
Isle of Wight Council
**DOMESTIC ABUSE
POLICY**
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3 Introduction

- 3.1** The purpose of this policy is to make provision for appropriate support and help, whilst taking into account service delivery needs, to staff who have experienced domestic abuse. In addition, assistance will also be given to perpetrators who are committed to changing their attitude and behaviour and are engaging with services that can assist them.
- 3.2** This policy covers all employees of the Isle of Wight Council and volunteers, agency or contracted staff working on behalf of the Council.

4 Underpinning Principles

- 4.1** The Isle of Wight Council is committed to working with its recognised trade unions to ensure that appropriate support is made available to staff who have experienced domestic abuse. This support is extended to assistance being available to perpetrators who are committed to changing their attitudes and behaviours and are engaging with services that can assist them.
- 4.2** The Isle of Wight Council recognises the importance of staff wellbeing and the impact that domestic abuse may have on individual lives and the effects this may have within the workplace. The startling statistics that one in four women and one in six men have or will have suffered from domestic abuse and that domestic abuse accounts for 1 in 7 (14%) of all violent incidents in England and Wales (Walker et al., 2009ⁱ) is recognition that this is an important matter for staff well-being. The benefits of appropriate assistance to staff is recognised as a fundamental part of retaining valued employees, improving morale and performance of individuals as well as helping the Council to be recognised as a good employer.

5 Definition of Domestic Violence and Abuse

- 5.1 The cross-government definition of domestic violence and 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
- 5.2 **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
- 5.3 **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
- 5.4 While the legislation is gender neutral, statistics consistently show that women and girls are disproportionately affected by crimes of domestic violence and abuse. In 2014/15 92.4% of defendants in domestic abuse flagged cases were male.ⁱ
- 5.5 Domestic violence and abuse falls within the governments violence against women and girls strategy which includes policy and legislation on female genital mutilation, honour based violence, forced marriage and stalking.
- 5.6 In 2009/10, women were the victim of over seven out of ten (73%) incidents of domestic violenceⁱⁱ although it does also occur against men in heterosexual relationships, in same sex relationships and against bisexual and transgender people. At least 29.9% of women and 17% of men in England and Wales have, at some point, experienced domestic abuse (Smith et al.2012)
- 5.7 Domestic violence / abuse is not a 'one off' occurrence but is frequent and persistent, aimed at instilling fear into and compliance from the victim. On average a victim of domestic violence / abuse is assaulted 35 times before they report the matter to the Policeⁱⁱⁱ.
- 5.8 Domestic violence / abuse often has a dramatic impact on lives and often can go undetected where individuals frequently hide the circumstances.

6 General Measures

- 6.1** The Council will make facility for Unison and other recognised trade unions to make information available to staff about domestic abuse through noticeboards, the intranet, corporate staff communication newsletter - The Vine - and at other appropriate opportunities. The Council will also seek to make provision for information to be included in the Council's e-induction programme.
- 6.2** Staff will be made aware of the importance of the data protection legislation and the general duty under the code of conduct not to divulge personal details of other employees, such as addresses, telephone numbers or shift patterns and about the Domestic Abuse Policy as part of the e-induction pages for new staff. Should a manager be aware of a case of domestic abuse of a member of their team, they will be expected to remind staff of the importance of not divulging this information.
- 6.3** The Council in conjunction with Unison will make training available for managers and union representatives and encourage them to attend in responding to situations where domestic violence is suspected or reported. The extent of such provision will be determined by available resources and staffing commitments on an annual basis.
- 6.4** Staff who have experienced domestic abuse may report it to a union representative or line manager. Those who receive reports of domestic abuse should not attempt to counsel victims, but offer information, appropriate workplace support and signpost to other organisations who can provide professional assistance.
- 6.5** The Isle of Wight Council employs a Domestic Abuse Coordinator (contact details on the intranet) who can be contacted as a source of advice and guidance to line managers and union representatives who are approached by staff who are being abused. Please also see the council's domestic abuse web pages for further information and support here: <https://www.iwight.com/Council/OtherServices/Domestic-Abuse/What-is-domestic-violenceabuse>
- 6.6** Staff will also have access to the council's intranet resources for advice and guidance through factsheets and information that are available on line which can be accessed via the intranet using the following link:
www.isleofwightc.helpeap.com

Information is located under the social heading - abuse.

