

Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) Workplace Policy



2021-2024

Document Control

Overview

POLICY	Violence against Women, Domestic Abuse and Sexual Violence workplace policy (VAWDASV)
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DATE OF LAST REVIEW	August 2021
DATE OF NEXT REVIEW	August 2024
RELATED DOCUMENTS	Special Leave Policy Flexible Working Hours Policy Annual Leave Policy

Revision History

Version	Issue Date	Author	Summary of Changes
V2.1	November 2017	HR Policy & Reward Advisor Domestic Abuse Coordinator	Legislative change to Include Sexual Violence and Violence against Women.
V3	August 2021	Sian Croston – HR Policy and Reward Advisor	Cyclical review, updated front cover

Consultation

Version	Who	Date
V1	Consultation took place with Local Trade Unions, Equalities Networks, LGBT, COT, HR and Occupational Health, Domestic Abuse Co-ordinator, Legal and Managers.	January 2013 – October 2013
V3	Consultation with HR team and local trade unions (no significant change – fit for purpose review)	August 2021

Approval

Version	Who/Where	Date
V1	Full Council	October 2013
V2	Legislative Change only	November 2017
V3	No requirement as no changes to policy	August 2021

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1.0 What is this Policy About?

The Council is committed to raising the awareness of violence against women, domestic abuse and sexual violence and the issues facing victims and supports fully the Violence Against Women, Domestic abuse and Sexual Violence Act (Wales) 2015. By introducing an effective workplace policy and working to reduce the risk, we will create a safer workplace and send out a strong message that domestic abuse and sexual violence are unacceptable. As a Council, we aim to provide a support network to all employees experiencing these issues and take action against perpetrators.

The Council already has a role in the prevention of violence against women, domestic abuse and sexual violence and support those experiencing these issues through its involvement in the Community Safety Partnership(s). In addition, the Welsh Government Violence Against Women, Domestic abuse and Sexual Violence Act (Wales) 2015, places statutory duties on all public bodies in Wales.

1.1 The role of Flintshire County Council and the Multi Agency Risk Assessment Conference (MARAC)

The Council have a role to play in the Multi Agency Risk Assessment Conference (MARAC). The main aim of the MARAC is to reduce the risk of serious harm or homicide for a domestic abuse victim and to increase the safety, health and wellbeing of other victims. Information can be shared when it is necessary to prevent a crime, protect the health and/or safety of the victim and/or the rights of freedoms of those who are victims of violence and/or their children.

2.0 Scope

This policy applies to all employees (including centrally employed teachers) of Flintshire County Council (As defined by the Employment Rights Act) and is commended to School Governing Bodies and other associated employers as best practice.

3.0 Definition

Domestic abuse is the actual or threatened physical, emotional, psychological, sexual or financial abuse of a person over 16 years of age, by a partner, family member or someone with whom there is, or has been, a close relationship. This abuse also relates to the perpetrator allowing or causing a child to witness, or be at risk of witnessing domestic abuse. Domestic abuse essentially involves the misuse of power and the exercise of control by one person over another and includes: -

Honour Based Violence is a crime or incident which has or may have been committed to protect or defend the honour of the family and/or community.

Coercive or controlling behaviour – Under the Serious Crime Act 2015, controlling or coercive behaviour in intimate or familial relationships became a new offence, punishable with a maximum prison sentence of five years

This offence is constituted by behaviour on the part of the perpetrator which takes place “repeatedly or continuously”. The victim and alleged perpetrator must be personally connected at the time the behaviour takes place. The behaviour must have had a serious effect on the victim, meaning that it has caused the victim to fear violence will be used against them on, or it has had a substantial adverse effect on the victims’ day to day activities.

3.1 Violence against women

Violence against women is defined by the United Nations as ‘any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life’

Accordingly, violence against women encompasses but is not limited to the following:

- Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

3.2 Sexual Violence

The World Health Organisation’s definition of sexual violence/abuse is:

“Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work”.

Examples: rape, unwanted sexual advances or sexual harassment (including demanding sex in return for favours), denial of the right to use contraception or to adopt other measures to protect against sexually transmitted diseases, forced abortion, genital mutilation, forced prostitution. This list is not exhaustive

- 45% sexual assault committed by current partner
- 74% sexual assault occurs in the person own home
- attacks by partners double risk of physical injury

4.0 What to expect from Flintshire County Council

The Council have a responsibility to provide all employees with a safe and effective working environment. We recognise that domestic abuse and violence can impact negatively on an employee's health and wellbeing.

