

# Domestic Abuse Policy

This policy document ensures that the victims of domestic abuse who work within the school are aware of the support that is available. It also provides guidance to the headteacher and governors on how to support employees who are affected by domestic abuse.

It is important to note that domestic abuse is not condoned under any circumstances and all employees must always behave appropriately and professionally.

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Where the headteacher is the employee concerned, any reference to the headteacher in this policy should be replaced with the chair of governors.

## 1 Introduction

The school acknowledges that domestic abuse is a significant problem, which has a devastating impact on victims and their families. This policy document represents a commitment to take all reasonable steps possible to combat the reality and impact of domestic abuse on those employees being abused and to challenge the behaviour of employees who are perpetrators of domestic abuse. Durham County Council has signed the GMB's Work to Stop Domestic Abuse Employer Charter as part of this on-going commitment to supporting staff.

The school has a duty of care under the Health and Safety at Work Act etc. 1974 and associated Health and Safety legislation, to ensure, where reasonably practical, the health, safety and welfare of its employees. By working to eliminate risks related to domestic violence/abuse in the workplace, the school is able to create a safer working environment for its employees. For some employees, the workplace is a safe haven and the only place that offers routes to safety.

## 2 What is domestic abuse?

Domestic abuse is defined by the Home Office as 'Any incident of controlling, coercive or threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 16 and over, who are or have been intimate partners or are family members, regardless of gender and sexuality.' This definition includes honour-based violence, forced marriage and female genital mutilation.

- **Controlling behaviour:** describes 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 person gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour;
- **Coercive behaviour:** is an act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.

Domestic abuse happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership, pregnancy or maternity. When dealing with domestic abuse it is important to recognise differences between all protected characteristics. It follows that different approaches and resources are needed when addressing domestic abuse with different groups.

The various types of domestic abuse are detailed below:

<b>Emotional and psychological</b>	<p>Can be either verbal or non-verbal.</p> <p>This kind of abuse chips away at the confidence and independence of the victim to make them compliant and limit their ability to leave their abuser.</p> <p>Emotional abuse can include verbal abuse such as yelling, name-calling, blaming and shaming, isolation, intimidation, threats of violence and controlling behaviour.</p>
<b>Physical</b>	<p>This can encompass a wide range of different behaviour and can include punching, slapping, hitting, biting, pinching, kicking, pulling hair, pushing, shoving, burning and strangling.</p>
<b>Sexual</b>	<p>Rape and sexual abuse is common in abusive relationships due to the victim's refusal of consent being ignored. Any situation where someone is forced to take part in unwanted, unsafe or degrading sexual activity is sexual abuse.</p>
<b>Financial</b>	<p>Economic or financial abuse limits the victim's ability to get help. The abuser controls finances, withdraws money or credit cards, makes someone unreasonably account of the money they spend, exploits assets, withholds basic necessities, prevents someone from working or sabotages the victim's job and deliberately runs up debts.</p>

### 3 Impact of domestic abuse

There may be incidents that occur in the workplace or that specifically affect the work of the individual in the workplace. Possible signs of domestic abuse include:

- Changes in behaviour, including uncharacteristic depression, anxiety, distraction or problems with concentration;
- Changes in the quality of work for no apparent reason;
- Arriving late or leaving early;
- Poor attendance or high presenteeism without explanation;
- Needing regular time off for appointments;
- Inappropriate or excessive clothing.

Domestic abuse also affects people close to the victim, including work colleagues. The impact on work colleagues could include:

- Being followed to or from work;
- Being subject to questioning about the victim's contact details or locations;
- Covering for colleagues when they are absent from work;
- Trying to deal with the abuse and fearing for their own safety;
- Being unaware of the abuse or not knowing how to help;
- Impact on team dynamics, working relationships and behaviours in the workplace.

Domestic abuse can also impact on the employer as productivity, performance and morale can all be negatively affected and increase employee turnover, as the individual may have to leave work or move away to escape abuse.

The school expects all employees to report their concerns if they suspect a colleague is experiencing or perpetrating abuse. In the first instance, they should speak to the headteacher about their concerns, in confidence or alternatively ring Durham Constabulary on 101.

