

# South Hams District Council

## **DOMESTIC VIOLENCE POLICY AND GUIDELINES**

**This applies to: All SHDC Staff**

Policy Date: May 2008

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## 1 Introduction

- 1.1 Domestic violence is a priority of the Safer Devon Partnership which includes representation from South Hams District Council. Most women and men who suffer domestic abuse will have experienced up to 37 incidences of abuse before they report it. One woman dies every three days in the UK as a result of domestic violence.
- 1.2 A quarter of violent crime recorded by the police is related to domestic violence. In one year 47% of female homicide victims were killed by a current or former partner.
- 1.3 Research shows that one in four women experience domestic abuse at some time in their lives. In 2006/7 in the Devon County Council area, (excluding Plymouth and Torbay) there were 8,222 domestic violence incidents reported to the police.
- 1.4 MALE helpline has been set up as a result of the recognised need for support identified for male victims of domestic violence and abuse.

## 2 Why Have a Written Policy?

- 2.1 The purpose of this policy and guidelines are to:-
  - To show South Hams District Council has a commitment to treat domestic violence seriously.
  - To offer support and understanding in the workplace to those experiencing domestic violence, prioritising confidentiality and workplace safety.
  - To have a commitment to challenge perpetrators by being quite clear that any conviction of a domestic violence-related crime could possibly bring the council into disrepute, and therefore be a disciplinary offence.
  - To make available to employees relevant information from appropriate agencies, Police, Women's Aid, Devon Male, Repair programme for perpetrators etc.

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- To ensure that dealings with the wider public, are consistent with the personal safety of those at risk, including giving information to the public, as above.
- 2.2 The overall responsibility for promoting and ensuring compliance with this policy rests with the Council. Elected Members and staff at every level have a responsibility to promote and implement the policy. The active co-operation of all managers and employees is essential for the policy to succeed.

### 3 Policy Statement

- 3.1 South Hams District Council's aim is to improve the well-being of the people of the South Hams. South Hams District Council acknowledges that domestic violence is a significant issue in today's society, as highlighted in the introduction.
- 3.2 South Hams District Council recognises that its employees will be amongst those impacted by domestic violence and that a clear workplace policy and guidelines are required.
- 3.3 South Hams District Council recognises that it has a responsibility under Section 17 of the Crime and Disorder Act 1998 to 'do all that it reasonably can to prevent crime and disorder in its area'.

### 4 Aims and Objectives of the Policy

- 4.1 Our aim is to create an environment in which everyone, staff and elected members, are aware of what domestic violence is, how it impacts on the local authority as an organisation and on individuals and when identified, how it should be dealt with in a sensitive and non-judgemental way.
- 4.2 The Council intends to do this by:-
- Providing those employees who have identified that they are experiencing domestic violence with every reasonable consideration, both personally and professionally. They will not be judged or ridiculed by any employee, but will be provided with a sympathetic, supportive response.
  - Supporting employees in making positive changes and in providing a safe and positive working environment.
  - Promoting this policy and supporting guidance notes amongst managers in order to avoid any formal action as a result of poor

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punctuality, attendance, work performance and productivity which may be linked with domestic violence.

- Ensuring discussions between a manager/appropriate person and an employee who is experiencing domestic violence is treated in confidence. In some circumstances this confidence may need to be broken in order to protect children or vulnerable adults.
- Providing secure and safe working for its employees under the Health and Safety at Work Act 1974. Where appropriate, reasonable additional measures will be taken by managers to protect the safety of those experiencing domestic violence while travelling between work and home, whilst at work or when carrying out Council duties.
- Ensuring managers take reasonable additional measures to protect personal information regarding those who are known to be victims / survivors of domestic violence. For further information please see Management Guidance para.1.3.
- Considering whether an employee who is cautioned or convicted of a criminal offence is in breach of the Council's Code of Conduct and Standards of Behaviour for Staff Policy and should be subject to the South Hams District Council Disciplinary Procedure. The Council reserves the right to consider use of the Disciplinary Procedure should an employee's activities outside of work have an impact on their ability to perform the role for which they are employed, or be considered to bring the organisation in to disrepute.

