Domestic Violence and Abuse Policy

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# Version History

| Version | Date | Author (Name and Title) | Summary of amendments made |
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| 0.1 | June 2022 | Senior HR Business Partner | First draft ICB Policy |
| 1.0 | 08/08/22 | Senior HR Business Partner | Final review of Version 1.0 against policy checklist. |
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## Introduction

The Integrated Care Board (ICB) is committed to raising the awareness of domestic violence and abuse and providing guidance for employees/staff and management to address the occurrence of domestic abuse and its effects on the workplace.

The ICB promotes the understanding that everyone has the right to live free from violence or abuse and makes a clear commitment to reducing inequality, promoting dignity at work and responding sensitively and effectively to staff that require help and support.

Domestic abuse can happen to anyone, both male and female, and in all kinds of relationships - heterosexual, gay, lesbian, bisexual and transgender. People experience domestic abuse regardless of their social group, class, age, race, disability, gender, sexual orientation or lifestyle.

Everyone has arguments and may disagree with their partners, family members and others close to them from time to time, however anyone forced to alter their behaviour because they are frightened of their partner’s or family member's reaction is being abused. It can begin at any stage of the relationship but domestic abuse is rarely a one-off. Incidents generally become more frequent and severe over time.

The ICB recognises that domestic abuse can affect an individual’s work performance and that as an employer we have a responsibility for health, safety and welfare at work. The direct and indirect costs of domestic abuse on ICB staff working will be wide ranging and could have a direct effect on the quality of service provision. Domestic violence and abuse may, impact in the following ways:

* + increased sickness absence.
  + poor work performance and lost productivity; pressure on colleagues to ‘cover’.
  + difficulty with time keeping (lateness).
  + risk of workplace violence.
  + career progression
  + absenteeism.
  + physical incapability.

## Purpose / Policy Statement

The purpose of this policy is to:

* + Safely assist and support individuals asking for help in addressing domestic violence and abuse issues.
  + To remove fears of stigmatism for individuals who are affected by domestic violence and abuse.
  + To ensure those individuals seeking assistance are confident their situation will be handled safely, sympathetically and confidentially within the constraints of this policy, ICB Safeguarding Policy and the Southend, Essex & Thurrock Safeguarding Children Procedures and Safeguarding Adult Guidelines.
  + To ensure all individuals who are experiencing/perpetrating domestic abuse and violence are aware of the policy.
  + To make individuals aware that domestic abuse is unacceptable and can lead to criminal convictions.

## Scope

This policy is applicable to all employees.

Under the Health and Safety at Work Act (1974), the Management of Health and Safety at Work Regulations (1992), Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (1995) and the Health and Safety (Consultation with Employees) Regulations (1996), the ICB recognises its legal responsibilities in promoting the welfare and safety of all staff. Therefore, this policy applies to staff across all sites as well as agency, bank, volunteers, work experience, contractors etc. However, it is recognised that some parts of this policy may not be applicable to all eg taking action under a Disciplinary Policy which is only applicable to employees.

The support provided under this policy applies equally to all staff who may be experiencing domestic abuse, whether they are male or female, or are affected by domestic abuse perpetrated against someone close to them rather than to them personally.

## Definitions

* Please refer to Section 6.

## Roles and Responsibilities

### Integrated Care Board

* + 1. The ICB Board is accountable and responsible for ensuring that the ICB has effective processes to support staff experiencing domestic abuse in accordance with relevant legislation and best practice guidance.

### Chief Executive

* + 1. The Chief Executive has responsibility for ensuring the provision of high quality, safe and effective services within the ICB. They have overall responsibility and is accountable for ensuring a safe and effective response to staff experiencing with domestic abuse.

### Policy Authors

* + 1. Policy authors are responsible for ensuring that this document is updated when any changes are made to legislation or guidance.
    2. This policy will be produced/reviewed in collaboration with Safeguarding professionals. The designated professionals will provide specialist safeguarding support and advice to all staff in relation to supporting staff who are experiencing/perpetrating domestic abuse.