If you are experiencing domestic abuse or violence, you should be able to raise the matter confidentially in the knowledge that you will receive appropriate advice and support from managers and/or colleagues. Link officers will be available as points of contact throughout the organisation from Human Resources, Trade Unions, Occupational Health and other areas of the council. Advice and support is also available through any of the specialist agencies listed in Appendix 3.

4.1 Will privacy be respected?

If you disclose that you are experiencing domestic abuse or violence, you can be assured that the information you provide is confidential and will not be shared with other employees without your permission.

However, there are some circumstances when the safety of others is at risk e.g. children or vulnerable adults; and/or there is a risk of serious harm to the employee where the Council will need to share this information.

Improper disclosure of information i.e. breaches of confidentiality, by any employee will be taken seriously.

If you wish to report concerns about somebody who you think is experiencing domestic abuse, or violence where possible, you will need to speak to your line manager, or contact any of the link officers whose details are available on infonet.

We will encourage the perpetrator, if also an employee of the Council, to seek appropriate advice from specialist agencies and HR.

4.2 Recording and Storage of Information

Any information disclosed and action taken, will be recorded and kept in a secure and sensitive file, which can only be accessed by link officers. All disclosures will be recorded confidentially without using individual's names.

For information on the link officers within the organisation, please see the infonet.

5.0 Support for the Employee

A list of support agencies can be found at the end of this policy – Appendix 3.

We recognise that if you are experiencing domestic abuse or violence, you will need to feel comfortable about disclosing information regarding your circumstances. If you do not wish to talk to your manager about your situation in the first instance, you should feel able to approach fellow colleagues, Trade Union representatives, HR, Occupational Health or the Council's link officers. In order to support you appropriately in the workplace, your manager may need to be involved at a later stage.

In order to deal with the issues relating to Domestic Abuse or Violence, you will almost certainly need to take time off work to attend appointments. Often such appointments will be during normal working hours and may include:

- Appointments with support agencies such as Women's Aid, Social Services or counsellors, rape and sexual support services.
- Meetings in relation to housing or accommodation issues
- Meetings with solicitors
- Attending criminal or civil court proceedings.
- Making alternative childcare arrangements, including meetings with schools.
- Attending Perpetrator programmes to address abusive behaviours

There are a number of existing policies that can be utilised once a disclosure has been made that may reduce the need for you to take unplanned time away from work. Managers are expected to respond positively and sympathetically to such requests under these circumstances.

Examples of further practical support in the workplace include:

- Allowing employees to take annual leave in hours to accommodate appointments during working hours
- Checking that employees have arrangements for getting safely to and from home

- Diverting phone calls and email messages
- Alerting reception and security employees if the abuser is known to come to the workplace
- Moving the employee out of public view
- Where practical, offering changes on specific duties (eg avoid potential contact in a public facing role)
- Keeping a record of any incidents of abuse in the workplace
- Access to counselling/support services during work time

Other related absence may not be planned and managers should be mindful of the Special Leave policy which grants paid time off to deal with sudden unforeseen family emergencies.

You may also wish to consider the Agile Working Policy and the Flexible Working Hours policy if changing your working arrangements would be beneficial, i.e., change to hours, working days.

6.0 Guidance for Managers

Managers should be mindful of the signs of domestic abuse and violence – outlined in Appendix 4.

Although a line manager may not be the first person to be approached for help by someone who is experiencing domestic abuse and violence, the line manager may become involved through associated issues such as attendance management, poor performance or changes in behaviour. If you are a line manager, it is important to consider how you will deal with such a scenario before it occurs.

This policy should also be followed if an employee discloses experiencing Domestic Abuse and Violence to another colleague.

6.1 Asking Difficult Questions

If a manager suspects that an employee is experiencing domestic abuse and violence, they should facilitate a conversation to be able to discuss this and identify and implement appropriate support.

Often employees will not feel confident in speaking up, so a manager making the first move to begin a conversation can be vital.

Managers should ask the employee indirect questions to help establish a relationship with the employee and develop empathy. Below are some example questions of questions that could be used.

- How are you doing at the moment? Are there any issues you would like to discuss with me?
- I have noticed recently that you are not yourself, is anything the matter?
- Are there any problems or reason that may be contribution to your frequent sickness/absence/under-performance at work?
- Is everything all right at home?
- What support do you think might help? What would you like to happen? How?

