

Domestic Abuse and Sexual Violence Policy



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1. Introduction

1.1 Herefordshire council recognises that domestic abuse and/or sexual violence prevention is central to improving health and well-being, whilst reducing serious crime and the harm caused by violent crime whilst safeguarding children and adults and promoting equality.

1.2 The council also recognises that some of its employees will be amongst those affected by domestic abuse and/or sexual violence; for example as a survivor, an individual who is currently living with domestic abuse, someone who has been impacted upon by domestic abuse and/or sexual violence or as an individual who perpetrates domestic abuse and/or sexual violence.

1.3 The council is committed to developing a workplace culture in which there is zero tolerance for abuse and is committed to ensuring that any employee who is the victim of domestic abuse has the right to raise the issue with their employer in the knowledge that they will receive appropriate support and assistance. This policy also covers the approach the council will take where there are concerns that an employee may be the perpetrator of domestic abuse and/or sexual violence.

1.4 Under the Health and Safety at Work Act 1974 employers have a duty to protect the health and safety of their employees. Herefordshire council is committed to supporting and assisting employees experiencing domestic abuse and/or sexual violence and whilst treating the matter effectively, sympathetically and confidentially.

1.5 This policy is aligned with the Equalities Act 2010 and ensures that all protected characteristics are fully addressed. These include, age, gender, sexual orientation, gender re-assignments, marriage or civil partnership, pregnancy/maternity, disability, race and religion/beliefs.

1.6 This policy covers all staff within the council and those contractors or agency staff who manage our staff, and those who the council may not have a legal responsibility for in respect of their employment contracts but have a moral obligation to support.

1.7 This policy covers all forms of 'gender based violence' in recognition that both men and women are victims of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation and also forced marriage.

1.8 Herefordshire council is proud to be a White Ribbon Accredited Organisation. The council committed to work together to end men's violence against women, improve organisational culture, safety and morale; and increase the knowledge and skills of our employees to address violence against women.

2. Definitions

2.1 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

2.2 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.

2.3 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.

2.4 Gender based violence means violence, threats of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation. This includes female genital mutilation (FGM) and forcing a person (physically or psychologically) to enter into a religious civil ceremony or marriage (whether or not legally binding)

2.5 Sexual violence is sexual exploitation, sexual harassment, or threats of violence of a sexual nature.

3. Aims and objectives

3.1 The core aims and objectives of this policy for dealing with domestic abuse and/or sexual violence are:

- Policy awareness – ensure all staff, including those employed in schools, are aware of the policy and its implications. This will include staff to have access to training and awareness raising as appropriate, as well as access to the policy in a variety of formats.
- Support – assist and support those staff who reach out for help in addressing problems from domestic abuse and/or sexual violence
- Increase disclosures – remove fears of stigmatisation for employees who have and are experiencing violence against women, domestic abuse and/or sexual abuse
- Confidentiality – ensure that staff who are seeking help are confident that their situation will be handled seriously, compassionately and confidentially by all those from whom they seek assistance

- **Perpetrators** – to assist in holding perpetrators to account and protect victims. Staff should be aware that misconduct inside and outside of work is viewed seriously and can lead to disciplinary action being taken. Domestic abuse, sexual violence and violence against women can lead to a criminal conviction. It may also be appropriate to support employees who are looking to address their behaviour.

4. Internal support

4.1 Staff experiencing or closely impacted by violence, domestic abuse and/or sexual violence should contact their line manager or a Mental Health First Aider who will keep all information shared with them confidential and will signpost to all the help and support that they can have access to.

4.2 West Mercia RASAC / Safer streets Herefordshire will provide support to staff experiencing violence against women, domestic abuse and/or sexual violence to either the victim or the perpetrator

4.3 Staff will be granted up to 5 days paid leave to support with appointments with agencies, solicitors, re-arranging housing, changing childcare arrangements and for court appearances. These five days can be taken in half days. For part time workers, the five days will be pro-rated down and taken in hours. Any further leave required will be unpaid.

4.4 Consideration will be given to requests made to change working patterns to support staff on a temporary basis. This may be to be moved away from customer-facing positions, or phone calls being diverted to prevent the abused victim being targeted at work.