### Executive Chief People Officer

* + 1. The Chief People Officer oversees the implementation of this policy and is responsible for ensuring that managers take action to meet the organisation’s obligations to ensure equity and consistency.

### Line Managers

* + 1. All managers should:
  + Be available and approachable to individuals experiencing domestic abuse.
  + Be aware of their responsibility for the health, safety and welfare of staff at work.
  + Be aware that domestic abuse can influence the health and self-confidence of people who may be reticent to confide in others or seek help. They should, therefore, be alert to the signs of possible domestic abuse e.g. where an individual is depressed, distracted and/or lacking in self-confidence, which may be reflected in work performance.
  + Recognise the importance of staff welfare and appreciate that, by supporting individuals who may be experiencing domestic abuse, they will potentially contribute to an improvement in service delivery and a reinforcement of good management/staff relations.
  + Keep information confidential, subject to the requirements of safeguarding children and adults at risk processes and the Crime and Disorder Act.
  + Discuss the specific steps that can be taken to help staff stay safe in the workplace.
  + Ensure individuals are aware of options available to them, as referenced in this document.
  + Encourage affected individuals to seek advice from external agencies.
  + Encourage affected employees to utilise support mechanisms available internally to the ICB (e.g. Occupational Health, Employee Assistance Programme).
    1. See Appendix C for further information for line managers

### All Staff

* + 1. All staff:
  + Will take note of this policy and act in accordance with its contents.
  + Ensure that their behaviour at work reflects the aims and values of the ICB and that they follow this policy in maintaining confidentiality and privacy for colleagues experiencing/perpetrating domestic abuse.
  + Affected by domestic abuse may choose to discuss this with their Line Manager or ICB Safeguarding Team. Alternatively, they may choose to discuss it with someone they feel comfortable with, maybe a trusted colleague or Occupation Health.
  + Those who know of a colleague who is experiencing domestic abuse should act sensitively and encourage them to seek advice and support from their line manager, HR team or ICB Safeguarding Team.
  + Those who know of a colleague who is experiencing domestic abuse should discuss this with their line manager or ICB Safeguarding Team.
  + In order to receive support under this policy, staff need to disclose that they are at risk from domestic abuse and the ICB will seek to enable staff to disclose such facts by generating a supportive culture.

## Definitions

### Domestic Violence and Abuse

* + 1. The Domestic Abuse Act 2021 definition of domestic violence and abuse:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.

Children are now described as the victims of domestic abuse rather than witnesses to abuse.

Domestic abuse can encompass, but is not limited to, the following types of abuse:

* Psychological.
* Physical.
* Sexual.
* economic emotional.

‘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.

‘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.

* + 1. This definition includes so called ‘honour’ based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

### Physical Abuse

* + 1. Includes, for example, hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.

### Sexual Abuse

* + 1. Includes any non-consensual sexual activity, including rape, sexual assault, coercive sexual activity, or refusing safer sex.

### Economic Abuse

* + 1. Economic abuse involves behaviours that interfere with an individuals ability to acquire, use and maintain economic resources such as money, transportation and utilities. It can be controlling or coercive. It can make the individual economically dependent on the abuser, thereby limiting their ability to escape and access safety.

### Psychological Abuse

* + 1. Includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

### Neglect or Acts of Omission

* + 1. Includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition, and heating.

### Discriminatory Abuse

* + 1. Includes racist, sexist behaviour that maybe based on a person’s disability, and other forms of harassment, slurs, or similar treatment.

### Honour Based Abuse

* + 1. The Crown Prosecution Service (CPS) and the Association Chief Police Officers (ACPO) have a common definition of honour-based violence:

"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”

* + 1. It is a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code.
    2. A child or adult at risk of abuse in the name of honour is at significant risk of physical harm (including being murdered) and/or neglect and may also suffer significant emotional harm through the threat of violence or witnessing abuse directed towards a sibling or other family member.

