LIDAS

Domestic abuse policy

LIDAS recognises that its employees will be amongst those affected by domestic abuse for example as a survivor of domestic abuse, an individual who is currently living with domestic abuse, someone who has been impacted by a domestic abuse homicide or as an individual who perpetrates domestic abuse.

We are committed to developing a workplace culture in which there is zero tolerance for abuse and which recognises that the responsibility for domestic abuse lies with the perpetrator. LIDAS has a 'zero tolerance' position on domestic abuse and is committed to ensuring that any employee who is the victim of domestic abuse has the right to raise the issue with their employer in the knowledge that they will receive appropriate support and assistance. This policy also covers the approach we will take where there are concerns that an employee may be the perpetrator of domestic abuse.

By developing an effective domestic abuse policy and working to reduce the risks related to domestic abuse, we will create a safer workplace and we will also send out a strong message that domestic abuse is unacceptable.

LIDAS recognises that domestic abuse is an equalities issue and undertakes to not discriminate against anyone who has been subjected to domestic abuse both in terms of current employment or future development.

This policy is part of LIDAS commitment to family friendly working, and seeks to benefit the welfare of individual members of staff; retain valued employees; improve morale and performance; and enhance the reputation of LIDAS as an employer of choice.

Under the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1992), LIDAS 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 and contract staff together with volunteers and Management Committee members.

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1 Definition of domestic abuse

Domestic abuse can go beyond actual physical abuse. It can also involve emotional abuse, the destruction of a spouse's or partner's property, their isolation from friends, family or other potential sources of support, control over access to money, personal items, food, transportation and the telephone, and stalking. It can also include abuse inflicted on, witnessed by or threatened against, children.

- Domestic abuse occurs in all social classes, cultures, and age groups whatever the sexual orientation, mental or physical ability.
- Once it has started it often becomes more frequent and more violent.
- It can severely affect children emotionally and physically.
- Victims are sometimes beaten or harassed by members of their immediate or extended family.
- Domestic abuse is gendered – the majority of perpetrators are men and between 80-95% of those who experience it are women, although it does also occur against men in heterosexual relationships, in same sex relationships and against bisexual and transgender people.
- Domestic abuse/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 abuse/abuse is assaulted 35 times before they report the matter to the police.

Identification of the problem at work

Whilst it is for the individual themselves to recognise they are a victim of domestic abuse, there are signs which may indicate an employee may be a victim. These may include;

- The member of staff may confide in their colleagues/manager.
- Staff may inform their manager that a colleague is suffering from domestic abuse.
- There may be obvious effects of physical abuse (it is important not to make assumptions).
- It may come to light as a result of enquiries into a drop in performance or a significant change in behaviour.
- It may reveal itself as the background to poor attendance or presenteeism – where victims prefer to be at work rather than at home.

It is essential to understand that any of the above may arise from a range of circumstances of which domestic abuse may be one. Managers/ Supervisors who have to counsel staff in such matters should address the issue positively and sympathetically ensuring that the employee is aware that support and assistance can be provided.

LIDAS respects employees' right to privacy. Whilst LIDAS strongly encourages victims of domestic abuse to disclose domestic abuse for the safety of themselves and all those in the workplace, it does not force them to share this information if they do not want to.

Confidentiality and right to privacy

Employees who disclose experiencing abuse can be assured that the information they provide is confidential and will not be shared with other members of staff without their permission.

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.

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.

In circumstances where LIDAS has to breach confidentiality it will seek specialist advice before doing so. If it decides to proceed in breaching confidentiality after having taken advice, it will discuss with the employee why it is doing so and it will seek the employee's agreement where possible.

As far as possible, information will only be shared on a need-to-know basis.

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

Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.

Support for individuals

LIDAS recognises that developing a life free from abuse is a process not an event and LIDAS will provide ongoing support for employees who disclose abuse.

LIDAS will respond sympathetically, confidentially and effectively to any member of staff who discloses that they are experiencing domestic abuse.

