

# Domestic Abuse Policy

## DOCUMENT CONTROL

<b>Organisation(s)</b>	Cherwell District Council (CDC)
<b>Policy title</b>	Domestic Abuse Policy
<b>Owner</b>	Human Resources
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## DOCUMENT APPROVALS

This document requires the following committee approvals:

<b>Committee</b>	<b>Date of meeting pending approval</b>
<b>CDC</b> Personnel Committee	9 July 2024

## DOCUMENT DISTRIBUTION

This document will be distributed to all employees of Cherwell District Council.

## DATE FOR REVIEW

No later than 09 July 2027 but sooner if impacted by legislative changes.

## REVISION HISTORY

<b>Version</b>	<b>Revision date</b>	<b>Summary of revision</b>
1.0	09 July 2024	Introduction of policy

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## 1 Introduction

- 1.1 Domestic abuse can happen to anyone, regardless of age, background, gender, religion, sexuality, or ethnicity. Cherwell District Council is committed to developing a workplace culture that recognises that some employees may be experiencing domestic abuse, and that the workplace should be a place of safety.
- 1.2 This policy aims to ensure that all employees know where to seek help and support if they, or a colleague, are affected by domestic abuse.
- 1.3 This policy seeks to benefit the welfare of individual employees and challenge abusive behaviours. It is the Council's expectation that managers will show empathy and understanding with victims or survivors of domestic abuse.
- 1.4 This policy also covers the approach to be taken where there are concerns that an employee may be the perpetrator of the abuse. The Council is clear that domestic abuse is unacceptable.

## 2 Purpose and scope

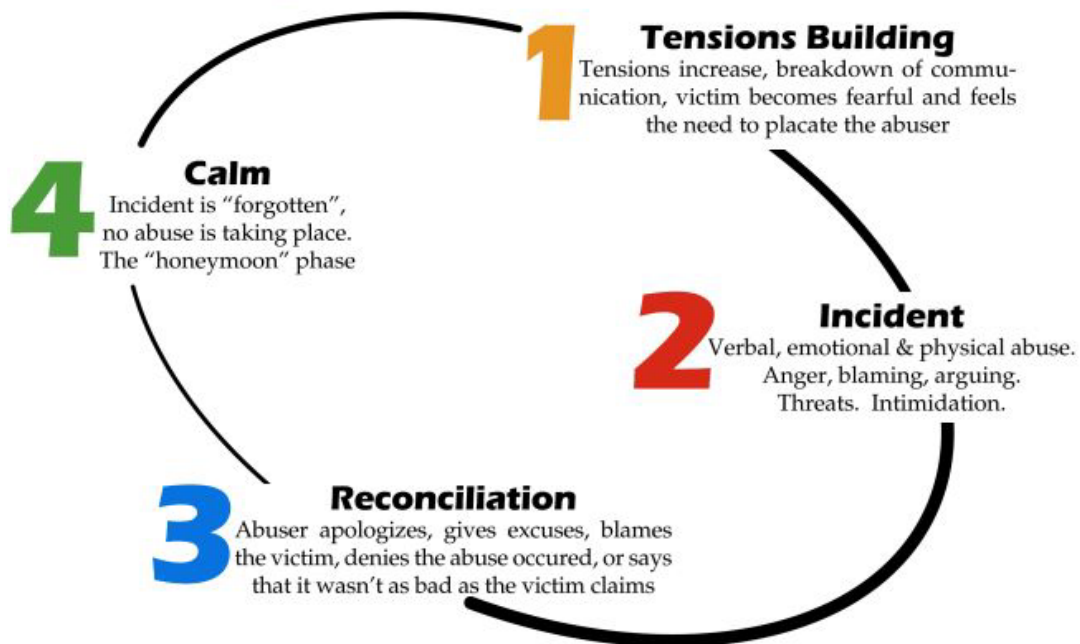
- 2.1 The purpose of this policy is to:
  - support employees experiencing domestic abuse
  - enable employees to remain productive and at work
  - aid managers seeking to help team members experiencing domestic abuse
  - assist colleagues of those experiencing domestic abuse
  - outline the approach to be taken where there are concerns that an employee may be a perpetrator of domestic abuse
- 2.2 This policy applies to all employees. The Council will also offer support to agency, contract workers and volunteers as far as is reasonably possible.