### Forced Marriage

* + 1. The definition of forced marriage is:

‘A forced marriage is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage as they are pressurised, or abuse is used, to force them to do so. It is recognised in the UK as a form of domestic or child abuse and a serious abuse of human rights’.

* + 1. There is a clear distinction between a forced marriage and an arranged marriage. In arranged marriages the families of both spouses take a leading role in arranging the marriage but the choice whether or not to accept the arrangement remains with the prospective spouses. Consent is essential to all marriages – only the spouses will know if they gave consent freely.
    2. Forced marriage is a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014

### Female Genital Mutilation

* + 1. Female Genital Mutilation (FGM) is a collective term for a range of procedures which involve partial or total removal of the external female genitalia for non-medical reasons. It is sometimes referred to as female circumcision, or female genital cutting.
    2. The procedure is not required by any religion and is medically unnecessary, painful and has serious health consequences at the time and in later life. In certain communities there is a cultural expectation that women undergo FGM before being able to marry – usually this will be performed during childhood but there have been reports of young girls and women undergoing FGM just before a forced marriage.
    3. It is an offence for anyone (regardless of their nationality and residence status) to perform FGM in the UK or to aid, abet, counsel or procure a girl or woman to perform FGM on herself in or outside of the UK. It is also an offence for a person to fail to protect a girl under 16 from risk of genital mutilation while they have responsibility for her.

### Child

* + 1. A child is anyone who has not yet reached their 18th birthday.
    2. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate or is identified as a victim/perpetrator of domestic abuse does not change their status or entitlements to services or protection under the Children Act 1989.
    3. Safeguarding of children is paramount and safeguarding policies should always be followed.

### Further details

* + 1. Further information and details can be found in the [ICB Safeguarding Policy](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies). This policy is not intended to duplicate the information already provided in the ICB Safeguarding Policy.

## Domestic Abuse and Workplace

Everyone has the right to a life free from abuse in any form. Domestic abuse is wholly unacceptable and inexcusable behaviour and responsibility for the abuse lies with the perpetrator.

The ICB strives to create a working environment that promotes the view that abuse against people is unacceptable and that such abuse will not be condoned or made the subject of jokes or graphics.

Any incident of abuse that takes place on NHS premises or in relation to carrying out ICB business should be reported as set out in the ICB’s policy on [Management of Violence and Aggression](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies).

Employees should also be aware that conduct outside of work could lead to disciplinary action being taken because of its impact on the employment relationship.

Where a staff member is a registered practitioner, they are accountable to their regulator (e.g. GMC/NMC) and could face investigation by that regulator.

The perpetration of domestic abuse by an employee may lead to disciplinary action being taken against them, up to and including dismissal, regardless of whether the abuse occurred at work or not. This measure reflects potential risks posed to service users and also the reputational damage that may potentially be experienced by the ICB.

## Confidentiality and Privacy

The ICB recognises that, where an individual is experiencing domestic abuse, confidentiality must be strictly observed by all parties concerned and that any breach of confidentiality could have severe repercussions for the person experiencing domestic abuse.

The ICB respects the right to confidentiality and recognises that, normally, individuals have the right to complete confidentiality. There are, however, some circumstances in which confidentiality cannot be assured. These occur when there are concerns about children or vulnerable adults or where the employer needs to act to protect the safety of employees/staff.

In such circumstances, managers should seek advice and support from HR and the ICB Safeguarding Team. If after having taken advice a decision is made to share information with another agency e.g. Children’s Services, this will be discussed with the individual to explain why and it will seek agreement where possible.

## Safety and Security

The ICB will protect the safety and security of all individuals at work including those experiencing domestic abuse and their colleagues.

Individuals need to disclose that they are at risk from domestic abuse to receive this protection and the ICB will seek to enable them to disclose such facts by generating a supportive and open management culture.

However, the ICB respects the right to privacy in the event that an individual does not wish to inform the ICB that they are experiencing domestic abuse.

