



CITY OF
Lincoln
COUNCIL

Appendix A

Domestic Abuse Policy

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1. Purpose of this document

This Policy is to ensure that assistance is made available to any employee who is a victim of domestic abuse, or affected by nature of association via familial or co-worker connection.

The Policy outlines the support in place for staff and others, affected by Domestic Abuse issues, provides guidance for the management of such issues and details of support agencies.

The Council is committed to heightening awareness of domestic abuse and providing guidance for employees and management to address the occurrence of domestic abuse and its effects on the workplace.

The Council strives to create a working environment that promotes the view that violence and abuse against people is unacceptable. Any incident of violence or abuse that takes place on council premises must be reported.

A duty of care:

All employers have a duty of care and health and safety laws ensure workers have the right to work in a safe environment where risks to health and well-being are considered and dealt with efficiently.

There are four main areas of health and safety law relevant to violence at work:

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1992
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
- Health and Safety (Consultation with Employees) Regulations 1996.

The Council will not tolerate domestic abuse and is committed to responding sensitively and effectively to staff that require help and support and intends to make assistance available to employees affected by domestic abuse. This assistance may include:-

- Confidential and sensitive routes for accessing support in the workplace.
- Resource and referral information.
- Special considerations at the workplace for employee safety.
- Work schedule adjustments.
- Leave necessary to obtain medical, counselling or legal assistance and residential relocation.
- Offering temporary or permanent alteration to workplace, work times and patterns, helping to reduce the risk at work and on their journeys to and from work.
- Inform reception staff, switchboard or team members not to divulge information about colleagues, especially personal details such as addresses, telephone numbers or shift patterns
- Blocking e-mails / intercepting phone calls
- Carrying out a workplace risk assessment for both the individual and other employees
- Develop a mutually agreed plan which takes account of workplace safety.
- Respond appropriately to those who feel they are involved in contributing to difficulties in their intimate relationships.

In responding to domestic abuse, the Council will maintain appropriate confidentiality and respect for the rights of the employee involved. The Council will cooperate with any legal action taken by third parties against those perpetrating domestic abuse.

These guidelines apply to all employees equally, including those employed on fixed term contracts. Employees Seconded and other contractors will be expected to adhere to the standards required in this guidance. Issues relating to these individuals will be referred to the appropriate employer, where appropriate.

2. What is Domestic Abuse

The UK government's definition of Domestic Abuse is 'any incident or pattern of incidents of controlling, coercive, 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. The abuse can encompass, but is not limited to psychological, physical, sexual, financial, emotional.'

Domestic Abuse can take different forms, including:

physical abuse
sexual abuse
financial abuse
coercive control and gaslighting / emotional abuse
digital / online abuse
'honour-based' violence
forced marriage
female genital mutilation (FGM).

Characteristics of Domestic Abuse

Physical Abuse

Physical abuse does not always leave marks or cause permanent damage:

- Scratching, biting, grabbing or spitting.
 - Shoving and pushing.
 - Slapping and punching.
 - Throwing objects to hurt or intimidate you.
 - Destroying possessions or treasured objects.
 - Hurting or threatening to hurt your children and/or pets.
 - Poisoning and forced drug taking
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- Disrupting your sleeping patterns to make you feel exhausted.
 - Burning.
 - Strangling.
 - Attacking or threatening to attack with a weapon.
 - Any threats or actual attempts to kill you.

Emotional/Psychological Abuse

Emotional/psychological abuse is a behaviour your partner uses to control you or damage your emotional well-being. It can be verbal or non-verbal:

- Name-calling, mocking, intimidation and making humiliating remarks or gestures.
- Yelling in your face or standing in a menacing way.
- Manipulating your children.
- Telling you what to do or where you can and cannot go.
- Placing little value on what you say.
- Interrupting, changing topics, not listening or responding, and twisting your words.
- Putting you down in front of other people.
- Saying negative things about your friends and family.
- Preventing or making it difficult for you to see friends or relatives

- Cheating or being overly jealous.
- Shifting responsibility for abusive behaviour by blaming others or saying you caused it.
- Monitoring your phone calls, texts, car and computer use.

