

Stockport MBC **Domestic Violence Policy**

Policy Statement

Stockport MBC has adopted the Stockport Domestic Violence Declaration:

‘Domestic violence is defined as any violence between family members, current or former partners in an intimate relationship, whenever and wherever the violence occurs. It may include physical, sexual, emotional or financial abuse.

We recognise that domestic violence is a widespread problem, and we will not tolerate or ignore it. We shall develop our policies and services to help anyone involved in, or experiencing, domestic violence to make positive choices.’

In support of this, it is the Council’s policy that every employee who is experiencing or has experienced domestic violence has the right to raise the issue with their employer, in the knowledge that we will treat the matter effectively, sympathetically and confidentially.

Our undertaking to our employees is that we will:

1. ***Provide up to date information to all employees about domestic violence and the support available to address it.***
2. ***Provide accessible and confidential means of seeking support. This will include a named contact who will be able to provide sensitive and confidential help and advice to anyone involved in, or experiencing domestic violence, in the spirit of the good practice promoted by the Stockport Domestic Violence Forum.***
3. ***Actively support employees to choose an appropriate course of action, to ensure that their safety and well-being are prioritised at all times.***
4. ***Not discriminate against anyone who has been subjected to domestic violence, in terms of their existing employment or career development.***

Principles and commitment

Note: It is acknowledged that whilst it is usually women who experience domestic violence, this policy and guidance applies equally to men who require advice or help.

1) Zero Tolerance

The 1998 Crime and Disorder Act requires the Council to do all that it reasonably can to promote community safety in Stockport. Stockport Council is committed to promoting zero tolerance of domestic violence, as part of its work with partners in the Safer Stockport Partnership to reduce crime and disorder. It is essential that the working environment promotes the view that violence against people is unacceptable and that such violence will not be condoned or made the subject of jokes or graphics.

2) Confidentiality

The Council recognises that employees experiencing domestic violence normally have the right to complete confidentiality. However, in circumstances of child protection, or the protection of vulnerable adults from abuse, the child protection and adult protection services may need to be involved. Complete confidentiality cannot be guaranteed in these situations.

3) Ensuring Safety

The Council is committed to taking all reasonable steps to minimise the risks to safety of its employees while at work, if they are known to have experienced domestic violence.

Action Plan: How we will assist employees who are experiencing domestic violence

1) Information to be provided

It is important to promote the understanding that everyone has the right to a life free from abuse in any form. Domestic violence is wholly unacceptable and inexcusable behaviour, and responsibility for domestic violence lies with the perpetrator. We will:

- (a) ensure that information on this policy, and support available, is incorporated into the induction of all new employees and given to managers
- (b) provide information to existing employees, via team meetings, newsletters, intranet and other methods on an ongoing basis.

2) Providing support to employees

It is recognised that the manager will not usually be the first person to be approached for help by someone experiencing violence or abuse at home. Therefore we will seek to provide support by providing confidential information and advice, the Welfare Officer being the contact person. Her role will be to

- Be available and approachable for those employees experiencing domestic violence
- To listen, reassure and support individuals
- To keep any information confidential (subject to the requirements of child and adult protection)
- To respond in a sensitive, non-judgemental manner
- To ensure that the employee is aware of the options available to them and remains in control of the situation
- To encourage the employee to seek the advice of other relevant agencies.

3) Equipping managers to identify and respond appropriately

While all managers must be ready to respond to direct requests for help from employees, or incidents of violence or abuse at work, it is more likely that the manager will become aware of the situation through absence monitoring or poor performance. As with other human resource issues, identifying that an employee is experiencing difficulties at an early stage can help ensure appropriate help is provided. This can then help enable the employee to deal with their situation more effectively. Therefore the Council will develop a programme of training/briefing for all managers to raise awareness of domestic violence and understanding of this policy and guidance.

4) Raising Awareness

The Council will aim to raise awareness through the following measures:

- a) Preparation and distribution of information about the Council's policy, including the *Torn Apart* guide and contact cards produced by Stockport Domestic Violence Forum
- b) Information to managers including human resources personnel
- c) Inclusion of issues relating to domestic violence in relevant in-house training sessions and as part of induction
- d) Publicising the role of the Welfare Officer to the Council workforce and the counselling help that is available.

Guidance for Managers for Dealing with Domestic Violence Involving Employees

1) Initial approach

Managers need to develop a sensitive and non-judgmental approach when dealing with employees who have experienced domestic violence. This should include:

- a) Taking time to listen to the employee and taking seriously what they say
- b) Ensuring that any discussion about the employee's situation takes place in privacy and that their confidentiality is respected as far as possible (*please see paragraph 3 for further guidance*)
- c) Understanding that the employee may not wish to approach their line manager and may prefer to involve a third party such as a colleague, the Welfare Officer, human resources manager or trade union representative

If an employee does not wish to speak to their line manager, they should be advised of the difficulties that may arise if the manager is not aware of the relevant facts and circumstances (for instance if there is a potential health and safety issue or if other action is being taken on performance or absence monitoring).