## 3 Definitions

- 3.1 **Domestic abuse** is defined as, *“Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence, or abuse between those aged 16 years or over who are or who have been intimate partners or family members, regardless of gender or sexuality. The abuse can encompass but is not limited to psychological, physical, sexual, financial, or emotional abuse.”* (Domestic Abuse Act 2021)
- 3.2 This definition includes stalking and so called ‘honour’ based violence, female genital mutilation and forced marriage otherwise known as Harmful Practices.
- 3.3 **Harmful practices** are a collective term for several different forms of abuse which all share a similar characteristic, that they are seen as acceptable practices within sections of society. Harmful practices can cover, amongst other forms of abuse, child marriage, forced marriage, female genital mutilation, breast flattening/ironing, hate crimes, child abuse linked to faith or belief and so called “honour-based” abuse.
- 3.4 **Female Genital Mutilation** refers to procedures that intentionally alter and cause injury to the female genital organs for non-medical reasons. It is classed as child abuse and leads to severe short and long term physical and psychological consequences and is illegal within the UK, as is taking a child abroad to undergo this practice.

- 3.5 **So called “Honour” Based Abuse** is an incident or crime involving violence, threats of violence, intimidation, coercion, or abuse (including psychological, physical, sexual, financial, or emotional abuse), which has or may have been committed to protect or defend the honour of an individual, family and or community for alleged or perceived breaches of the family and / or community’s code of behaviour. It can be distinguished from other forms of abuse as it is often committed with some degree of approval and / or collusion from family and/or community members.
- 3.6 Often, when people hear the term ‘domestic abuse’ they picture acts of physical violence, but there is also a more subtle form of behaviour that is equally harmful. Since 2015, the offence of coercive and controlling behaviour within a relationship has been illegal in England and Wales. While this abuse takes many forms, it typically involves manipulation, humiliation, intimidation, and isolation to control and instil fear in people who are harmed, leaving lasting effects.
- 3.7 **Controlling behaviour** is defined as a range of acts designed to make a person subordinate and/or 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.
- 3.8 **Coercive behaviour** is defined as 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.
- 3.9 **Stalking and Harassment** can be defined as persistent and unwanted attention that makes someone feel pestered and harassed. It includes behaviour that happens two or more times, directed at or towards the individual by another person, which causes them to feel alarmed or distressed or to fear that violence might be used against them.
- 3.10 Ultimately, domestic abuse is the abuse of power and control over one person by another.
- 3.11 Domestic abuse can result in lasting trauma for victims and their extended families, especially children and young people who may not see the abuse but may be aware of it or hear it occurring. The Domestic Abuse Act 2021 makes clear that children, irrespective of whether they are injured or see the offending, are deemed to be victims of domestic abuse if they live in an abusive household. The impact of domestic abuse can range from loss of self-esteem to loss of life.
- 3.12 It is important to recognise that both females and males can be subjected to domestic abuse from and by a current/ex-partner, their children (aged 16+) or a member of their family or people that they live with. Perpetrators can be either male or female.
- 3.13 Most abusive relationships display a distinct pattern. The cycle of abuse is a social cycle theory developed by Lenore E Walker.

# Cycle of Abuse



## 4 Victims of domestic abuse

4.1 There are ways in which a manager may become aware that an individual is being subject to domestic abuse. These may include:

- an employee may disclose domestic abuse directly to their manager or tell them something which makes them concerned for their safety.
- an employee may inform their manager that a colleague is suffering from domestic abuse.
- there may be obvious effects of physical abuse, or injuries that don't match the explanation given (it is important not to make assumptions).
- the situation may become known during discussions regarding a workplace concern such as sickness absence, timekeeping, drop in performance or a change in behaviour.
- there might be increased contact from a partner, ex-partner or family member to the employee during working hours.