Economic/Financial Abuse

Economic/financial abuse happens when the abuser makes a victim entirely financially dependent on the abuser, with no power or say in the relationship:

- Forbidding the victim to work or attend school.
- Sabotaging employment opportunities by giving the victim a black eye or other visible injury prior to an important meeting.
- Jeopardizing employment by stalking or harassing the victim at the workplace.
- Denying access to a vehicle or damaging the vehicle so that the victim cannot get to work.
- Sabotaging educational opportunities by destroying class assignments.
- Withholding money or giving an allowance.
- Denying access to bank accounts.
- Hiding family assets.
- Running up debt in the victim's name.

Stalking and Harassment

Stalking and harassment can happen between strangers or in relationships, where the abusive partner or ex demands your time even after you make it clear you do not want contact:

- Making unwanted visits or sending you unwanted messages (voicemails, text messages, emails, etc.).
- Following you, including installing GPS tracking software on your car or cell phone without your knowledge or consent.
- Checking up on you constantly.
- Embarrassing you in public.
- Making you prove where you are
- Refusing to leave when asked.

Sexual Abuse:

- Sexual abuse does occur in committed relationships and marriages
- It may include revenge porn

3. Equality statement

The Council acknowledges that Domestic Abuse can occur in all areas of society. It is recognised, however, that some employees may face additional barriers and issues in seeking help because of their ethnic background, religion, age, sexual orientation, disability or gender which might make them feel particularly vulnerable when talking about their situation. Any employee training on the subject of Domestic Abuse will incorporate an appreciation of these issues and how to effectively manage them.

4. Confidentiality

The Council respects an employee's right to confidentiality and recognizes that employees experiencing domestic abuse normally have the right to confidentiality. However, in circumstances of child protection, the protection of vulnerable adults from abuse or criminal activity, information may need to be shared with other appropriate agencies. Reference should be made to the Safeguarding Policy and advice sought from the safeguarding lead.

4.1. Disclosures

Disclosures relating to domestic abuse should be treated confidentially unless:

- There are concerns about safeguarding children.
- There are concerns about safeguarding adults at risk.
- There is a direct threat to the health or safety of other employees.
- The employee agrees to sharing information as part of the support plan.

4.2. Anti-discrimination

The Council will not discriminate against anyone who has been subjected to domestic abuse, in terms of his or her existing employment or career development.

A record of the advice and support given in the workplace is confidentially recorded within the councils confidential recording system.

5. Domestic Abuse in the workplace

5.1. Victims

Employees who make it known to the Council that they are experiencing Domestic Abuse will be treated in a sympathetic and supportive manner. They will not be judged by other employees and will be supported to help themselves out of their abusive circumstances where they wish to leave, having due regard for their personal safety and that of their children, where applicable.

Employees can seek advice and support from their line manager, the Domestic Abuse or Safeguarding Lead or Human Resources. Trade Union representatives can provide advice and guidance on policy and employment related issues. Specific and specialist support will be provided through the Domestic Abuse and Safeguarding Lead.

Information on places of safety and Domestic Abuse can also be sought directly from the Housing Solutions Team who can also complete DASH assessments.

Employees who recognise or suspect that a colleague is living in an abusive situation at home should speak in confidence to their line manager or Human Resources, who will in turn seek advice from the Domestic Abuse or Safeguarding Lead and similarly, should colleagues report to the Domestic Abuse or Safeguarding Lead, advice will be sought from HR regarding any employment implications.

Employees should recognise that they are not counsellors and should be wary of promising more than they can deliver in terms of support. They should also consider their own wellbeing, as they may be putting themselves in danger if the abuser becomes aware of their support. Whilst confidentiality is key to supporting those who experience Domestic Abuse it may be necessary to ensure the safety of the victim to share information with partner agencies. Consent should always be sought however it be necessary to share information without consent where there are safeguarding concerns. Any such referrals will be discussed with the victim prior to being made.