7 Individual Support

- 7.1 Managers and union representatives will work co-operatively to assist staff experiencing domestic abuse.
- 7.2 Managers are expected to respond considerately to staff who identify themselves as experiencing domestic abuse and maintain confidentiality of their situation unless circumstances dictate that the safety and welfare of the individual is such that it warrants intervention by professional services.
- 7.3 Employees who are experiencing domestic abuse may demonstrate poor punctuality, attendance, work performance and productivity. Managers should be aware that these may be symptoms of domestic abuse occurring and should therefore take appropriate steps to try and establish this and offer appropriate guidance and support before any formal action is taken.
- 7.4 There is a broad range of support that may be considered for employees experiencing domestic abuse which needs to be initiated in accordance with the respective Council policy and procedures for consideration and implementation. Giving due consideration to service delivery needs, this may include but not be limited to the following:
- Special paid leave for relevant appointments to manage their situation such as support agencies, solicitors, to re-arrange housing or child-care and for court appointments
 - Temporary or permanent changes to working times and patterns where possible and in accordance with service delivery requirements.
 - Changes to specific duties, for example to avoid potential contact with an abuser in a customer facing role or if they are a fellow employee
 - Redeployment or relocation
 - Measures to ensure a safe working environment for example changing a telephone number to avoid harassing phone calls
 - Raising awareness of and getting places on any relevant training courses that will assist the employee to build confidence and assertiveness
 - Using flexible working options
 - Referral to occupational health for advice and guidance on adaptations that could be considered to support continued employment
- 7.5 Managers will respect the right of staff to make their own decisions on the course of action they take at any stage and to act with sensitivity at all times but will also need to ensure that the staff member understands the potential implications of any failure to improve on work performance concerns should they exist. We acknowledge that the employee may need some time to decide what to do and may try different options during this process.

- 7.6** It can be difficult for someone experiencing domestic abuse to acknowledge their situation but any colleague can provide assistance to someone who they recognise to be experiencing domestic abuse with some basic actions such as:
- To approach the individual, express concern and offer support
 - Offering the opportunity for them to talk whilst you listen without them feeling pressurised to reveal more than they wish to, without assumptions being made regarding them or their relationship and without them feeling judged
 - Explain that domestic abuse can happen to anyone and that they are not alone
 - Help the person to report incidents to managers or professional services with their consent
 - For anyone who identifies to them that they are experiencing domestic abuse, it must be remembered that they are not counsellors and should not make any unrealistic promises about what can be done to resolve their situation. They should also be aware that they may be putting themselves at risk, should the abuser become aware of their supportive role.
- 7.7** Domestic abuse perpetrated by employees will not be condoned under any circumstances, nor will it be treated as a purely private matter. It is recognised that the Council has a role to play in encouraging and supporting its employees to address violent and abusive behaviour of all kinds. If an employee approaches their manager about their abusive behaviour, information will be provided about the services and support available to them and they will be encouraged to seek support and help from an appropriate source.
- 7.8** Where an allegation disclosure or conviction of a domestic abuse related offence is made, managers will consider the response required on a case-by-case basis with the aim of reducing risk and supporting change. Any individual cautioned or convicted of a criminal offence may, however, be subject to disciplinary procedures and the Council also reserves the right to consider an employee's activities outside of work that may have an impact on their ability to perform the role for which they are employed and / or be considered to bring the Council into disrepute.
- 7.9** Where a perpetrator is alleged to have harmed a child through domestic abuse and they are in a position where they work or volunteer with children, a referral will need to be made to the Local Authority Designated Officer (LADO). The LADO responds to allegations against adults who work with children and young people, and should be used in all cases where it is alleged that a person who works with children or young people 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; or
 - Behaved towards a child or children in a way that indicates she / he is unsuitable to work or volunteer with children.

