ask' document for reference)

Age A person belonging to a particular age

Domestic abuse is recognised as occurring between adults (persons over age of 18) however the definition has been changed to raise the awareness that young people 16 to 17 can be victims of domestic abuse. It is recognised that it impacts upon health, development and well-being of children.

Policy users are directed to consider the Safeguarding children and safeguarding adults policies to ensure correct appropriate action is considered/taken.

Recent survey commissioned by Against Elder Abuse identified that annually 340.00 persons aged 66years plus will be subject to abuse within the UK.

Disability A person who has a physical or mental impairment, which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities

A vulnerable adult who is reliant on care being provided by an intimate partner or family member is at greater risk of being subjected to domestic abuse.

Gender reassignment (including transgender) Medical term for what transgender people often call gender-confirmation surgery; surgery to bring the primary and secondary sex characteristics of a transgender person's body into alignment with his or her internal self perception.

Women aged 19-44 years are at greater risk of being victims of domestic abuse, in the UK 1 in 4 women and 1 in 6 males deemed as adults will be subjected to domestic abuse in their lifetime. These statistics will also reflect incidents of abuse that occur in same sex relationships, where the dominant partner is seeking to control the other. The policy is non-gender specific.

Marriage and civil partnership Marriage is defined as a union of a man and a woman (or, in some jurisdictions, two people of the same sex) as partners in a relationship. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters

Domestic abuse occurs within intimate relationships and includes abuse which occurs in recognised forma of marriage or civil partnerships.

Pregnancy and maternity Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context.

These circumstances present as a greater risk of domestic abuse. Policy users should recognise the need to follow DASH risk assessment /MARAC processes.

Race It refers to a group of people defined by their race, colour, and nationality, ethnic or national origins, including travelling communities.

Certain ethnic minority groups have been identified as being at particular risk of being subjected to domestic abuse or have difficulty in accessing services.

Policy users should ensure that they avoid making assumptions and stereotyping and to treat staff according to their needs

Religion or belief Religion is defined as a particular system of faith and worship but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Policy users should be respectful of any cultural or religious belief when dealing with the victim and or the perpetrator, for example having female staff available for female victims.

Victims can be coerced into situations such as forced marriage due to their family's cultural or religious beliefs. Some aspects of certain cultures are motivated by religious beliefs as in the case of Female Genital Mutilation ,which although routinely accepted in certain cultures is a criminal offence within the UK.

Sex/Gender A man or a woman.

This policy recognises that domestic abuse is not gender specific. Statistics show that 7.1%of women and 4.4% of men were estimated to have experienced domestic abuse in the years 2012/2013.

Sexual orientation Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

The response to an incident of domestic abuse should be the same irrespective of the Sexual orientation of victims.

Carers A family member or paid helper who regularly looks after a child or a sick, elderly, or disabled person

It is accepted that domestic abuse does occur across the spectrum of society irrespective of status of the person concerned.

Other identified groups such as deprived socio-economic groups, substance/alcohol abuse and sex workers



STEP 3 - ENGAGEMENT AND INVOLVEMENT

How have you engaged stakeholders in testing the policy or process proposals including the impact on protected characteristics?

The policy has been adopted from the Durham Constabulary Domestic abuse in the workplace policy 2015 therefore the impact on protected characteristics has already been assessed.

Please list the stakeholders engaged:

- Director of Nursing North Durham and DDES CCG'S
- Designated safeguarding adults nurse County Durham and Darlington CCG
- Safeguarding Adults GP DDES CCG



STEP 4 - METHODS OF COMMUNICATION

What methods of communication do you plan to use to inform service users of the policy?

- Verbal – stakeholder groups/meetings Verbal - Telephone
 Written – Letter Written – Leaflets/guidance booklets
 Email Internet Other

If other please state:

ACCESSIBLE INFORMATION STANDARD

The Accessible Information Standard directs and defines a specific, consistent approach to identifying, recording, flagging, sharing and meeting the information and communication support needs of service users.

Tick to confirm you have you considered an agreed process for:

- Sending out correspondence in alternative formats.
 Sending out correspondence in alternative languages.
 Producing / obtaining information in alternative formats.
 Arranging / booking professional communication support.
 Booking / arranging longer appointments for patients / service users with communication needs.

If any of the above have not been considered, please state the reason:



STEP 5 - SUMMARY OF POTENTIAL CHALLENGES

Having considered the potential impact on the people accessing the service, policy or process please summarise the areas have been identified as needing action to avoid discrimination.

Potential Challenge	What problems/issues may this cause?
1. Training needs for staff who manage staff who may experience domestic abuse	Staff who are not appropriately trained in safeguarding adults/children and domestic abuse may not have a required understanding of the issues and how they should be managed/supported. Staff should have completed mandatory training and additional training where required.



STEP 6- ACTION PLAN

Ref no.	Potential Challenge/ Negative Impact	Protected Group Impacted (Age, Race etc)	Action(s) required	Expected Outcome	Owner	Timescale/ Completion date
1	Training issue for manager	All staff	Staff should comply with mandatory training requirements for their role	Staff who are updated in their training at the appropriate level would have updated knowledge and skills	CCG	As per mandatory requirement

Ref no.	Who have you consulted with for a solution? (users, other services, etc)	Person/ People to inform	How will you monitor and review whether the action is effective?
1	Safeguarding leads Domestic violence in the workplace Champions	CCG	Mandatory training



SIGN OFF

Completed by:	Melanie Hesketh, NHS North Durham CCG
Date:	4.2.16 (Still relevant)
Signed:	
Presented to: (appropriate committee)	Governance & Risk Committee (South Tees CCG). Policy was adopted from NHS North Durham CCG and Durham Constabulary Domestic abuse in the workplace policy 2015
Publication date:	July 2018 (Still relevant)

Types of Abuse

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependant 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.