- d) Being aware that there may be additional issues faced by the employee because of their age, gender, sexuality, ethnic background, disability etc.
- e) Being non-judgmental - the employee may need some time to decide what to do and may try many different options during this process. Research has shown that it can take a long time and be extremely difficult to break free of a violent relationship. It should not be assumed, therefore, that because an individual returns or stays in a violent relationship that the violence was not severe or did not take place. On average, a woman will suffer serious assault and abuse around 35 times before she reports it to the police (Men of Violence, Police Review August 1996).
- f) Being aware of what support is available and exploring these options with the employee; a list of support agencies for women and men is attached under Section 6 of this section. However, if the employee does not want other agencies to be contacted, this wish must be followed.

2) Ensuring Safety

- a) The responsibilities of employers, employees and others for the health and safety of persons at work are defined by the Health and Safety at Work Act 1974. The Council has developed guidance for managers to deal with incidents where an employee is verbally abused or threatened or physically assaulted in the course of their duties – the Managers' Handbook has details.
- b) The strategies outlined in the 'Violence at Work' procedure will apply to most situations of violence in the workplace. However, managers may have to consider additional factors if these incidents involve domestic violence. These incidents may involve violent partners or ex-partners visiting the workplace, abusive phonecalls, or intimidation or harassment of an employee by the alleged perpetrator. These issues could be addressed by the following measures:
 - i) Improving security measures, such as changing key pad numbers or ensuring

that access to buildings is open to authorised employees only.

- ii) Reminding reception or switchboard personnel not to divulge information about employees, especially personal details such as addresses, telephone numbers or shift patterns.
- iii) Offering temporary or permanent changes in workplace, work-times and patterns, helping to make the employee less at risk at work and on their journeys to and from work. This could include changes to the office layout to ensure that the employee is not visible from reception points or from ground floor windows.
- iv) Offering changes in specific duties, such as answering phones or working in reception area, or, in exceptional circumstances, redeployment to another post if an alternative is not easily found.
- v) Agreeing what to tell colleagues and how they should respond if the abuser rings or calls at the workplace.
- vi) Making sure that the systems for recording employees' whereabouts during the day are adequate and if the work requires visits outside the office, considering how risks can be minimised (e.g. changing duties or allowing another colleague to accompany them on certain journeys).
- vii) Recording any incidents of violence in the workplace, including persistent phone calls e-mails or visits, to an employee by their partner/ex-partner. Details of any witnesses to these incidents should also be noted. These records could be used if the employee wants to press charges or apply for an injunction against the alleged perpetrator. The employer could also apply for an injunction if the actions of an alleged perpetrator impinge on the health and safety of employees.

NB: Managers may have to take into account whether the above measures are operationally appropriate. However, ensuring that employees are safe should be of primary consideration throughout this process.

3) Confidentiality

- a) Once an employee has confided to their manager that they are experiencing domestic violence, the manager should reassure them that they will keep this information confidential as far as possible.
- b) One of the exceptions to this is where child or adult protection issues could arise, for instance, if an employee gives information that suggests that their child or another child or a vulnerable adult is at risk from abuse (whether physical, emotional, sexual or neglect). In these circumstances, the manager should inform the employee that they are seeking further advice from an appropriate agency i.e. Social Services or Child Protection Section, and they may have to pass this information onto these bodies. (Information and advice on child or adult protection issues can be obtained from Social Services and/or the Child Protection Co-ordinator - see Section 6 of this section for contact numbers.)
- c) Managers have a duty to maintain a secure environment for all employees and this could be made easier if colleagues are aware of potential risks. However, it is essential that managers agree with the individual concerned what information to tell colleagues.

Employees should be reminded that this information is confidential and any unauthorised breaches of this could be subject to disciplinary action being taken.

- d) The consequences of breaching confidentiality could have serious effects for the person experiencing domestic violence. Statistics have shown that the risk of more serious assaults, permanent injury and murder takes place when a woman decides to leave home or immediately after. It is important, therefore, not to underestimate the danger or assume that the fear of violence is exaggerated.

4) Help and support

a) Leave and time off work

- i) The Local Conditions of Service (holidays and other leave of absence) has provision to allow both paid and unpaid leave, at the discretion of the Chief Officer, in cases of domestic difficulty. Managers should look sympathetically at requests for reasonable time-off within these arrangements for employees who have disclosed that they are experiencing domestic violence.
- ii) Managers may receive requests for time-off from employees who are experiencing domestic violence, to arrange appointments during the normal working day. These requests should be treated sympathetically. These appointments could include: -
- Appointments with support agencies such as Women's Aid, Social Services or counsellors;
 - Arranging rehousing;
 - Meetings with solicitors;
 - Making alternative childcare arrangements, including meetings with schools.
- iii) Managers should also explore other measures supportively, such as temporary negotiated hours, where requested by employees experiencing domestic violence.
- iv) Employees may be entitled to ex-gratia leave of absence with pay to attend hearings as a witness in either the civil or criminal courts if they have been called under a subpoena or a witness summons. Additionally, if there are circumstances where an employee is attending court and is seeking an injunction or order in cases of violence or harassment, time-off with pay could be considered.
- v) Managers should record absences or application for ex-gratia leave in accordance with normal council procedures. However, where these incidents relate to domestic violence, these records can be placed in a sealed envelope within the employee's file and marked "For manager's access only".