## **4 Support for employees who are victims of domestic abuse**

Employees are encouraged to discuss their situation with their headteacher who can support them to access relevant support. There are a number of ways in which employees who are experiencing domestic abuse can be supported by the school:

- Offering practical support as detailed in 6.2;
- Raising awareness generally of the issues;
- Signposting to appropriate counselling support;
- Taking a clear anti-abuse stance against perpetrators.

If an employee feels unable to talk to their headteacher, support is available from the HR Advice and Support team or by contacting Health Assured (see section 6.2.1).

### **4.1 Confidentiality and the right to privacy**

Employees who disclose that they are a victim of domestic abuse can be assured that the information they provide is confidential and will not be shared with other colleagues without their permission.

There are some circumstances in which the employer's duty of care is the overriding factor and confidentiality cannot be assured. This may occur when there are concerns regarding children, vulnerable adults or where the organisation is required to protect the safety of their own employees. In these circumstances, the employee will be informed as to the reasons why confidentiality cannot be maintained. Wherever possible, information will only be shared on a need to know basis.

### **4.2 Domestic abuse network**

A domestic abuse network is in place across County Durham, supported by the council, the Office of the Police Crime and Victims Commissioner (OPVCV) and Durham Constabulary and comprised of statutory, commercial, voluntary and community sector.

Nominated employees within the council have been trained to be Domestic Abuse Advisers, providing a link between the council and the Domestic Abuse Network. The council's trained Domestic Abuse Advisers will also be available to provide advice and guidance to both employees and headteachers. Details of Domestic Abuse Advisers are available on the extranet.

Public Health England have also produced a toolkit for employers to support all employees in the workplace. The toolkit can be accessed here: <https://www.bitc.org.uk/toolkit/domestic-abuse-toolkit/>

## **5 Dealing with perpetrators of domestic abuse**

Domestic abuse perpetrated by employees will not be condoned under any circumstances. Employees should be aware that domestic abuse is a serious matter which can lead to criminal

conviction. Conduct outside of work may lead to disciplinary action being taken against an employee, up to and including dismissal depending on the circumstances and in line with the school's Code of Conduct. However, the school recognises that it has a role in encouraging and supporting perpetrators to address violent and abusive behaviour of all kinds.

If an employee discloses perpetrating domestic abuse in any of the ways listed below, both the police, HR Advice and Support team and Local Authority Designated Officer (LADO) should also be informed, to ensure appropriate internal and safeguarding procedures are considered:

- Behaved in a way that has harmed or threatened their partner;
- Possibly committed a criminal offence against their partner;
- Had an allegation of domestic abuse made against them;
- Presented concerns about their behaviour within an intimate relationship.

The school will ensure that allegations are dealt with fairly and in a way that provides support for the person who is the subject of the allegation or disclosure.

## 5.1 Special considerations

There may be cases where both the victim and the perpetrator of domestic abuse work for the school.

In addition to considering potential disciplinary action against the perpetrator, appropriate action may be required to manage contact between the victim and the perpetrator in the workplace, including relocating the alleged perpetrator.

In certain situations e.g. where the victim has moved home, action may 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. Further advice should be sought from the HR Advice and Support team.

## 6 Support for headteachers

### 6.1 Identifying domestic abuse

Domestic abuse is unlikely to be disclosed easily by victims or perpetrators. There are a number of steps that can be taken to address the workplace effects of domestic abuse, including how to recognise the problem, respond, provide support, refer to the appropriate help and record the contact. This is referred to as the 'four R's':

- **Recognise**
  - Look for sudden changes in behaviour and/or the quality of work performance for unexplained reasons
  - Look for changes in the way the employee dresses e.g. excessive clothing on hot days, changes in the amount of make-up worn
- **Respond** appropriately
  - Believe an employee if they make a disclosure – do not ask for proof
  - Reassure the employee that the school understands how domestic abuse may affect their work performance and the support that can be offered
- **Refer** on to appropriate help
  - Provide information on support services that are available and encourage the employee to make contact with them

- If safeguarding concerns are present, make a referral via the appropriate pathway
- In an emergency dial 999
- **Record** the details
  - Keep detailed records of all discussions and agreed actions e.g. in return to work meetings, attendance management interviews, personal development reviews etc
  - All records should be treated as being strictly confidential
  - Information can be used if the employee wants to press charges or apply for an injunction against the perpetrator

If the headteacher required further assistance before speaking to the employee, further support is available from the HR Advice and Support team.