Where domestic abuse has been reported line managers will treat unplanned absences and temporary poor timekeeping sympathetically.

Line managers may offer employees experiencing domestic abuse a broad range of support. This may include, but is not limited to:

- Special paid leave for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments.
- Temporary or permanent changes to working times and patterns.
- Changes to specific duties, for example to avoid potential contact with an abuser in a customer facing role
- Redeployment or relocation
- Measures to ensure a safe working environment, for example changing a telephone number to avoid harassing phone calls.
- Using other existing policies, including flexible working
- Access to counselling/support services in paid time
- An advance of pay .
- Access to courses developed to support female survivors of domestic abuse, for example The Freedom Programme or assertiveness training

Line managers will respect the right of staff to make their own decision on the course of action at every stage and should avoid being judgemental. It must be recognised that the employee may need some time to decide what to do and may try many different options during this process.

Other existing provisions (including occupational health, Independent counselling service, others) will also be signposted to staff as a means of help.

Organisational planning

All employees will be made aware of this policy through a range of methods including induction, training, appraisal, leaflets and posters.

LIDAS will remind staff of the importance of not divulging personal details of other employees, such as addresses, telephone numbers or shift patterns.

Disclosure of abuse

Staff experiencing domestic abuse may choose to disclose, report to or seek support from a union representative, a line manager, or colleague. Line managers and union representatives will not counsel victims, but offer information, workplace support, and signpost other organisations.

Training

LIDAS is committed to ensuring all line managers are aware of domestic abuse and its implications in the workplace. Information, briefings or awareness raising sessions will ensure that all managers are able to:

- Identify if an employee is experiencing difficulties because of domestic abuse
- Respond to disclosure in a sensitive and non-judgemental manner
- Provide initial support – be clear about available workplace support including in-house specialist staff where applicable
- Discuss how the organisation can contribute to safety planning.
- Signpost to other organisations and sources of support.
- Understand that they are not counsellors.

Safety planning

LIDAS will prioritise the safety of employees if they make it known that they are experiencing domestic abuse.

When an employee discloses domestic abuse LIDAS will encourage its employee to undertake ACPO CAADA DASH risk assessment and make appropriate referrals where necessary.

LIDAS will work with the employee 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 employees.

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. LIDAS recognises that it has a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds.

If an employee approaches LIDAS about their abusive behaviour, LIDAS 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.

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An individual cautioned or convicted of a criminal offence may be subject to the organisation's Code of Conduct policy and procedure. LIDAS also reserves the right to consider the use of this policy should an employee's activities outside of work 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), due to a caution or conviction. In these circumstances the possibility of redeployment into an alternative role should be considered.

LIDAS views the use of abuse and abusive behaviour by an employee, wherever this occurs, as a breach of the organisation's Code of Conduct for disciplinary purposes.

LIDAS Code of Conduct is intended to inform all staff, irrespective of grade, of the standards of conduct expected of them. It identifies a set of principles governing behaviour by which staff members are expected to abide. Staff members are expected at all times to present high standards of personal integrity and conduct that will not reflect adversely on the organisation and its reputation.

These procedures can be applicable in cases where an employee has:

- behaved in a way that has harmed or threatened his/her partner.
- possibly committed a criminal offence against his/her partner.
- had an allegation of domestic abuse made against him/her.
- presented concerns about their behaviour within an intimate relationship.

LIDAS 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 4-6 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.

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

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 victim and the perpetrator work in the same organisation

In cases where both the victim and the perpetrator of domestic abuse work in the organisation, LIDAS will take appropriate action.

In addition to considering disciplinary action against the employee who is perpetrating the abuse, action may need to be taken to ensure that the victim 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. This may include a change of duties for one or both employees or withdrawing the perpetrators 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.

Role of colleagues

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

Review

This policy will be reviewed jointly every three years unless there are changes in legislation, best practice or other organisation policies impact on its effectiveness.