## Discrimination and Reasonable Support

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

The ICB is aware that domestic abuse victims may have performance problems such as absenteeism or lower productivity as a result of domestic abuse. When addressing performance and safety issues, the ICB will make reasonable efforts to consider all aspects of the individual’s situation and /or safety problems.

The ICB will make reasonable effort to assist an individual experiencing domestic abuse. If an individual needs to be absent from work due to domestic abuse, the length of the absence will be determined by the individual's situation through collaboration with their manager (supported by Human Resources) and their Union Representative, if applicable.

The ICB will reasonably help an individual to address their own domestic abuse. Appendix C contains details of supportive measure that can be put in place.

Other arrangements may be made that are reasonable and prioritise the short term needs of the individual alongside the short and medium term needs of the ICB.

## Support for Individuals Experiencing Domestic Abuse

Any individual who is experiencing domestic abuse and feels that the ICB can offer the support they need, should speak to their line manager, supervisor, HR Team, ICB Safeguarding Team (or use the Employee Assistance Programme if they are an employee).

Any employee who feels that domestic abuse is having an impact on their self-esteem can arrange to attend one to one counselling sessions through the Employee Assistance Programme. The counsellor is bound by professional ethics, which include confidentiality, and no information is given to the employer.

Employees who are experiencing domestic abuse often need to take time off work in order to visit solicitors, banks, schools, support agencies etc. and this can be accommodated through the ICB’s Policy on [Special Leave](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies). Such arrangements should be made, in confidence, through the employee’s line manager. Alternatively, this can be progressed through the HR Team or occupational health who may then discuss the matter with the line manager.

The ICB recognises that individuals who are experiencing domestic abuse may also require to arrange to meet with third parties e.g. support agencies, police etc., for short periods during normal working hours and can accommodate requests from staff to hold such meetings on ICB premises. Again, such arrangements should be made, in confidence, through the line manager. Alternatively, this can be progressed through the HR Team or occupational health, who may then discuss the matter with the line manager.

Where requested the line manager can consider requests from the employee to change location/base or to attend a location/base on a regular basis if working from home is not sustainable.

## ICB Responsibility to Employees who are Perpetrators of Domestic Abuse

Domestic abuse perpetrated by employees will not be condoned under any circumstances nor will it be treated as a purely private matter. The ICB recognises that it has a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds.

If an employee approaches a representative of the ICB (ie a line manager) about their abusive behaviour, the ICB will provide information about the services and support available to them, and will encourage the perpetrator to seek support and help from an appropriate source.

If a perpetrator of domestic abuse wishes to seek help to change their behaviour they will be signposted to obtain the appropriate help through the Occupational Health Department or external organisations such as The Change Project.

The ICB will treat any allegation, disclosure or conviction of a domestic abuse related offence on a case-by-case basis with the aim of reducing risk and supporting change.

There are four potential strands in the consideration of an allegation:

* a police investigation of a possible criminal offence
* disciplinary action by the employer
* providing specialist, safety-focused counselling
* identifying risk.

An employee cautioned or convicted of a criminal offence may be subject to the organisation’s [Disciplinary Policy](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies).

The ICB 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) 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.

The ICB views the use of violence and abusive behaviour by an employee, wherever this occurs, as a breach of the organisation’s Values.

There may also be circumstances where such behaviour by a regulated professional might indicate a potential risk to patients or service users or bring the profession into disrepute or breach a professional code of conduct. Where an employer is aware of such misconduct, the ICB will report it to the appropriate regulator. There may also be a mandatory obligation on the regulated professional to self-refer if they receive any police caution or conviction, and for the police to report such action if they are aware an individual is regulated.

The ICB’s Values are intended to inform all employees, irrespective of grade, of the standards of conduct expected of them. It identifies a set of principles governing behaviour by which employees are expected to abide. Employees are expected at all times to present high standards of personal integrity and conduct that will not reflect adversely on the ICB and its reputation.