There are a number of ways in which a manager can support an employee:

- Ensure that any discussion about the employee's situation takes place in privacy and that their confidentiality is respected as far as possible.
- Where an employee discloses domestic abuse and violence, they should be encouraged to contact a specialist support agency who can undertake a DASH (Domestic Abuse, Stalking and Harassment, and honour based violence) risk assessment – www.dashriskchecklist.co.uk and make appropriate referrals where necessary.
- Inform the employee of the support networks available to them eg. Occupational Health, the Trade Unions and specialist support agencies. A list of support agencies for men and women is attached to this policy.
- The Manager will then work with the employee and a specialist agency to identify what actions can be taken to increase their personal safety as well as address any risks there may be to colleagues, taking into account the duty of care for all their employees.
- If an employee discloses their abusive behaviour, the line manager will seek to provide information about the services and support available to them, and will encourage the perpetrator to seek advice and guidance from specialist support agencies and HR.

Other documents and policies which you may find useful in supporting an employee experiencing domestic abuse and violence include:

- Health and Safety at Work Act, 1974
- FCC's Dignity at Work policy
- FCC's Equality and Diversity policy
- FCC's Special Leave Policy

- FCC's Agile Working and Flexible Working Hours Policy

Further examples of how managers can offer support can be found within the Support for the Employees section.

6.2 Managing Perpetrators

- In line with the terms and conditions of employment with the Council, employees are required to inform their line manager if they are charged with, or convicted of, a criminal offence.
- Where perpetrators are employed in posts requiring a valid CRB disclosure, a caution or conviction relating to domestic abuse may have an adverse impact on their suitability to remain in that post.
- Any employee who threatens, harasses or abuses a partner or family member at, or from, the Council's workplace will be subject to disciplinary action up to and including dismissal.
- Conduct outside work (whether or not it leads to a criminal conviction) can also lead to disciplinary action against an employee because of its employment implications.
- In these circumstances the possibility of redeployment into an alternative role should be considered.

7.0 Training and Development

Training will be available to ensure that employees and managers are aware of domestic abuse and violence and how it may affect the workplace. As part of the council's legal obligations, the Welsh Government National Training Framework will roll out statutory training on Domestic abuse and Violence via e-learning or face to face training to all council employees. Please see Appendix 7 for information on the National Training Framework.

Briefings or awareness raising sessions will ensure that all link officers, managers/employees are able to:

- Identify if an employee is experiencing difficulties of domestic abuse or violence
- Respond to a disclosure in a sensitive and non-judgemental manner
- Provide initial support – be clear about available workplace support
- Discuss how the organisation can contribute to safety planning
- Signpost to other organisations and sources of support
- Understand the limitations of their role

The Council will ensure that information and sources of support are available in the workplace which can easily be accessed by all employees in confidence.

8.0 Monitoring and Review

This policy will be reviewed to ensure compliance with changes in employment legislation or recommended best practice. Any future amendments to the policy may be authorised by the Senior Manager - Human Resources and Organisational Development

Appendix 1

You may be experiencing Domestic Abuse if.....