- 7.10** Managers will need to consider the work location of any employees if both the victim and perpetrator are employed by the Council at the same site. The manager or respective managers should consider, subject to the needs of the service, whether re-location of at least one, if not both employees to alternative sites is possible. However, both employees should be consulted prior to any such decisions being taken and in particular the needs of the employee experiencing domestic abuse should be carefully considered to ensure that they are not being penalised by the circumstances.
- 7.11** The Council's code of conduct sets out the standards of behaviour required as a Local Government employee. Staff are therefore expected to abide by these standards and demonstrate personal integrity. In return, the Council is committed to ensuring that:
- Allegations will be dealt with fairly and in a way that is supportive of the needs for the person who is the subject of the allegation or disclosure
 - Staff will be directed to advice, guidance and support that is available from specialist services
 - Confidentiality will be maintained and information restricted to only those who have a need to know.
- 7.12** This policy is intended to be safety focused and supportive whilst taking into account service delivery needs, rather than punitive in its approach and therefore any alleged perpetrator will be:
- Treated fairly
 - Helped to understand the concerns expressed and processes involved
 - Kept informed of the progress and the outcome of any investigation undertaken together with the implications for any possible disciplinary action
 - Directed to sources of advice, guidance and help.

8 Confidentiality and Record Keeping

8.1 This policy acknowledges the need for any information relating to domestic abuse situations experienced by staff to be shared within the requirements of the law. With this in mind, the following principles will be applied:

8.1.1 The Council and relevant trade union will make sure that any records concerning domestic abuse will be kept strictly confidential. Whilst sickness absences must continue to be recorded, any authorised absences relating to dealing with a domestic abuse situation will not be recorded as such and there will be no adverse impact applied to the employment record of a victim who has experienced domestic abuse.

Where domestic abuse in a same sex relationship is disclosed, due regard will be paid to the double disclosure of confidential information particularly where the individual recipient of abuse may not be 'out' at work.

8.1.2 Information about an employee experiencing domestic abuse will only be disclosed by the Council or relevant trade union with the written permission of the individual concerned, unless there are any legal implications that would take precedence, (for example where domestic abuse is linked to child neglect or where a risk to children or vulnerable adults is identified) when the responsibility for public protection may lead to there being notification to relevant professional services. If such a situation does occur then it will be necessary for the individual to be informed of the action being taken.

9 Other Issues

- 9.1** Any sanctions against an alleged abuser are a matter for the criminal justice system. However employees are reminded of their duty under the code of conduct to inform their manager of any conviction who will then determine any necessary course of action should this impact on the exercising of their duties.
- 9.2** If a victim of domestic abuse and their alleged abuser are both employed by the council, any incidents at work will be dealt with accordingly under the council's disciplinary and grievance procedures. If a serious incident occurs, the police will be called to deal with the matter. If necessary, and in consultation with their union representative should they be a member, the feasibility for work to be re-arranged subject to service delivery needs will be established to ensure the safety of the person experiencing the abuse.

The provisions of this policy are designed to support the protection of any employee who is experiencing or has experienced domestic abuse. Any inappropriate use of this policy will be treated seriously and dealt with under the council's disciplinary procedures.

10 Appendix A - Contacts for National and Local Support Services

Isle of Wight Council Employee Assistance Programme: www.isleofwightc.helpeap.com 0800 276 1003

Isle of Wight Council Domestic Abuse web pages:
<https://www.iwight.com/Council/OtherServices/Domestic-Abuse/What-is-domestic-violenceabuse>

English National Domestic Violence <http://www.nationaldomesticviolencehelpline.org.uk/> helpline 0808 2000 247 (freephone)

The helpline is available 24 hours a day, 7 days a week which offers women and children access to emergency refuge accommodation, information and safety planning. This is a national service for women experiencing domestic violence, their family, friends, colleagues and others calling on their behalf.

National Centre for Domestic Violence (NCDV) www.ncdv.org.uk Tel 0800 970 2070 (24 hour helpline)

NCDV provides a free, fast emergency injunction service to survivors of domestic violence regardless of their financial circumstances, race, gender or sexual orientation.