The ICB is committed to ensuring that:

* allegations will be dealt with fairly and in a way that provides support for the person who is the subject of the allegation or disclosure
* all employees will receive guidance and support
* confidentiality will be maintained and information restricted only to those who have a need-to-know
* investigations will be thorough and independent
* all cases will be dealt with quickly avoiding unnecessary delays
* all efforts will be made to resolve the matter within four to six weeks, although some cases will take longer because of their nature or complexity.

NOTE: This procedure is intended to be safety focussed and supportive rather than punitive.

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.

Any employee who is responsible for giving advice or support to those experiencing domestic abuse needs to be particularly aware of the potential consequences if they are found to be perpetrators.

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 serious disciplinary offence and action will be taken.

If the perpetrator is working directly with children or vulnerable adults the ICB would need to consider referral to the Local Authority Designated Officer (LADO).

## If the Victim/Survivor and the Perpetrator both work for the ICB

In cases where both the victim/survivor and the perpetrator of domestic abuse work in the ICB appropriate action will be taken.

A statement that an allegation of abuse against a partner who also works for the organisation will be handled with sensitivity; providing a safe workplace may involve the suspension or redeployment of the alleged perpetrator pending action under the Managing Investigation Guidelines and [ICB Disciplinary Policy](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies).

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.

## Raising Awareness in the Workplace

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

* + publishing, maintaining and posting in locations of high visibility a list of external resources for those experiencing and perpetrating domestic abuse.
  + publishing and distributing information on the intranet.

## Monitoring Compliance

The Safeguarding Team will support the implementation of this policy by providing specialist advise. The HR Team will be responsible for monitoring that this procedure is followed and may be consulted at any stage through the process to offer advice to those involved.

Monitoring information will be published and reported as appropriate.

## Staff Training

Line Managers are required to attend training regarding domestic abuse and their responsibilities. This will be provided by the Safeguarding Team and should cover the following:

* + - * the workplace policies.
      * the role of the named contact.
      * protocols for identifying and responding to domestic violence.
      * victims and perpetrators domestic violence services.

No essential (including mandatory) learning and development requirements have been identified for any staff groups, in order to fulfil the requirements stated within this policy.

Guidance can be sought from Human Resources team and Safeguarding Team.

## Arrangements For Review

This policy will be reviewed no less frequently than every two years. An earlier review will be carried out in the event of any relevant changes in legislation, national or local policy/guidance, organisational change or other circumstances which mean the policy needs to be reviewed.

If only minor changes are required, the sponsoring Committee has authority to make these changes without referral to the Integrated Care Board. If more significant or substantial changes are required, the policy will need to be ratified by the relevant committee before final approval by the Integrated Care Board.

## Associated Policies, Guidance And Documents

#### [Associated Policies](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies)

* SET Safeguarding and Child Protection Procedures.
* SET Safeguarding Adult Guidelines.
* ICB Safeguarding Policy.
* Management of Violence and Aggression Policy.
* Special Leave Policy.
* Managing Investigation Guidelines and ICB Disciplinary Policy.
* Lone worker Policy.
* Flexible Working Policy.

## References

* Equality Act 2010 http://www.legislation.gov.uk/ukpga/2010/15/contents
* Children Act 1989 & 2004 http://www.legislation.gov.uk/ukpga/1989/41/contents http://www.legislation.gov.uk/ukpga/2004/31/contents
* Health and Safety at Work 1974 http://www.legislation.gov.uk/ukpga/1974/37
* Management of Health and Safety at Work Regulations 2006 http://www.legislation.gov.uk/uksi/2006/438/contents/made
* Protection from Harassment Act 1997 http://www.legislation.gov.uk/ukpga/1997/40
* Domestic Violence, Crime and Victims Act 2004 https://www.gov.uk/government/publications/the-domestic-violence-crime-and-victims-act-2004
* Care Act 2014 http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted
* Responding to domestic abuse: A resource for health professionals, Department of Health 2017 <https://www.gov.uk/government/publications/domestic-abuse-a-resource-for-health-professionals>
* Forced marriage <https://www.gov.uk/guidance/forced-marriage>
* Female genital mutilation

<https://www.gov.uk/government/collections/female-genital-mutilation>

* Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers HM Government 2018 <https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

## Equality Impact Assessment

The EIA has identified no equality issues with this policy.

