

**GUIDANCE FOR STAFF AND  
MANAGERS:**

**EMPLOYEES EXPERIENCING  
DOMESTIC ABUSE PROCEDURE**

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# 1 INTRODUCTION

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.

Due to the high prevalence of domestic violence across society, it is inevitable that some of our workforce is affected by domestic abuse. As an employer NHS Central Lancashire has a crucial role to play in providing these staff with the support they need and want.

This procedure therefore aims to give guidance to staff experiencing domestic abuse and to managers in supporting and assisting those individuals experiencing domestic abuse.

## 1.1 Purpose

- To ensure that **all** employees are aware of the organisations policy and supporting procedure for *employees experiencing domestic abuse* including its implications for employees who are perpetrating domestic abuse.
- To assist and support employees who ask for help in addressing domestic abuse.
- To provide guidance to managers on how to support and assist employees asking for help in addressing domestic abuse issues and how to deal with employees who are perpetrators of domestic abuse.
- To ensure that employees seeking assistance are confident their situation will be handled sympathetically and confidentially.

## 1.2 Scope

This guidance applies to all managers where they suspect or where they are asked for support by an employee who is experiencing domestic abuse.

The guidance also acts as a reference document for all employees as it outlines the support that is available for victims and perpetrators of domestic abuse.

## 1.3 Definition

The Government defines domestic abuse as “Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality”. This includes issues of concern to black and minority ethnic (BME) communities such as so called ‘honour violence’, female genital mutilation (FGM) and forced marriage.

An adult is defined as any person aged 18 years or over. Family members are defined as mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in laws or stepfamily.

Most domestic abuse is perpetrated by men against women and the main characteristic of domestic abuse is that the behaviour is intentional and is calculated to exercise power and control within a relationship.

This procedure refers to the victim/survivor as female and the perpetrator as male as this reflects the majority of cases, particularly where there are child protection concerns. However this guidance should be applied to all situations of domestic abuse as domestic abuse can be perpetrated by women against men, within same sex relationships, to or by a child/ young person or to a vulnerable adult by their carer.

Throughout this policy the term 'domestic violence' and 'domestic abuse' are used interchangeably

#### **1.4 Statement of Principles**

##### **Anti-discrimination**

Experiencing domestic abuse may directly impact on an individual's performance at work; there may be issues such as chronic absenteeism or lower productivity. When addressing performance and safety issues, NHS Central Lancashire will make reasonable efforts to consider all aspects of the employee's situation and/or safety issues.

##### **Providing support for employees**

Managers and HR will provide support and guidance to employees experiencing domestic abuse as outlined in section 3.

##### **False and malicious allegations**

If an employee is found to have made a false, malicious or vexatious allegation that another employee is perpetrating domestic abuse, which seeks to deliberately damage the reputation of that employee or NHS Central Lancashire as a whole, this will be treated as a serious disciplinary offence and disciplinary action may be taken in line with organisations disciplinary procedures.

## **2 A GUIDE FOR EMPLOYEES**

### **2.1 Anti-Discrimination**

NHS Central Lancashire will not discriminate against anyone, on the grounds that they are being/or have been subjected to domestic abuse, in terms of his or her existing employment or career development.

NHS Central Lancashire is aware that domestic abuse victims may have performance problems such as chronic absenteeism or lower productivity as a result of domestic abuse. When addressing performance and safety issues, the organisation will consider all disclosed aspects of the employee's situation and/or safety issues.

## 2.2 Absence Options for Employees Experiencing Domestic Abuse

If an employee needs to be absent from work due to domestic abuse, the length of absence will be determined by the individual's situation in collaboration with the employee, their manager and a Human Resources (HR) representative with reference to NHS Central Lancashire's Sickness and Absence policy.

## 2.3 Safety at Work

NHS Central Lancashire undertakes to ensure the safety of its employees. We will actively provide support to employees and try to minimise the risk to their safety and to that of their colleagues while at work, if they make it known to us that they are experiencing domestic abuse and fear that this may have an impact on their safety at work. Staff have the right to request to move to another workplace setting.