Police non-emergency 101 (in case of emergencies 999)

Paladin www.paladinservice.co.uk Tel 020 3866 4107

Paladin is a trauma informed service established to assist high-risk victims of stalking

Island Women's Refuge 01983 825981

The helpline is available 24 hours a day, 7 days a week for women escaping domestic violence, or for those who want to know what their options are.

Samaritans www.samaritans.org.uk Freephone 116 123

Offers 24 hour confidential emotional support for anyone in a crisis

Victim Support www.victimsupport.org.uk 0808 1689 111

Offers information and support to victims of crime, whether or not they have reported the crime to the police

Shelter www.shelter.org.uk 0808 800 44 44 (freephone)

A national organisation which works at local level to improve the lives of homeless and badly housed people

Hidden Hurt - Domestic Abuse Information www.hiddenhurt.co.uk

This site has been written by a survivor of domestic violence, and provides advice and information to those who are in an abusive relationship.

Women's Aid www.womensaid.org.uk 0808 2000 247

National charity working to end domestic violence against women and children, which supports a network of over 500 domestic and sexual violence services across the UK. The

helpline is run in partnership between Women's Aid and Refuge. It is available 24 hours, 7 days a week

Rights of Women www.rightsofwomen.org.uk 020 7251 6575

Rights of Women is a women's voluntary organisation committed to informing, educating and empowering women concerning their legal rights. Please check the website for opening times for the advice lines.

Jewish Women's Aid www.jwa.org.uk 0808 801 0500 (freephone)

Jewish Women's Aid (JWA) is a registered national charity run by Jewish women for Jewish women and their children who have experienced or are experiencing domestic abuse. The advice line is available Monday to Thursday, 9:30am – 9:30pm

Muslim Community Helpline 0208 904 8193 or 0208 908 6715.

This is a national organisation for women, men, youth and children to help and support, whatever your needs. Available

ManKind Initiative www.mankind.org.uk 01823 334244

Provides support for male victims of domestic violence or domestic abuse. The helpline is available weekdays 10am-4pm

Men's Advice Line www.mensadviceline.org.uk 0808 801 0327

Provides advice and support for men in abusive relationships. The helpline is available Monday – Friday 9am – 5pm

Male Advice Line Enquiries (M.A.L.E) 0845 064 6800

Stonewall www.stonewall.org.uk 08000 50 20 20

Aim to empower individuals, to transform institutions, to change hearts and minds and to change laws for LGBT people

Citizens Advice www.citizensadvice.org.uk 03444 111 444

The Citizens Advice Service helps people by providing free information and advice on their legal, money and other problems in order to assist them finding a resolution.

Isle of Wight Law Centre www.iowlawcentre.org 01983 524715

Provides an independent legal advice and representation service. The law centre deals with all aspects of social welfare law

Civil Legal Advice www.gov.uk/civil-legal-advice 0345 345 4 345

Provides free and confidential advice about debt, housing, domestic abuse, family issues, special education needs, discrimination. The helpline is available Monday-Friday 9am-8.00pm

Southampton Rape Crisis www.southamptonrapecrisis.com 02380 636313

Provides advice, information and support for anybody aged 11+ who has had an unwanted sexual experience

NSPCC www.nspcc.org.uk 0808 800 5000

UK's leading charity specialising in child protection and the prevention of cruelty to children.

Isle of Wight Council: Children's Safeguarding 0300 300 0117 or in an emergency call 999

Isle of Wight Council: Adult Safeguarding 01983 814980

11 Appendix B - References

ⁱWalker, A., Flatley, J., Kershaw, C., and Moon, D. (2009). Crime in England and Wales 2008/09: Findings from the British Crime Survey and police recorded crime (Volume 1). Home Office Statistical Bulletin, No. 11/09. Home Office: London.

ⁱⁱFigures derived from 2009/10 British Crime Survey data <http://rds.homeoffice.gov.uk/rds/>

ⁱⁱⁱ 31. Yearnshire S (1997), 'Analysis of Cohort', Chapter 5 in Bewley S, Friend J and Mezey G (Eds) (1997).