The EIA has been included as Appendix A.

## Appendix A - Equality Impact Assessment

**INITIAL INFORMATION**

|  |  |
| --- | --- |
| **Name of policy:**  Domestic Violence  **Version number (if relevant):**  1.0 | **Directorate/Service**:  People Services |
| **Assessor’s Name and Job Title:**  Carolyn Druce, HR Business Partner | **Date:**  26th May 2022 |

|  |
| --- |
| **OUTCOMES** |
| *Briefly describe the aim of the policy and state the intended outcomes for staff* |
| The purpose of this policy is to:   * Safely assist and support individuals asking for help in addressing domestic violence and abuse issues * To remove fears of stigmatism for individuals who are affected by domestic violence and abuse * To ensure those individuals seeking assistance are confident their situation will be handled safely, sympathetically and confidentially within the constraints of this policy, ICB Safeguarding Policy and the Southend, Essex & Thurrock Safeguarding Children Procedures and Safeguarding Adult Guidelines. * To ensure all individuals who are experiencing/perpetrating domestic abuse and violence are aware of the policy. * To make individuals aware that domestic abuse is unacceptable and can lead to criminal convictions. |
| **EVIDENCE** |
| *What data / information have you used to assess how this policy might impact on protected groups?* |
| The ICB monitors the composition of its workforce under the nine protected equality characteristics and reports on this annually. This information helps the ICB to assess the potential impact of its policies upon staff. |
| *Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?* |
| Relevant Trade Unions have been consulted on the policy and any comments will be taken into consideration when the policy is published. |

**ANALYSIS OF IMPACT ON EQUALITY**

The Public Sector Equality Duty requires us to **eliminate** discrimination, **advance** equality of opportunity and **foster** good relations with protected groups. Consider how this policy / service will achieve these aims.

N.B. In some cases it is legal to treat people differently (objective justification).

* ***Positive outcome*** *– the policy/service eliminates discrimination, advances equality of opportunity and fosters good relations with protected groups*
* ***Negative outcome*** *–**protected group(s) could be disadvantaged or discriminated against*
* ***Neutral outcome***  *–**there is no effect currently on protected groups*

Please tick to show if outcome is likely to be positive, negative or neutral. Consider direct and indirect discrimination, harassment and victimisation.

| Protected  Group | Positive  outcome | Negative  outcome | Neutral  outcome | Reason(s) for outcome |
| --- | --- | --- | --- | --- |
| Age |  |  | x | The introduction to the policy makes clear that domestic violence can happen to anyone regardless of their protected characteristics. |
| Disability  (Physical and Mental/Learning) |  |  | x |  |
| Religion or belief |  |  | x |  |
| Sex (Gender) |  |  | x |  |
| Sexual  Orientation |  |  | x |  |
| Transgender / Gender Reassignment |  |  | x |  |
| Race and ethnicity |  |  | x |  |
| Pregnancy and maternity (including breastfeeding mothers) |  |  | x |  |
| Marriage or Civil Partnership |  |  | x |  |

|  |
| --- |
| **MONITORING OUTCOMES** |
| Monitoring is an ongoing process to check outcomes. It is different from a formal review which takes place at pre-agreed intervals. |
| *What methods will you use to monitor outcomes on protected groups?* |
| It is anticipated that any issues in respect of the implementation of the policy will be identified as a result of monitoring referrals made under this policy. |

|  |
| --- |
| **REVIEW** |
| *How often will you review this policy / service?* |
| Every 2 years as a minimum and earlier if there are any significant changes in legislation, policy or good practice. |
| *If a review process is not in place, what plans do you have to establish one?* |
| N/A |

## Appendix B – Possible Signs of Domestic Abuse

Signs that someone might be experiencing domestic abuse (some of these signs may reflect a range of sensitive issues):

**Work productivity signs:**

* Change in the person’s working patterns: for example, frequent absence, lateness or needing to leave work early.
* Reduced quality and quantity of work: missing deadlines, a drop in usual performance standards.
* Change in the use of the phone/email: for example, a large number of personal calls/texts, avoiding calls or a strong reaction to calls/texts/emails.
* Spending an increased number of hours at work for no reason.