5.2. Perpetrators

Where a manager is aware, (upon the offending being formally acknowledged by a court of law) that an employee is perpetrating Domestic Abuse, the matter should be discussed urgently with Human Resources.

The initial focus of any work conducted with perpetrators of Domestic Abuse will focus on additional support. Any such conduct may make certain job duties inappropriate and justify consideration for redeployment, and/or disciplinary action which could lead to dismissal. This applies particularly to those individuals who work with the public, with children or with vulnerable adults.

An individual cautioned or convicted of a criminal offence may be subject to the organisation's code of conduct policy and procedure. The Council also reserves the right to consider the use of this policy should an employee's activities outside of work (whether or not it leads to a criminal conviction) which may have an impact on their ability to perform the role for which they are employed and/or be considered to bring the organisation into disrepute. In some circumstances it may be deemed inappropriate for the individual to continue in his/her current role(s). In these circumstances the possibility of redeployment into an alternative role may be considered.

It may also be necessary to notify the Local Authority Designated Officer (LADO) The LADO is the person who should be notified when it has been alleged that a professional or volunteer who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates she or he may pose a risk of harm to children
- behaved or may have behaved in a way that indicated they may not be suitable to work with children

Information on how and when to report to the LADO can be sought from the Designated Safeguarding Lead.

The Council views the use of violence and abusive behaviour by an employee, wherever this occurs, as a breach of the organisation's code of conduct for disciplinary purposes.

Where appropriate, action may need to be taken to minimise the potential for perpetrators to use their position or work resources to find out details or the whereabouts of their partners. This may include a change of duties or withdrawing access to certain computer programmes.

The alleged perpetrator 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
- advised to contact their union or professional organisation.

If a colleague is found to be assisting an abuser in perpetrating the abuse, for example, by giving them access to facilities such as telephones, email or fax machines then they will be seen as having committed a disciplinary offence.

If it becomes evident that an employee has made a malicious allegation that another employee is perpetrating abuse then this will be treated as a disciplinary offence and action will be taken.

4.3 If the victim/survivor and the perpetrator work in the same organisation

In cases where both the victim/survivor and the perpetrator of Domestic Abuse work in the organisation, the Council will take appropriate action.

In addition to considering disciplinary action against the employee who is perpetrating the abuse, action may need to be taken to ensure that the victim/survivor 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/survivor. This may include a change of duties for one or both employees or withdrawing the perpetrator's access to certain computer programmes or offices.

However, it is also recognised that in certain circumstances, those experiencing and perpetrating domestic abuse in a relationship may choose to seek solutions jointly, and in such situations appropriate support should be given.

Any individual who is violent to or abusive of, their partner and who is concerned by this behaviour should seek support and help from an appropriate source

6. Support to Staff who are Victims of Domestic Abuse

The Council intends to make support available to employees affected by Domestic Abuse.

The Council can offer support through; our managers, human resources, Domestic Abuse Lead and occupational health. Support can include;

- Understanding the complex issues affecting those experiencing domestic abuse
- Undertake a DASH risk assessment and referral to MARAC for staff disclosing domestic abuse, this will be undertaken by a trained professional within the safeguarding team.
- Signposting to relevant domestic abuse services.
- Assist with safety planning.
- Supporting individuals to seek counselling
- Maintaining confidentiality (subject to the requirements of safeguarding children and adults)
- Responding in a sensitive and non-judgmental manner
- Discussing the specific steps that can be taken to help this person stay safe in the workplace
- Ensuring the employee is aware of the options available to them
- Encouraging the employee to seek the advice of other relevant agencies

7. Safety at work

The Council undertakes to promote the safety of its employees. The Council will actively provide support to employees to minimize the risk to their safety while at work, if they make it known to the Council that they are experiencing domestic abuse.

Risk assessments and bespoke arrangements may be put in place in view of identified risk associated with lone working, entering and leaving working environments during hours of darkness and/or in isolated locations.

Where a third party has set out legal requirements to protect those affected by Domestic Abuse, the Council will support these.

The Council will work closely with the Police and the individual affected by domestic abuse to implement a system of protection and support. The Council will give appropriate time to report breaches of legal requirements if they occur.