### 5 Scope of Policy

- 5.1 This policy applies to all staff, male and female, employed by South Hams District Council, including volunteers.
- 5.2 At least 10% of all employees are potential victims / survivors or perpetrators of domestic violence. This policy is directed to all employees to highlight the levels of support available, increase awareness of the scale of the issue and common symptoms of domestic violence.
- 5.3 Those with line management responsibility should take a proactive stance in increasing awareness as indicated above.

## 6 What is Domestic Violence?

- 6.1 The definition adopted by the Devon ADVA (Against Domestic Violence and Abuse Partnership) is:

*“Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 18 or over, who are or have been intimate partners or family members, regardless of gender and sexuality. Family members are defined as mother, father, son, daughter, brother, sister and grandparents, whether directly or indirectly related, in-laws or step-family.”*

Any person under 18 suffering domestic violence will still be catered for under Child Protection legislation/guidance

- 6.2 Some forms of domestic violence are very subtle, leaving no physical marks or scars, but can be equally as damaging to the victim.
- 6.3 Domestic violence normally takes place as a pattern of behaviour that develops over a period of time. South Hams District Council will ensure that appropriate guidance and support is available to victims of domestic violence in whatever form it takes.
- 6.4 Although most attacks are by men upon women, domestic violence occurs in every type of home, regardless of the individual's gender, sexual orientation, marital status, disability, age, religion, belief or ethnicity.

## 7 Communication

- 7.1 Leaflets will be made available to all staff, to be advertised on notice boards and the Intranet.
- 7.2 An annual programme of training is being considered in order to inform and support appropriate managers, elected members and employees in dealing with the issues surrounding domestic violence and providing information and guidance on how to support those involved.

## 8 Equality

- 8.1 South Hams District Council is committed to equality in its domestic violence policy.

- 8.2 No employee will be unlawfully disadvantaged on the grounds of age, race or ethnicity, disability, gender and marital status, gender identity, sexual orientation, religion or belief under the operation of this policy.

## 9 Related Documentation

- 9.1 The following list of information will also provide support and guidance to managers and employees.
- Devon ADVA Partnership website: [www.adva.org.uk](http://www.adva.org.uk)
  - Devon ADVA Strategy 2007 – 2009
  - “Domestic Violence: a guide for the workplace” Published by the Trade Union Congress
  - Devon Directory of Services (2007)

## 10 Contacts

- 10.1 In the first instance line managers or work colleagues may be able to offer advice and support.
- 10.2 Devon County Council confidential counselling service provided on behalf of South Hams District Council – 01392 383277.
- 10.3 **Other Support Services:**

- National Domestic Violence Helpline (24/7) - **0808 2000 247**
- Police – emergency - **999**
- Police – non-emergency – **08452 777444**
- Refuges -National women’s refuge helpline - **0808 2000 247**
- Victim Support - Devon **01626 356694**

### Refuges in neighbouring districts:

- South Devon - **01803 524594**
- Exeter - **01392 667144** (+24 hour crisis line)
- Plymouth - **01752 56228**

### Outreach support for women in neighbouring districts:

- South Devon Women’s Aid (Outreach Project Helpline) is a charity which offers support to women who are affected by domestic violence and abuse by way of a confidential helpline, befriending and counselling service - **01364 644088**
- Exeter – **01392 426483**
- West Devon – **01837 55228**

**Outreach support for men: There is a telephone and website service for male victims:**

- MALE - **0808 801 0327**
- **<http://www.mensadviceline.org.uk> and email on [info@mensadviceline.org.uk](mailto:info@mensadviceline.org.uk)**

**National Helplines**

- RESPECT Helpline (information and advice for men who are abusive towards their partner) – **0845 122 8609**
- REPAIR Project (South Devon) – Helping men to stop their domestic abuse – **07816 549113**
- NSPCC Childline - **0800 800 5000**
- Samaritans - **08457 90 90 90**
- South Devon and Dartmoor Community Safety Partnership (Domestic Violence Lead) – Peter Dale, Community Safety Officer, South Hams District Council – 01803 861278

**Training**

- Adva (Against Domestic Violence and Abuse) Level 1 domestic violence training can be accessed free of charge from Devon County Council through the ADVA partnership on 01392 382233 or [www.adva.org.uk](http://www.adva.org.uk). Please discuss with your line manager and/or the Personnel Manager/Community Safety Officer before arranging any training.