**Changes in behaviour or demeanour:**

* Conduct out of character with previous employment history.
* Changes in behaviour: for example, becoming very quiet, anxious, frightened, tearful, aggressive, distracted, depressed etc.
* Isolating themselves from colleagues.
* Obsession with timekeeping.
* Secretive regarding home life.
* Worried about leaving children at home with abuser.

**Physical signs:**

* Visible bruising or single or repeated injury with unlikely explanations.
* Change in the pattern or amount of make-up used.
* Change in the manner of dress: for example, clothes that do not suit the climate which may be used to hide injuries.
* Substance use/misuse.
* Fatigue/sleep disorders.

**Other signs**

* Partner or ex-partner stalking employee in or around the workplace.
* Partner or ex-partner exerting unusual amount of control or demands over work schedule.
* Flowers/gifts sent to employee for no apparent reason.
* Isolation from family/friends.

## Appendix C – Further Information for Line Managers

**Line Managers Role**

When meeting with members of staff who are affected by domestic abuse, managers must:

* Never raise the issue of domestic violence or abuse unless the employee is alone.
* Remember the “One Chance” Rule

**The ‘One Chance’ Rule**

All members of staff need to be aware that victims of forced marriage and honour-based abuse (HBA) may only have one chance to speak to someone about the abuse. That means that they may only have one chance to speak to a potential victim and thus they may only have one chance to save a life.

All staff working within the ICB need to be aware of their responsibilities when they come across forced marriage and HBA cases.

If the victim is allowed to walk out of the door without support, that one chance might be lost.

**Speaking with the Employee**

In all cases:

* Ensure privacy making sure that you cannot be overheard and that devices are not recording the conversation.
* Ensure sufficient time is given without interruption
* Aim to have a supportive non-judgemental conversation which reinforces that the abusive behaviour is the responsibility of the perpetrator
* Remember that no proof of abuse is needed and an employee’s statement alone will be sufficient for them to be given access to information on appropriate agencies and support in accessing protection and help
* Let the employee know that you believe them and make it clear to them that it is not their fault
* Explain the limits of confidentiality, as per information sharing guidance.
* Focus on the employee’s safety and that of their children and/or the perpetrators if they have any. Bear in mind the close links between domestic abuse and child abuse.
* Complete Domestic Abuse, Stalking and Honour Based Violence (DASH 2009) Risk Identification, Assessment and Management Model risk assessment if you have received relevant training
* Listen to what the person is saying and go at the employees’ pace
* Never accept culture or religion as an excuse for domestic abuse
* Make employees aware of this Policy
* Recognise limitations of their role and seek help when appropriate from ICB Safeguarding team, HR, Occupational Health etc.,

Managers may not always have the opportunity to speak to employees face to face and may therefore need to have discussions over the phone or via videoconferencing facilities. If this is the case, in addition to the above guidance, managers should:

* Only contact the employee outside of the workplace if you are sure that it is safe to do so.
* Ensure you are telephoning/using videoconferencing from a confidential space and consider personal surroundings when making phone/video calls.
* Ascertain that it is safe to proceed with the call by asking, “Are you alone?” and “Is it OK for us to continue with this call right now?”.
* If it is safe to talk to the person, establish a code word or sentence, which they can say to indicate that it’s no longer safe to talk and end the call e.g. 'No I'm not interested, thank you’.
* Have immediate access to resources that may be appropriate to that person (if it is known in advance that the conversation is due to take place).
* Check that they are using the employee’s preferred contact number and identify a safe way to contact them in case there are connectivity issues.
* Ascertain if the employee is happy with this mode of contact if required again.
* Consider the use of closed questions (which can be answered yes/no) initially to ensure the safety of the employee e.g. Are you alone? Is it safe for you to speak freely? Would it be better for us to speak at a different time?