## 2.4 Providing Support for Employees

NHS Central Lancashire will make support available to employees affected by domestic abuse. Support will be provided through our managers (see section 3.2; 3.4), HR department, and via *First Assist*, who offer free confidential independent support for staff available 24 hrs a day.

# 3 GUIDANCE FOR MANAGER'S (INCLUDING HR)

This procedure should be read in conjunction with the Domestic Abuse Policy, and has been produced to assist managers and HR in responding appropriately to instances of domestic abuse.

## 3.1 Introduction

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, trades union representative, HR department or Occupational Health Department, who may make the initial contact with the individual's manager on their behalf.

## 3.2 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);

- 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 e.g. by calling **0808 2000 247, the Freephone National Domestic Violence Helpline**

### 3.3 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.

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 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. Other indicators may include:

- increased absenteeism or lateness;
- 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 / faxes / 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 appointment.

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 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 violence.

### **3.4 Provision of Support**

Having raised the issue, 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.

Details of the support services available, in respect of advice and referral to both men and women suffering domestic abuse, are included in section 5.

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.

Individuals leaving a violent partner may face considerable financial hardship or have concerns about finding suitable accommodation for themselves and their family. Advice should be sought from the Safeguarding Team about what appropriate measures can be taken to help employees in these circumstances.

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.

In addition to the immediate assistance and counselling referred to above, requests for time off from employees who are experiencing domestic abuse may be made in relation to:

- appointments with support agencies, welfare agencies and legal advisors;
- arrangements for re-housing;
- making arrangements for children and any other dependents where necessary, including schools;
- attending relevant court hearings.

These requests should be treated sympathetically and be subject to the same criteria that normally apply to special leave.

### **3.5 Ensuring Safety**

Managers should bear in mind that victims of domestic abuse may be targeted at the workplace, therefore, once a manager is made aware of domestic abuse the manager should discuss with the employee whether there is any risk to the employee whilst at work.

If the employee believes this to be the case, the manager should seek advice from the Local Security Management Specialist (see section 5 for contact details) in carrying out a risk assessment and taking action to minimise risks in the work place; in carrying out this risk assessment it will be necessary to consider the needs of the wider workforce. For example, additional security measures at the entrance to the building, interception of telephone calls etc.

Considerations should be given to temporary variations of hours or patterns of work as appropriate, to reflect safety concerns. Possible safety measures might include:

- Improving security measures, such as changing key pad numbers or ensuring that access to buildings is open to authorised staff only.
- Reminding reception staff or switchboard not to divulge information about employees, especially personal details such as addresses, telephone numbers or shift patterns. In the event of enquiries from other agencies, these should be responded to on a 'ring back' basis.
- Wherever practical, offering temporary or permanent changes in the workplace, work times and patterns, helping to make the employee less at risk at work and in their journeys to and from work. This could include changes to the office layout to ensure that the employee is not visible from reception points or from ground floor windows.
- Wherever practical, offering changes in specific duties, such as answering phones or working in reception area, or in exceptional circumstances, redeployment to another post if an alternative is not easily found.
- Agreeing what to tell colleagues and how they should respond if the abuser rings or calls at the workplace. Providing colleagues, including caretakers, porters, security staff with a photograph of the abuser and other relevant details such as car registration numbers may help them to maintain security in the workplace.
- Making sure that the systems for recording staff whereabouts during the day are adequate and if the work requires visits outside the office, considering if this poses any additional risks.
- Recording any incidents of harassment and /or violence in the workplace, including persistent phone calls, emails or visits, to an employee by their abusive partner/ex-partner. You should also note the details of any witnesses to these incidents. These records could be used if the employee wants to press charges or apply for an injunction against the alleged

perpetrator. In the event that the actions of an alleged perpetrator of domestic abuse impinge on the health and safety of staff within or near the workplace, then the employer could also apply for an injunction.

- Reference should also be made to NHS Central Lancashire's Security Policy and Lone Worker procedure.

### 3.6 Confidentiality

**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.**

Once an employee has confided to their manager that they are experiencing domestic abuse, the manager should reassure them that they will keep this information confidential as far as possible. Exceptions to this 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 their agencies designated lead for Safeguarding Children or where not available from Children's Social Care (see section 5 for contact details);
- Where there is a clear risk of serious harm to adults, including through the prevention, detection and prosecution of serious crime. In these instances the manager should seek further advice from the Police Domestic Violence Unit or Police Public Protection Unit (see section 5 for contact details);
- (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).