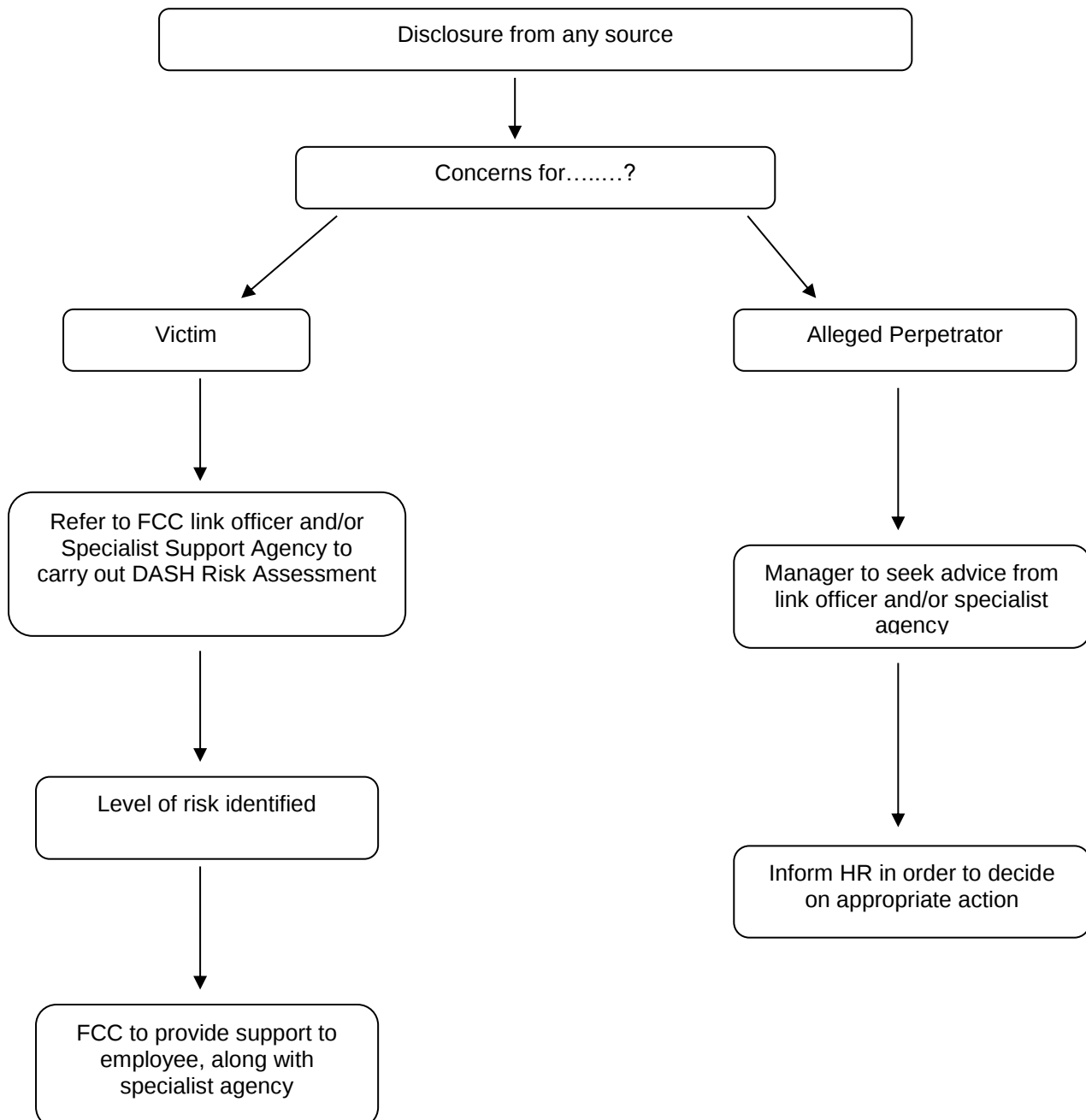
Does your partner/ex-partner/family member behave in the following way?

- Are they jealous and possessive?
- Do they cut you off from family and friends and try to isolate you?
- Are they charming one minute and abusive the next? Do they have sudden changes of mood?
- Do they control your life – for example, money, who you should see, what you should wear?
- Do they monitor your movements?
- Do they blame you for the abuse?
- Do they humiliate or insult you in front of others?
- Do they verbally abuse you?
- Do they constantly criticise?
- Do they use anger and intimidation to frighten and make you comply with their demands?
- Do they tell you you're useless and couldn't cope without them?
- Have they threatened to hurt you or people close to you if they leave?
- Do they force you to have sex when you don't want to?

Please note, this list is not exhaustive, but if you answered yes to one or more of the above questions, this indicates that you may be experiencing domestic abuse. For help and advice, please contact one of the support agencies listed in Appendix 3, or one of the Council's link officers.

Appendix 2

Pathway following disclosure



Appendix 3

DOMESTIC ABUSE -SOURCES OF SUPPORT

Local Support

CAHA Womens Aid

Refuge and outreach support for women and children escaping domestic abuse.

Tel: 01352 712150

BAWSO

Support for Black, Minority & Ethnic women experiencing domestic abuse, honour based violence and modern slavery.

Tel: 0800 731 8147 (24 hour helpline)

Domestic Abuse One Stop Shop

Domestic Abuse One Stop Shop bringing together the services most needed by victims/survivors of domestic abuse into a single location.

Tel: 01244 830436

Web: www.domesticabusesafetyunit.net

Aster Hope Project

Supports people whose experiences of domestic abuse have led to problems with tenancy. Assists victims/ survivors to remain safe within their own homes.

Tel: 01244 823475

Flintshire Housing Options Team

Housing options are able to provide advice and assistance on temporary accommodation, target hardening, homeless legislation and so on.

Tel: 01352 703815

Domestic Abuse Safety Unit

Refuge and resettlement/outreach support, counselling, support and advice to women and men experiencing domestic abuse

Tel: 01244 830436

The KIM Project

Offers support to women with mental health issues

Tel: 01352 41908

P O Box 106, Mold, CH7 5ZB

Hafan Cymru

Provides housing and support services to women men and children – particularly those experiencing domestic abuse.