Emotional and psychological

Emotional or psychological abuse can be either verbal or nonverbal.

This kind of domestic abuse chips away at the confidence and independence of the victim to make them compliant and limit their ability to leave their abuser.

Emotional abuse can include verbal abuse such as yelling, name-calling, blaming and shaming, isolation, intimidation, threats of violence and controlling behaviour.

Physical

A wide range of different behaviour can come under the heading of physical abuse and can include punching, slapping, hitting, biting, pinching, kicking, pulling hair out, pushing, shoving, burning and strangling.

Sexual

Rape and sexual abuse is common in abusive relationships due to the victim's refusal of consent being ignored.

Any situation where someone is forced to take part in unwanted, unsafe or degrading sexual activity is sexual abuse.

Financial

Economic or financial abuse limits the victim's ability to get help.

The abuser controls finances; withholds money or credit cards; makes someone unreasonably account for the money they spend; exploits assets; withholds basic necessities; prevents someone from working or sabotages the victim's job and deliberately runs up debts.

Ten steps to address the effects of domestic abuse

There are a number of steps that line managers can take to address the effects of domestic abuse. In many cases it is about being aware and signposting to the organisations that provide specialist support.

Below are ten steps that can be taken:

Recognise the problem

1. Look for sudden changes in behaviour and / or changes in the quality of work performance for unexplained reasons despite a previously strong record.
2. Look for changes in the way the member of staff dresses, for example excessive clothing on hot days, changes in the amount of make-up worn.

Respond

3. Believe a member of staff if they disclose experiencing domestic abuse – do not ask for proof.
4. Reassure the member of staff that the organisation has an understanding of how domestic abuse may affect their work performance and the support that can be offered.

Provide support

5. Divert phone calls and email messages and look to change a phone extension if a member of staff is receiving harassing calls.
6. Agree with the member of staff what to tell colleagues and how they should respond if their ex/partner telephones or visits the workplace.
7. Ensure the member of staff does not work alone or in an isolated area and check that they have arrangements for getting safely to and from work.
8. Keep a record of any incidents of abuse in the workplace, including persistent telephone calls, emails or visits to the workplace.
9. Provide access to supportive literature i.e. leaflets and posters. Ensure these are placed in discrete locations e.g. putting up posters on the backs of toilet doors.
10. Have a list of the support services offered in your area that is easily accessible and refer staff to appropriate organisations that deal with domestic abuse.

Asking difficult questions – guidance for line managers

If you suspect that a member of staff is experiencing domestic abuse, you should facilitate a conversation to discuss this and identify / implement appropriate support. Shying away from the subject can perpetuate fear of stigma and increase feelings of anxiety. Often staff will not feel confident in speaking up, so making the first move to begin a conversation can be key.

You should ask the member of staff indirect questions, to help establish a relationship and develop empathy. Below are some examples of questions that could be used:

- How are you doing at the moment? Are there any issues you would like to discuss with me?
- I have noticed recently that you are not yourself. Is anything the matter?
- Are there any problems or reasons that may be contributing to your frequent sickness absence / under-performance at work?
- Is everything all right at home?
- What support do you think might help? What would you like to happen? How?

Avoid victim blaming. It is important that you are able to provide a **non-judgemental** and **supportive** environment. Respecting boundaries and privacy is essential.

Even if you disagree with the decisions being made regarding a member of staff'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.

Your role is not to deal with the abuse itself but to make it clear that members of staff will be supported and outline what help is available.

Domestic Abuse; External Contacts

There are many local support groups that can offer further advice and practical guidance on domestic abuse:

My Sisters Place:

123 Borough Road

Middlesbrough

TS1 3AN

Tel: 01642 241864

Fax: 01642 224812

hello@mysistersplace.co.uk

National Domestic Abuse Helpline

Tel: 0808 2000 247

Broken Rainbow

Tel: 0845 260 5560

Mail: mail@brokenrainbow.org.uk

Women's Aid

Tel: 0808 2000 247

Men's Advice Line

Tel: 0808 801 0327

Email: info@mensadviceline.org.uk

Respect

Helpline for Domestic Violence Perpetrators

Tel: 0808 802 4040

Email: info@respectphoneline.org.uk

Police

Choice – regional helpline if you or someone you know is being forced into a marriage or is a victim of honour based violence

0800 5 999 365

NSPCC Female Genital Mutilation (FGM) Helpline

0800 028 3550

Halo Project – Honour Based Violence and Forced Marriage Helpline

01642 683045

Safeguarding Contact Details

Name	Contact Details
South Tees CCG Safeguarding Team	
Designated Nurse Safeguarding Children	01642 263030
Head of Quality and Adult Safeguarding	01642 263030
Stockton on Tees First Contact:	
Children	01429 284284
Adults	01642 527764
Out of Hours	01642 524 552
Hartlepool First Contact:	
Children	01429 284284
Adults	01429 523390
Out of Hours	01642 524 552
Middlesbrough First Contact:	
Children	01642 726004
Adults	01642 065070
Out of Hours	01642 524 552
Redcar & Cleveland First Contact	
Children	01642 771500
Adults	01642 065070
Out of Hours	01642 524 552