The Domestic Abuse Lead will be available to support this process in conjunction with the Safeguarding Lead and HR.

8. Roles and responsibilities

8.1. Managers and Team Leaders

Managers should appreciate how difficult it may be for an employee to discuss his/her personal circumstances and should always offer support in a non-judgemental fashion. They should also remember that, very often, signs of abuse will not be visible and that an individual may leave their abusive environment only to return again sometime in the future.

Where a line manager has significant suspicions (this may include the employee presenting with frequent injuries, or the staff member disclosing something concerning to the manager or colleagues) that an employee is experiencing domestic violence/abuse, they should contact Human Resources or the Domestic Abuse lead for advice or support. The council encourages professional curiosity however it is recognised that suspicions may arise which are not felt significant enough in order to enquire, in these cases advice can be sought from Human Resources or the Domestic Abuse lead. Any discussion about the employee's situation should take place in private and any questions should be asked with care and sensitivity. Employees should never be pressured into disclosing any personal information that they do not feel comfortable sharing.

Managers may consider implementing reasonable measures which would protect the safety of employees who are experiencing Domestic Abuse. Victims of Domestic Abuse will be believed upon making allegations and investigations will be launched alongside partner agencies. The Council will seek to implement any beneficial measures to support the employee whilst at work, for example they may benefit from a temporary change of hours or place of work. In some circumstances it may be appropriate to relocate or redeploy an employee as a supportive measure. The Domestic Abuse Lead will work with external agencies regarding any support needs outside of work.

Managers should offer ongoing support to employees who are experiencing Domestic Abuse including time off, for example, for counselling, visits to a solicitor or support agencies, for re-housing or re-organising childcare.

Employees who are experiencing Domestic Abuse may demonstrate poor punctuality, attendance, work performance and productivity. Managers should be aware that these factors may be symptoms of Domestic Abuse, and employee's individual circumstances will be discussed prior to instigating any disciplinary procedures.

Managers who wish to support an employee who is experiencing Domestic Abuse should contact Human Resources or the Domestic Abuse lead.

8.2. HR

First and foremost, the code of conduct and the councils policies make clear that all forms of abuse – including domestic abuse – are strictly prohibited.

These policies provide HR the power to take into account matters outside the workplace, stressing that Domestic Abuse may result in:

- disciplinary action, including dismissal
- notification to the police
- notification to any regulators or professional associations where relevant, and
- in some cases, injunctions preventing entry into the organisation.

However, not all cases may result in disciplinary sanctions.

In some situations, a Domestic Abuse perpetrator may voluntarily seek help from HR, who can provide support without this meaning that HR are condoning the abuse.

Perpetrators may benefit from professional help if they have a genuine wish to change their behaviour, and there are external organisations who specialise in supporting these individuals.

In such circumstances, HR can consider a package of support – including access to specialist services or time off for counselling – after conducting a clear risk assessment of the situation and taking advice if needed from specialist services.

There may be circumstances in which disciplinary action for misconduct outside of the workplace is appropriate, most notably when the employee's actions risk bringing the council into disrepute.

HR may also be able to support victims with referrals to Occupational Health or signposting for support and may be able to assist managers and co-workers with identifying support needs and ensuring that our policies are understood and adhered to.

8.3. Trade unions

The Council acknowledges the supportive role played by trade union representatives and furthermore recognises that Employees may wish to approach their representative in order to seek advice or support on a range of issues.

Where a trade union representative is approached regarding domestic abuse, they should contact Human Resources or the Domestic Abuse lead for confidential advice. Any discussion about the employee's situation should take place in private and any questions should be asked with care and sensitivity. Employees should never be pressured into disclosing any personal information that they do not feel comfortable sharing.

The trade union representative will be supported by the Safeguarding Lead and Domestic Abuse Lead to;

- Undertake risk assessments
- Make referrals
- Provide Support and advice to both the victim and the trade Union Representative.

8.4. Employees

the Council encourages all employees to report if they suspect a colleague is experiencing or perpetrating abuse. Employees should speak to their line manager about their concerns in confidence. In dealing with a disclosure from a colleague, the council will ensure that the person with concerns is made aware of the existence of this policy.