Tel: 01244 823475

Web: www.hafan.cymru.co.uk

Flintshire HomeSafe

Flintshire Homesafe is available to all victims of domestic abuse who are threatened with attack or personal harm (including harassment) or damage to their property.

Tel: 01352 701818

Flintshire County Council Occupational Health Department

The Occupational Health provide confidential information and support to managers and employees regarding health, employment and attendance at work.

Tel: 01352 702777

Regional Support**Live Free Free all Wales Helpline**

The helpline offers a 24-hour, bilingual, freephone helpline information and signposting service to women, men and children that are experiencing domestic abuse and violence.

Tel: 0808 80 10 800

Web: www.allwaleshelpline.org.uk

North Wales RASA (Rape & Sexual Assault Service)

Rape and sexual support centre provides services for males and females aged 14+ who have experienced any of the following:- domestic abuse including physical, emotional and sexual, rape and ritual abuse.

Tel: 01286 669266

PO Box 87, Caernarfon, Gwynedd, LL55 9AA

North Wales Sexual Assault Referral Centre

One stop shop supporting adult and child victims of rape and/or sexual abuse.

Tel: 01492 805384

1 Bryn Eirias Close, Colwyn Bay

Choose2Change Domestic Violence Intervention Programme

If you are worried about the future of your relationship – are you worried, scared or ashamed by the way you sometimes treat your partner? If you are ready to do something about it then Choose2Change.

Tel: 01492 532503

Email: kelly@choose2change.org.uk

National Support**National Domestic Violence Helpline - 0808 2000 247**

The Helpline can give support, help and information over the telephone, wherever the caller might be in the country. This is a free phone number and available 24 hours a day.

Dyn Wales Helpline – 0808 801 0321

The Dyn Project provides accessible support to all men who experience domestic abuse in Wales regardless of age; gender; race; religion or sexual orientation.

C.A.L.L. Helpline – 0800 132 737

Community Advice and Listening Line Wales

Provide information on services, local or national, which may help sufferers of mental health distress, including people suffering from any type of abuse as well as their friends, family, carers or relatives.

Unison Welfare

Provide confidential service offering advice and support for Unison members and their families.

Tel: 020 7551 1620

Email: welfare@unison.co.uk

Web: www.unison.org.uk

Broken Rainbow UK

Broken Rainbow UK is a National LGBT Domestic Violence Helpline providing confidential support to all members of the Lesbian, Gay, Bisexual and Trans (LGBT) communities, their family and friends, and agencies supporting them.

Tel: 0300 999 5428

Web: www.broken-rainbow.org.uk

The Survivors Trust Cymru

The Survivors Trust Cymru is the Welsh office of The Survivors Trust, a UK national umbrella organisation, for over 141 specialist rape, sexual violence and childhood sexual abuse support organisations throughout the UK and Ireland.

TST Cymru Sexual Abuse & Rape Support Line

Providing Free and Confidential Support, Information and Advice to Victims, Survivors & their Friends and Family.

Support Line: **0808 801 0818**

Support SMS: **07860 022956**

Email: support@survivorstrustcymru.org

Website (English): www.survivorstrustcymru.org Cymraeg: www.survivorstrustcymru.org/cy

Appendix 4

How to recognise signs and symptoms of Domestic Abuse in the workplace

The effects of domestic abuse can often lead to work place concerns which may be observed by work colleagues and/or line managers. These may include reduced performance, increased absenteeism, lateness and signs of stress.

Research shows that:

- 56% of abused employees arrive late for work at least five times a month
- 28% leave early at least five days a month
- 53% miss at least three days of work a month

Other signs that may indicate some form of domestic abuse include:

- Attending work with injuries/bruising which is dismissed
- Receiving a high number of telephone calls from work/ strong reactions to calls from home
- Reluctance to turn off mobile phone at work
- Being secretive about home life
- Partners exerts control; employee dropped off and picked up from work, unable to attend business trips
- Sleeping/eating disorder
- Changes in the way that the employee dresses, for example, excessive clothing on hot days, changes in the amount of make-up worn.
- Avoids socialising or lunch breaks
- Avoids taking time off work eg annual leave

Appendix 5

General Facts

One in four women and one in seven men will experience domestic abuse during their lifetime. One in four Lesbian, Gay, Bisexual, Transgender people will also experience it at some point in their lives.