4.2 Possible signs of domestic abuse include:

- Receiving repeated calls, texts, emails, or visits to the workplace
- A change in appearance, behaviour or demeanour
- Unexplained bruises / injuries, or wearing clothes that cover their body
- Avoiding lunch breaks or socialising outside of work
- Loss of self-esteem or confidence, or becoming withdrawn
- Increased absenteeism

- Alcohol or substance misuse
- Financial hardship / not having control over their money
- Changes in quality of work for no explained reason
- Reluctance for video calls or partner is always in the background
- Seeming nervous of their partner's reaction to things they've done.

4.3 This is not an exhaustive list, and it is important to understand that any of the above may arise from a range of circumstances of which domestic abuse may be one.

## **5 Confidentiality and right to privacy**

5.1 The Council encourages employees at risk from domestic abuse to disclose this so that they can receive support.

5.2 The Council respects an employee's right to privacy should they make a disclosure and recognises the importance of maintaining confidentiality to protect the safety of an employee and any associated children or adults who may be experiencing domestic abuse. However, in certain circumstances including those of child protection or the protection of adults at risk from abuse, relevant safeguarding authorities may need to be informed. Complete confidentiality therefore cannot be guaranteed in these situations.

5.3 If it is necessary to disclose certain information the manager will discuss with the employee, the reasons why. Information will only be disclosed on a need-to-know basis and will be proportionate. Any decision to disclose without consent (if an employee is at serious risk of injury or death, or a child or other adult is at risk of significant harm) should be documented.

5.4 Employees can be assured that the information they provide will not be shared with colleagues without their agreement. In some cases, it may be advisable to share some information with colleagues, for example, it may be helpful for colleagues to know how to respond in cases where the alleged perpetrator of the abuse tries to contact the employee at work.

5.5 All records concerning domestic abuse will be kept strictly confidential.

5.6 All incidents of violence or threatening behaviour, or breaches of security in the workplace, should be recorded via a See it – Report it (SIRI) form.

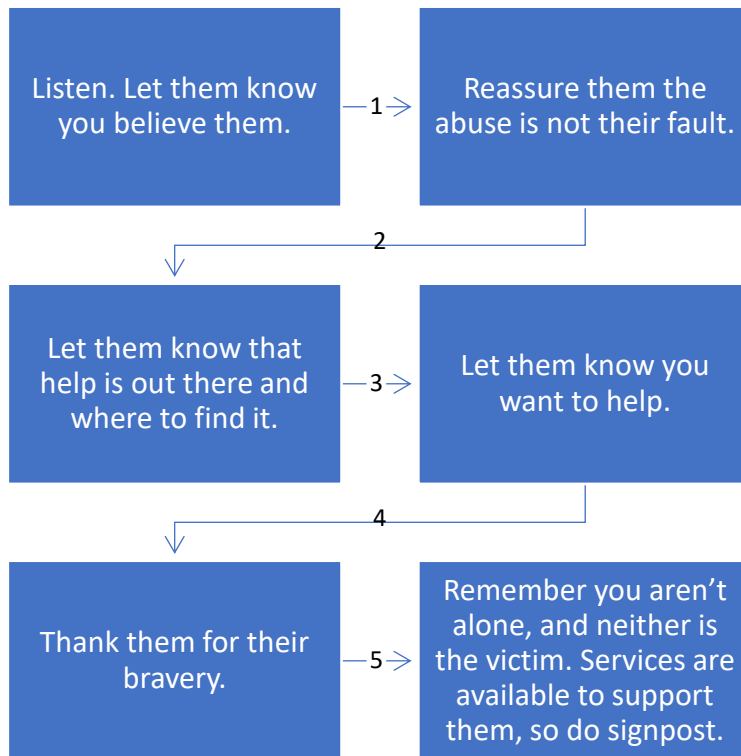
## **6 Internal support**

6.1 Support is available to employees involved in domestic abuse through:

- line managers
- the Deputy Designated Safeguarding Lead
- the Domestic Abuse Co-ordinator
- Human Resources
- domestic abuse champions
- Trade Union representatives

Employees are encouraged to seek support from their line manager in the first instance however it is recognised that an employee may be more comfortable seeking support from other sources.