For further detailed guidance access *Information sharing: Guidance for practitioners and managers* (HM Government 2008) at:  
[www.everychildmatters.gov.uk/informationsharing](http://www.everychildmatters.gov.uk/informationsharing).

Managers have a duty to maintain a secure environment for all staff and this could be made easier if colleagues are aware of potential risks. However, it is essential that managers agree with the individual concerned what information to tell colleagues. Staff should be reminded that this information is confidential and any unauthorised breaches of this could be subject to disciplinary action being taken.

**Information with regard to home address or change in home address or telephone number of any employee should not be divulged to anyone without the express consent of the employee.**

## 4 EMPLOYEES WHO ARE PERPETRATORS OF DOMESTIC ABUSE

An employee who is a perpetrator of domestic abuse may approach their line manager about their own behaviour. The manager will provide information about services and support available and will encourage the perpetrator to seek help from an appropriate support.

*The Respect* phone line (0845 122 8069) provides information and advice to perpetrators of domestic abuse, to professionals and to the friends and family (including partners) of perpetrators. See [www.respect.uk.net](http://www.respect.uk.net)

Conduct outside of work (whether or not it leads to a criminal conviction) can lead to disciplinary action against an employee because of its employment implications and because it undermines the confidence the organisation (as an employer) has in the employee.

**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).

### 4.1 Managers Responsibilities

Where a manager becomes aware of such conduct, advice should be sought from the Senior Manager for dealing with allegations against workers and volunteers in contact with children (contact details in section 5) and HR. 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.

### 4.2 Harassment and Intimidation

Proven harassment and intimidation of an employee, by a partner or ex-partner who works for NHS Central Lancashire, will be viewed seriously and may lead to disciplinary action being taken.

## 5 CONTACT DETAILS

<p><b>NHS Central Lancashire</b>  <b>Safeguarding Children Team</b>          Tel: 01772777220 (Monday to Friday 9am – 5pm)</p> <p><b>Associate Director for Safeguarding</b>          Tel: 01772 644457 / 07879434008</p> <p><b>Local Security Management Specialist</b>          Tel: 01772 777127</p> <p><b>Designated Senior Manger for allegations against people who work with children</b>          Tel: 01772 777920</p>	<p><b>Police</b>  <b>Domestic Violence Unit</b>          Tel: 01772 209910 / 909 (Preston)          Tel: 01695 566336 / 329 (Chorley, South Ribble and West Lancs)</p> <p><b>PPU (Public Protection Unit)</b>          Tel: 01772 209904 / 05 Preston          Tel: 01695 566331 (Chorley and South Ribble and West Lancs)</p> <p><b>In case of an emergency dial 999</b></p>
<p><b>Local Domestic Violence Support Services</b>          (for information on available on refuges, counselling, outreach, IDVA etc)</p> <p><b>West Lancs</b>          Tel: 08081003062 (free phone)</p> <p><b>Preston</b>          Tel: 01772 201601</p> <p><b>Leyland</b>          Tel: 01772 435 157</p> <p><b>Chorley</b>          Tel: 01257260200</p>	<p><b>Lancashire County Council Social Care</b>  <b>Duty Social Worker</b>  <b>Tel: 08450530009 (Monday to Friday 8.45 am – 5pm)</b>  <b>Emergency Duty Team</b> (out of hours)          phone Tel: 0845 6021043</p> <p><b>Preston Victim Support</b>          Tel: 01772 201 142          practical and emotional support for victims of crime</p> <p><b>Domestic violence helpline</b>          Tel: 01925 220 542 (24hr for victims in North west)</p>
<p><b>National domestic violence helpline</b>          Tel: 0808 2000 247 (free 24 hr)</p>	<p><b>First Assist</b> (free confidential and independent support for staff available 24 hrs a day)          Tel: 0800716017</p>
<p><b>Men's Advice Line</b>          Tel: 0808 801 0327</p>	