Domestic abuse occurs in all social classes, cultures, and age groups whatever the sexual orientation, mental or physical ability.

Domestic abuse is not a 'one off' occurrence but is frequent and persistent, aimed at instilling fear into, and compliance from, the victim.

Women are much more likely than men to be the victim of multiple incidents of abuse, of different types of domestic abuse (partner abuse, family abuse, sexual assault and stalking) and in particular of sexual violence.

Disabled women are twice as likely to experience domestic abuse as non disabled women.

Nationally, three quarters of children on the 'at risk' register live in households where domestic abuse occurs and 52% of child protection cases involving domestic violence.

Every minute in the UK, police receive a call for assistance with domestic violence.

In Flintshire more than 2348 incidents were recorded by North Wales Police in 2012, 77.1% of victims were female.

In 2012 the Forced Marriage Unit gave advice and/or support to a possible forced marriage in 1485 cases. 82% involved female victims and 18% male victims.

Research shows that 75% of those experiencing domestic abuse, as well as suffering abuse at home, are also targeted at work.

1 in 6 men have been targets of rape or sexual abuse and 1 in 4 women are survivors of rape or sexual abuse

The Crime Survey for England and Wales for the year ending March 2015 showed that police recorded 88,219 sexual offences, encompassing rape (29,265 cases) and sexual assault, and also sexual activity with children.

Most sexual assaults are carried out by someone known to the victim. This could be a partner, former partner, relative, friend or colleague.

Appendix 6

Common Myths

Myth

Domestic abuse is about an employee's personal life and has no impact on my business.

Fact: Domestic abuse has an impact on the financial strength and success of the organisations for which its victims work. Domestic violence leads to decreased productivity and poor performance, erratic attendance and absenteeism, and employee turnover.

Myth

Domestic abuse victims are safe at work

Fact: Research indicates that nearly 75 per cent of domestic abuse victims are targeted at work - from harassing phone calls and abusive partners arriving at the office unannounced, to physical assaults. Once a person leaves an abusive partner they are especially vulnerable at work, as it may be the only place they can be located or harmed. Also, many people meet their partners at work. If both perpetrator and victim work for the same organisation, there are more opportunities for victims to be targeted there.

Simple, practical measures such as alerting security personnel, varying start and finish times or providing a mobile phone can assist in thwarting perpetrators and help to protect victims.

Myth

Supporting victims will mean turning our managers or HR staff into Social Workers

Fact: It's not necessary for organisations to have specialised expertise in house; employees can be referred to domestic abuse helplines or other sources of advice. By being aware of how domestic abuse can affect staff and being ready to make adjustments to assist them, employers can complement this specialist help with practical support.

Myth

Domestic abuse is only an issue for women

Fact: Domestic abuse can happen to men as well as women and men in same sex relationships are just as likely to become victims. However it is true that more women than men are victims, including the majority of repeat victims. Domestic abuse does not only harm the victim. Parents, children, siblings and friends can also be profoundly affected – including their work. Abuse against children can often take place at the same time as abuse against a woman. A conservative estimate is that in 40% of cases of domestic abuse, the abuser is abusing both his partner and his children. Children and young people living with domestic abuse are significantly affected.

Myth

A person commits sexual assault because they are mentally ill, perverted or can't control their sexual urges

Fact

Sexual assault is about power and control, not sex. It violates not only a survivor's personal integrity, but also his or her sense of safety and control over his or her life. Studies on offenders state that perpetrators are usually "normal" people, and that they often have families, jobs, and can be respected members of their community.

Myth

Someone in a committed relationship (marriage, dating, common-law) cannot be sexually assaulted by their partner

Fact

Entering into a relationship does not give anyone the right or ownership of another person's body. Even in a committed relationship there are still two separate individuals involved, and they each have the right to communicate "no". Being in a committed relationship is no different than any kind of hook up, when it comes to consent. Therefore every time two people engage in sexual activities, consent must be obtained

Myth

Victims cause the violence that has happened to them

Fact

It doesn't matter what someone is wearing or how they are acting, no one asks to be raped. People who sexually assault often use force, threat, or injury. An absence of injuries does not indicate the victim consented

Myth

It's not sexual assault if it happens after drinking or taking drugs.

Fact

Being under the influence of alcohol or drugs is not an invitation for non-consensual sexual activity. A person under the influence of drugs or alcohol does not cause others to assault him/her; others choose to take advantage of the situation and sexually assault him/her because he/she is in a vulnerable position.

Appendix 7 – Ask and Act Training Model