- 6.2 If you suspect that an employee is experiencing domestic abuse, you should facilitate a conversation to discuss this and identify / implement appropriate support. Often employees will not feel confident in speaking up, so making the first move to begin a conversation can be key.
- 6.3 Always have the conversation face to face. Make sure you are in a safe space, won't be interrupted or overheard and have enough time to chat. Approach the subject with kindness and concern. A good starting point might be to mention things you have noticed in their behaviour, or that of the potential abuser.
- 6.4 In supporting the employee, the manager should:



- 6.5 It should be recognised that the employee may need some time to decide what to do and may try many different options during this process.
- 6.6 The Employee Assistance Programme should also be signposted.

**Heath Assured** is a confidential counselling and information service available 24/7 to assist employees and their immediate family members with personal or work-related problems. Through Wisdom employees can access a range of instant features to aid physical and mental health and wellbeing.

- ✓ Telephone line, **0800 030 5182**, open 24 hours a day, 365 days a year
- ✓ [Wisdom](#) portal / smartphone app, access using code **MHA222473**

## 7 External support



## 7.1 External sources of help include:

- **Oxfordshire Domestic Abuse Services** (tel. 0800 731 0055) for those living in Oxfordshire who are suffering from domestic abuse.
- **Victims first** (tel. 0300 1234 148) for emotional and practical support for victims and witnesses of crime.
- **Domestic Violence Assist** (tel. 0800 195 8699) for support with non-molestation, prohibited steps and occupation orders.
- **National Domestic Violence Helpline** (tel. 0808 2000 247) for assistance with refuge accommodation and advice.
- **ManKind Initiative** (tel. 0808 800 1170) for male victims of domestic abuse.
- **Karma Nirvana** (tel. 0800 5999247) for advice on forced marriage and 'honour' based violence.
- **Broken Rainbow** (tel. 08452 604460) for LGBT victims of domestic abuse.
- **Respect** (tel. 0808 8024040) offering support for perpetrators of domestic abuse.
- **ASK ANI** is a codeword scheme that enables victims of domestic abuse to discreetly ask for immediate help in Boots and other independent pharmacies.
- **Bright Sky** is a free app providing support and information to anyone who may be in an abusive relationship or those concerned about someone they know.

## 8 Line managers' role

8.1 Managers have a crucial role to play in enabling employees experiencing domestic abuse to seek help.

8.2 All managers have a responsibility to:

- be aware of this policy and be able to apply it when they suspect or have identified an employee who may be suffering from domestic abuse.
- understand it can be difficult to make a disclosure and make it clear that the employee will be supported.
- prioritise safety over work efficiency.
- seek support from colleagues listed at 6.1 as required to determine the best source of help and support for the employee.
- report anything that raises concern via a See it – Report it (SIRI) form.

## 9 Attendance

9.1 Where domestic abuse has been reported managers, with guidance from Human Resources, should be flexible with unplanned absences and timekeeping.

9.2 Managers may offer employees experiencing domestic abuse flexibility to attend relevant appointments, including those with support agencies, solicitors and court.

## **10 Perpetrators of domestic abuse**

- 10.1 Any allegation of involvement in domestic abuse should be reported promptly via a See it – Report it (SIRI) form where an assessment will be made on the most appropriate course of action. This may include referral to the police and/or the LADO (Local Authority Designated Officer).
- 10.2 Should an employee approach the Council about their abusive behaviour, information will be provided about the services and support available to them.
- 10.3 Employees are expected at all times to present high standards of personal integrity and conduct that will not reflect adversely on the Council and its reputation. In line with the Council's disciplinary policy and procedure it would therefore be considered gross misconduct if an employee were to be convicted of the physical violence, threat or assault of another person.
- 10.4 The Council is committed to ensuring that:
- all allegations and convictions of domestic abuse are dealt with fairly and proactively.
  - confidentiality is maintained and information restricted only to those who have a need to know.
  - all efforts are made to put support in place as quickly as possible.