## 6.2 Asking difficult questions

If a headteacher suspects that an employee is experiencing domestic abuse, they should facilitate a conversation to discuss the issue and identify any relevant support. Shying away from the subject can perpetuate fear of stigma and increase feelings of anxiety. Often an employee will not feel confident in speaking up, so making the first move to begin a conversation can be important.

Some examples of questions that a headteacher could ask are:

- 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 reasons that may be contributing to your frequent sickness absence/underperformance at work?
- Is everything alright at home?
- What support do you think might help? What would you like to happen?

Even if the headteacher disagrees with the decisions being made regarding an employee's relationship, it is important to understand that a victim of domestic abuse may make a number of attempts to leave their partner before they are finally able to do so. Victim blaming should be avoided and the headteacher should provide a non-judgemental and supportive environment for the employee.

## 6.3 Supporting an employee who is experiencing domestic abuse

The headteacher's role is not to deal with the abuse itself, but to make it clear that the employee will be supported and outline what help is available to them.

The headteacher may consider offering a broad range of practical support to employees experiencing domestic abuse, including:

- Time off for relevant appointments, for example with support agencies, solicitors, to rearrange housing or childcare and for court appointments;
- Special leave provisions e.g. compassionate leave or unpaid leave;
- Temporary or permanent changes to working times and patterns using existing procedures e.g. flexible working;
- Sickness absence attributed to domestic abuse considered at attendance management hearings and in determining outcomes;
- Changes to specific duties e.g. to avoid potential contact with the perpetrator;
- Measures to ensure a safe working environment e.g. blocking emails/screening telephone calls, alerting reception if the perpetrator is known to come to the workplace and checking arrangements are in place for safely travelling to and from work;

- Advising colleagues on a need to know basis, with the employee's permission, and agreeing a response if the perpetrator contacts the workplace;
- Providing a photograph of the perpetrator to the headteacher and reception;
- Reviewing the security of personal information held by the school e.g. temporary new address and/or bank details.

The right of employees to make their own decision about the course of action at every stage will be respected. It is recognised that an employee may need some time to decide what to do and may try different options during this process.

### **6.3.1 Schools with Occupational Health SLA**

All employees have access to a free service offering a confidential telephone counselling and information service, which is available 24 hours a day, 365 days a year. They can provide emotional support in helping a person work through a range of personal and/or work related issues. The service can be accessed by calling 0800 716017.

Information is also available via their online health portal at [www.healthassuredeap.com](http://www.healthassuredeap.com). You will need to enter the following details to log in: Username: durham, Password: council.



# HR Advice and Support

This policy has been developed by the HR Advice and Support team, based on current legislation and best practice. If you would like any advice on the application of this policy, please do not hesitate to contact the team:

<b>Telephone</b>	03000 266688
<b>Email</b>	<a href="mailto:hradvice@durham.gov.uk">hradvice@durham.gov.uk</a>

**Further support can be accessed by contacting (subject to SLA buy in):**

<b>Payroll and Employee Services</b>	<a href="mailto:pesschools@durham.gov.uk">pesschools@durham.gov.uk</a>
<b>Occupational Health</b>	<a href="mailto:occhealthadmin@durham.gov.uk">occhealthadmin@durham.gov.uk</a>
<b>Health and Safety</b>	<a href="mailto:hsteam@durham.gov.uk">hsteam@durham.gov.uk</a>
<b>Employee Assistance Programme</b>	<a href="http://www.healthassuredeap.com">www.healthassuredeap.com</a> Username: durham Password: council 0800 716017

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The school complies with all relevant statutory obligations. The school privacy notice provides more specific information on data collected and how it is handled, a copy of which can be accessed from the school. For more information please contact the school directly.

If you have any concerns about how your data is handled, please contact either the school Data Protection Officer (details available from the school office), or the Information Commissioner's Office.