All employees are required to undertake the basic training on Domestic Abuse at the commencement of their employment. Employees identified as Tier one employees will be required to undertake additional training which will be provided as part of their safeguarding pathway.

It is possible that employees through their contact with the public may have Domestic Abuse disclosed to them. They should follow the process set out in the safeguarding policy for how to deal with this. The council also acknowledges that employees may be confided in by their colleagues or friends and family about Domestic Abuse. Where this occurs confidential advice can be sought from the Domestic Abuse or safeguarding lead or HR where support will be provided.

9. The recordings of concerns

All records concerning domestic abuse should be kept strictly confidential. No local records should be kept of absences relating to domestic abuse and there should be no adverse impact on the employment records of victims of Domestic Abuse.

10. Staff training

The Council are committed to training all staff across the authority on how to spot the signs of Domestic Abuse, and how to report it. The Council will also identify and training a higher tier of staff who are more likely to come across and be required to case manage complex issues which may also involve Domestic Abuse. The higher tier personnel are members of the Public Protection and Anti-Social Behaviour service, Housing Solutions and Tenancy Services, the training will be provided through the safeguarding training pathway and other training made available by specialist services.

The council also has a number of Multi-Agency Risk Assessment Conference (MARAC) representatives. These are the Designated Safeguarding Lead and the members of the Housing Solutions Team.

11. Raising awareness in the workplace

The Council will raise awareness of domestic abuse through the following measures:

- Publishing, maintaining and posting in locations of high visibility a list of resources for survivors and perpetrators of domestic abuse.
- Publicising and distributing information on the council's policy and guidelines
- Participating in local and national initiatives and calendar events.
- Staff to be made aware of the policy at induction and mandatory training.

12. Legislation

- Health & Safety Act 1974
- Safeguarding Vulnerable Groups Act 2006
- Equality Act 2010

- Domestic Violence, Crime and Victims Act 2004
- Employment Rights Act 1996
- Serious Crime Act 2015 (Section 17 Coercive or Controlling Behaviour)

13. Useful resources

- [Domestic Abuse – Local support for domestic abuse victims - Lincolnshire County Council](#)
- Edan lincs provide support to victims in lincolnshire [Home - EDAN Lincs Domestic Abuse Service](#)
- Make a Change is a service for perpetrators of DA to address their behaviour [Lincolnshire — Make a Change](#)
- PALADIN supporting victims of stalking [Layout 1 \(paladinservice.co.uk\)](#)
- women can call [The Freephone National Domestic Abuse Helpline, run by Refuge](#) on [0808 2000 247](#) for free at any time, day or night. The staff will offer confidential, non-judgemental information and support
- talk to a doctor, health visitor or midwife
- men can call Men's Advice Line on [0808 8010 327](#) (Monday to Friday 9am to 8pm), or visit the webchat at [Men's Advice Line](#) (Wednesday to Friday 10am to 11am and 3pm to 4pm) for non-judgemental information and support
- men can also call [ManKind](#) on [0182 3334 244](#) (Monday to Friday, 10am to 4pm)
- If you identify as LGBT+ you can call [Galop](#) on [0800 999 5428](#) for emotional and practical support
- anyone can call [Karma Nirvana](#) on [0800 5999 247](#) (Monday to Friday 9am to 5pm) for forced marriage and honour crimes. You can also call [020 7008 0151](#) to speak to the GOV.UK [Forced Marriage Unit](#)
- in an emergency, call 999

You can also email for support. It is important that you specify when and if it is safe to respond and to which email address:

- women can email helpline@womensaid.org.uk. Staff will respond to your email within 5 working days
- men can email info@mensadviceline.org.uk
- LGBT+ people can email help@galop.org.uk

[The Survivor's Handbook](#) from the charity Women's Aid is free and provides information for women on a wide range of issues, such as housing, money, helping your children, and your legal rights.

If you are worried that you are abusive, you can contact the free [Respect helpline](#) on [0808 802 4040](#).