(b) Financial issues

- i) Individuals leaving a violent partner may face considerable financial hardship or have concerns about finding suitable accommodation for themselves and their family. Advice from Human Resources should be sought about what appropriate measures can be taken to help employees in these circumstances, for example referring employees to the Welfare Officer for confidential and sympathetic financial advice and assistance. Additional free advice and support can be

sought from the Council's Welfare Rights and Debt Advice Service and also the Housing Benefit/Council Tax Benefit section who can advise on the schemes available to reduce housing costs (see Section 6 of this section for contact numbers).

- ii) If the employee has disclosed that their partner has access to their finances or is exerting economic pressure upon them, the Human Resources/Payroll sections should be approached to see if any changes could be made eg temporarily being paid by cheque whilst a new bank account is being opened.

(c) Health effects

- i) Employees experiencing domestic violence may be more vulnerable to stress at work, and reference should be made to the Council's policies and procedures for supporting employees experiencing high levels of stress.
- ii) If appropriate and with the employee's consent, refer the employee to Occupational Health

5) What to do if a Stockport Council employee is a perpetrator of violence

a) Criminal Law

- i) Employees should be aware that domestic violence is a serious matter that can lead to criminal convictions.

b) Council disciplinary procedures

- i) 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 and because it undermines the confidence the Council (as employer) has in the employee. There should be an investigation of the facts as far as possible, a view taken and consideration given as to whether the conduct is sufficiently serious to warrant instituting the disciplinary procedures.
- ii) Factors to consider will be:
 - the nature of the conduct; the nature of the work to be done
 - the extent to which it involves contact with other employees or the general public and
 - the status of the employee.
- iii) In addition such conduct may make certain job duties inappropriate and justify consideration for redeployment. For example, it may not be appropriate for a perpetrator of domestic violence to be providing services to vulnerable adults and children, and a change of duties or a transfer may need to be considered in such circumstances.
- iv) Similarly, proven harassment and intimidation of Stockport Council employees by their partner or ex partner who also works for the Council will be viewed seriously and may lead to disciplinary action being taken.

If any of the circumstances set out in paragraph 5b) are brought to a manager's attention, advice from Human Resources should be sought in the first instance.

6) Contact Numbers

Police

- Emergencies 999
- Non-Emergency - Gtr M/c (0161) 872 5050
- Domestic Violence Unit - Stockport (0161) 483 3870
- Domestic Violence Unit - Trafford (0161) 856 7574
- Domestic Violence Unit - Tameside (0161) 856 9363
- Domestic Violence Unit – Manchester (0161) 856 4664/5
- Domestic Violence Unit – Macclesfield/Wilmslow 01244 614402
- Domestic Violence Unit – Northwich 01244 612885

Women's Refuges

- Stockport Women's Aid (0161) 477 4271
- Sojourners House (for African/Caribbean women) (0161) 882 0632
- Sa He Li (for Asian women) (0161) 445 0227

Helplines

- Women's Aid National Helpline 08457 023468
- Women's Domestic Violence Helpline (0161) 839 8574

Stockport Council

- Welfare Officer- (answerphone sometimes operates) 474 3066
- Welfare Rights and Debt Advice Service (9-1, Mon-Fri) 474 3091
- Housing Benefit & Council Tax Benefit 474 5155
- Social Services
 - Children and Families -
 - Child protection 474 5656
 - Information and advice (0161) 429 0102
 - Adult Services –
 - Older people (Tame Valley, Heatons, Cheadle, Bramhall) (0161) 428 3241
 - Older people (Heathbank, Marple, Werneth, Stepping Hill) (0161) 427 7011
 - Physical disability (18-64 years) (0161) 477 3700
 - Learning disability (0161) 491 4376
 - Mental Health – Heatons, Tame Valley (0161) 442 7751
 - Cheadle, Bramhall, Heathbank (0161) 718 2203
 - Marple, Werneth, Stepping Hill (0161) 456 0200
 - Social Services emergency out-of-hours team (0161) 718 2118
- Housing Advice Team
 - special needs officer 474 4236
 - out-of hours (0161) 477 2626
- Youth Service 474 4438

Other useful numbers

- Social Security Office – Domestic Violence Officer (0161) 429 2114
- Citizens' Advice Bureau (0161) 480 3264
- Victim Support and Witness Service (0161) 477 9597
- National Victim Support Helpline 0845 3030 900

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