Be aware that the employee may be on speaker phone (not necessarily through choice) and ensure that nothing you say could put them at risk until you have ascertained that it is safe for them to speak.

Please speak to a member of the ICB Safeguarding Team if you would like further advice regarding communicating safely and appropriately with an employee.

**Supportive measures that can be used to address abuse are:**

* To allow time off to visit solicitors and other agencies under the Special Leave Policy.
* To reassure the employee that their job is guaranteed should extended leave be required.
* Finance is often difficult in this type of situation and an advance of pay could be considered. This would need to be discussed with the HR Department.
* Where an employee requests a change of work site, redeployment should be sought by the manager. A change in working hours or other temporary measures could also be an option.
* To ensure that security arrangements have been considered for all employees working alone. Managers should ensure that all staff are aware that under no circumstances should the workplace of any lone employee be divulged.
* To provide advice as within the Lone worker Policy.
* To consider arranging temporary flexible working hours. Advice is provided within the Flexible Working Policy.
* To ensure that confidential counselling is made available to an employee experiencing/perpetrating domestic abuse should they wish to access it.
* To establish how to contact the employee, as contacting him/her at home may not be appropriate.
* When considering the employers response to people who are experiencing domestic abuse it is important to keep in mind the following:
* The safety of the employee and their children and any identified vulnerable adults at risk is paramount and safeguarding concerns should always be considered and acted on in line with the SET Safeguarding and Child Protection Procedures/SET Safeguarding Adults Guidelines.
* Individuals may have been experiencing abuse over a long period of time
* The violence and abuse may be a mix of physical, sexual, emotional, economic and threatening behaviour.
* Individuals may have no access to their own money or may be excluded from dealing with finances.
* Individuals may have done a whole range of different things to try and stop the violence and abuse.
* You may be the first person they have spoken to or the 20th person.
* Individuals may want to try and save the relationship. Do not try and make decisions for the employee. It is crucial that they decide what it is they want to do next.
* Individuals may be frightened of the perpetrator and possibly you and fearful of losing their children.
* Don’t make assumptions. For example, do not assume that employees from an ethnic minority will want to speak to someone from their own culture. Often, they feel that it is dangerous to speak to someone who is a part of their own community, whilst others feel that it is safer.

People are most at risk of life threatening or fatal violence when they try to attempt to leave or have recently left a violent partner.

**Managers should consider the effect of domestic violence and abuse on children**

Living in a home where domestic abuse happens can have a serious impact on a child or young person's mental and physical wellbeing, as well as their behaviour. And this can last into adulthood.

What's important is to make sure the abuse stops and that children have a safe and stable environment to grow up in.

Children experience abuse by:

* seeing violent and abusive acts and behaviours.
* hearing arguments.
* seeing the physical and emotional effects of abuse.
* they may try to intervene be directly abused themselves.
* Removal from an abuser does not automatically mean safety for the child.

Where the victim or perpetrator of domestic abuse has children, advice should be sought from the ICB Safeguarding Team. Remember perpetrators children may be exposed to abusive behaviour outside the confines of the identified relationship e.g. through access visits, other relationships

If a child is at immediate risk of significant harm the SET procedures (2019) should be followed and social care/police contacted without delay.

## Appendix D – Support Services



The Southend, Essex and Thurrock domestic abuse partnership website, provides comprehensive advice and information on services for those affected by domestic abuse. https://setdab.org/



Compass 24/7 Domestic Abuse helpline – **0330 333 7444**

Compass provides local and national information, advice and guidance to the public and professionals who have concerns about family, friends and people they work with who may be experiencing domestic abuse.



We have over 10 years experience delivering RESPECT accredited domestic violence perpetrator programmes. Through the behavioural change of the abuser we aim to increase the well-being of people who are, or have been, living with conflict or domestic violence & abuse.

<https://www.thechange-project.org/>

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