5. External support

4.1 External sources of help and support include agencies listed below; please see our [intranet page](#) for further resources and support available

- [Refuge](#) – The Freephone 24-hour National Domestic Abuse Helpline – 0808 2000 247. Calls are answered by fully trained female support worker and volunteers who will answer your call in confidence.
- [Women's Aid](#) – working together against domestic abuse until women and children are safe and to build a future where domestic abuse is not tolerated.
- [West Mercia Rape & Sexual Abuse Support Centre](#) – Available for anyone who has been affected by sexual violence at any time in their lives, supporting all ages, genders, faiths and their families.
- [West Mercia Women's Aid](#) – provides emotional and practical services for those whose lives have been affected by domestic abuse
- [Men's Advice Line](#) – Confidential helpline for men experiencing domestic violence
- [Mankind Initiative](#) – Helpline available for all men across the UK suffering from domestic abuse or violence

6. Manager's responsibilities

6.1 In supporting staff, a manager's responsibility is to:

- Be aware of and identify staff who may be experiencing difficulties as a result of domestic abuse or sexual violence (e.g. via supervision, PPDP, or by using an open management culture)
Some signs of domestic abuse could be:
 - Lateness or high absenteeism without sufficient explanation
 - Increased hours being worked without explanation
 - Excessive make up to disguise bruising or 'crying' eyes
 - Uncharacteristic depression, anxiety, irritability, distraction or problems with concentration
 - Repeated injuries, unexpected bruising or explanations that do not fit the injuries displayed.
- Manager's should provide support and signpost to support that is available
- Provide a copy of any existing orders against the abuser and a photograph of the abuser to any reception or security staff
- Review the employee's listed next of kin – the abuser or ex-partner may still be listed, if so, request the employee updates their information
- Protect confidentiality in all instances (except if there are concerns for child protection or concerns for vulnerable adults are raised. See Section 9)
- Enable the affected staff member to remain productive and at work during a difficult period in their domestic life.
- If a manager suspects that an employee is not using the entitlements of this policy, they should contact Human Resources for further guidance.

7. Disclosure

7.1 If the victim feels unable to approach their manager for help in the first instance, they may be comfortable to approach another manager, colleague, Mental Health First Aider, HR Advisor or trade union representative.

7.2 Anyone contacted in confidence for support should take a non-judgemental approach, and be prepared to listen, reassure and take seriously what is being disclosed.

7.3 In order for staff to be more able to identify signs of abuse and to increase disclosures, staff are encouraged to attend training. There will also be staff trained who will be in a position to recognise the signs of abuse, talk to the individual sensitively and respond quickly and effectively.

8. Employees responsibility

8.1 Employees need to disclose that they are at risk from violence against women, domestic abuse and/or sexual violence in order to protect their safety and security at work.

8.2 Should the perpetrator also be employed by the council, the [harassment and bullying guidance](#) may be referred to.

8.3 All employees should be aware of the signs of domestic abuse so they can offer assistance, support or guidance to any colleagues they identify as possible victims of such abuse. They should also report any such suspicions confidentially to their manager.

9. Confidentiality

9.1 Once a member of staff has confided in their manager that they are experiencing violence against women, domestic abuse and/or sexual violence the manager should reassure him/her that this information will remain confidential, as far as reasonably practical.

9.2 Confidentiality can only be broken in the following circumstances:

- With consent of the individual
- If disclosure is clearly in the victims best interest, but it is not possible or may have a significant effect if it is not disclosed
- It is required by law
- It will prevent a serious risk to themselves, public health and serious crime
- If a child or vulnerable adult is involved or at risk.

9.3 If a member of staff is referred to the Multi Agency Safeguarding Hub (MASH) or Multi Agency Risk Assessment Conference (MARAC) their information will be share with those partners that participate in the development of a safety plan. To participate in these activities these agencies must have committed to the relevant information sharing protocol.

10. Female Genital Mutilation (FGM)

10.1 FGM is illegal in the UK. It is illegal to take girls who are UK nationals or UK residents abroad for FGM whether or not it is lawful in that country.

Girls born in the UK may be at risk of FGM when they travel with their families to visit friends and relatives in countries where this practice is common.

Health and social care professionals have a [mandatory duty to report](#) known cases of FGM in under 18-year-olds to the police. They should also report suspected cases and individuals who are at risk of FGM, and follow safeguarding procedures for women 18 years and over who are affected.

Where possible, refer individuals who have experienced FGM to a [National FGM Support Clinic](#), or encourage self-referral and walk-in appointments

11. Policy Compliance

11.1 If following investigation it is found that this policy has been misused, the disciplinary procedure may be enforced.

12. Document Classification & version log

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