## MANAGEMENT GUIDANCE

The Flowcharts in the Appendices advise a manager of actions in the following incidents:

- If he/she has concerns about a member of staff who he/she suspects might be experiencing problems at home.
- If he/she is informed by a member of staff that he/she is a victim or a perpetrator of domestic violence and abuse.

### 1. Confidentiality and Security

- 1.1 Those experiencing domestic violence may feel concerned about seeking the help of their manager or other colleagues. Individuals should feel assured that they can talk freely to a non-judgemental, sympathetic and understanding listener.
- 1.2 Discussions will be in confidence between the individual and their manager/appropriate person or colleague, although in some circumstances this confidence may need to be broken in order to protect the safety of an individual e.g. If a risk assessment identifies the victim to be at very high risk, the individual's details will need to be referred to the relevant MARAC (Multi-agency risk assessment conference) process.
- 1.3 It is clearly important to safeguard the whereabouts, phone numbers, e-mail and home addresses of known victims by ensuring that these are not given out to anyone without the explicit consent of the victim.
- 1.4 Support members of staff and their families with safety at home, travelling to or from work, at work or when carrying out their duties as stalking and harassment are common features of domestic abuse. This is especially in the event of a victim / survivor attempting to leave an abusive relationship. It is imperative to note that a victim is at greatest risk of harm when leaving or has just left their abusive partner.
- 1.5 A perpetrator may make threats to a victim / survivor in the workplace, sending threatening emails, making abusive telephone calls, attempting to enter the office where they work or making regular and repeat contact to check up on the victim.
- 1.6 When made aware that such behaviour is possible, the manager/appropriate person should document the nature of the threats or behaviour of the perpetrator and undertake a risk assessment with the victim, ensuring that the potential risk to both the victim and work colleagues is minimised. SHDC intends to enable relevant managers to undertake the advanced training 'Tackling Risk

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Assessment in Domestic Violence and Abuse' to understand how to undertake a safe risk assessment and how to refer very high risk victims to the relevant MARAC process.

- 1.7 It may be appropriate for the manager/appropriate person to inform others within the organisation of the potential threat, with the victim / survivors agreement, to take measures to minimise the risk or increase security. This may take the form of notifying reception and security or changing an individual's role or location temporarily if this makes them particularly vulnerable.
- 1.8 The manager/appropriate person may need to contact the Personnel Department for advice and guidance.
- 1.9 Any incidents of domestic violence which occur on workplace premises, or whilst a victim / survivor is carrying out their work duties, should be reported using the agreed procedure for incidents of violent or threatening behaviour in the workplace. A link is attached to the relevant SHDC policy and procedure. [Accident and Incident Reporting](#)

## **2. Support**

- 2.1 All relevant managers and HR professionals to attend domestic violence training to understand what it is, its prevalence, its impact in terms of absenteeism and performance, adverse affect of colleagues, potential dangers to victims and legislative implications for the employer.
- 2.2 The Community Safety Officer together with the Personnel Department will ensure that domestic violence information is displayed and that materials and contact details are made readily available and discreetly to all employees.
- 2.3 Managers/appropriate person to take responsibility to enquire where concerned about personal home life.
- 2.4 Give space for individuals to feel able to come forward now or at a later date and allow time and a degree of openness to enable people to come forward.
- 2.5 Listen, reassure and support individuals and respond in a sensitive and non-judgemental manner.
- 2.6 Take the opportunity to provide awareness to employees and explain that this is a common situation and that there is help and support available within SHDC, for example:

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- Ensure that telephone numbers / contact details of the victim are not advertised or inadvertently passed on by others
- Offer flexible working hours or temporary change in role
- Advise of the opportunity to access emergency funds to assist with solicitor injunctions or re-housing
- Other policies including managing absence, health and safety

2.7 On receipt of a disclosure, manager/appropriate person to use the attached flowcharts (Appendices A and B) and/or checklist (Appendix C) and discuss with the victim / perpetrator. Document discussions and agree with the individual how to move forward and what additional support or considerations they may require.

### **3. Counselling**

- 3.1 Advise individuals of the services available through the Devon County Council Counselling Service, who are able to access specialist counsellors experienced in domestic violence.
- 3.2 Encourage the employee to seek the advice of other relevant agencies.
- 3.3 Managers/appropriate persons are not trained counsellors and should not attempt to counsel victims, but should listen and provide information regarding support mechanisms and encourage them to seek support from the appropriate agencies.

### **4. Special Arrangements**

- 4.1 To facilitate attendance at meetings e.g. with a solicitor, GP, police, housing agency or to arrange childcare, individuals should use annual leave and flexi time where available. Special leave can be considered by the manager where annual leave entitlement has been exhausted. All requests whilst not guaranteed will be treated sympathetically.
- 4.2 Where finances are causing concern for individuals, alternative salary payment methods may be considered in exceptional circumstances.
- 4.3 Any special arrangements which are agreed with an individual, either temporary or permanent, should be recorded and the details of the arrangement maintained confidentially.

### **5. Performance Issues**

- 5.1 Managers/appropriate persons should have an awareness of indicators that an individual may be experiencing domestic violence. The following can all be indicators of difficult domestic circumstances:-

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- Poor work performance
- Irregular attendance
- Lack of concentration
- Poor timekeeping
- Unexplained absence

5.2 Some individuals may find it difficult to disclose issues of domestic violence to their manager. Should they inform a third party, they should be encouraged to inform their manager to ensure that their circumstances are understood and appropriate help and support can be provided. This may prevent further formal action taking place.

### **6. Perpetrators**

- 6.1 Individuals who are the perpetrators of domestic violence are encouraged to seek support and help from an appropriate source.
- 6.2 The Devon adva Partnership provides volunteer perpetrator courses to help perpetrators change their behaviour patterns, support their partners or ex-partners and children.
- 6.3 An individual convicted of a criminal offence may bring the organisation into disrepute and may subsequently be subject to the SHDC Disciplinary Procedure.
- 6.4 In some circumstances it may be deemed inappropriate for the individual to continue in their current role, due to a caution or conviction. In these circumstances the possibility of redeployment into an alternative role should be considered.
- 6.5 Advice on the above points should be discussed with the Personnel Department.
- 6.6 If a victim of domestic abuse and their alleged abuser are both employed by South Hams District Council and there are incidents at work, these will be dealt with by Council's Code of Conduct and Standards of Behaviour Policy. If necessary, and in consultation with both parties independently, work may be rearranged to ensure the safety of the person suffering abuse.

### **7 Protection of Children, Vulnerable Adults and Very High Risk Victims**

- 7.1 Should a victim / survivor of domestic violence be a child or vulnerable adult, or should there be concerns that either is within an environment surrounded by domestic violence, the manager should refer the issue to multi-agency procedures and obtain advice from the Child Protection team or the Adult Protection team. Contact details can be found below.

- 7.2 Should a manager undertake a risk-assessment (after receiving advanced training 'Tackling Risk Assessment in Domestic Violence and Abuse') and identify the victim to be at very high risk then the manager will fax the completed form to the relevant MARAC (Multi-Agency Risk Assessment Conference) administrator to ensure a MARAC meeting to develop safety and action plans to safeguard the victim. It should be noted that this referral may result in Police intervention with the victim and the alleged perpetrator.

**Police Domestic Violence Unit, Newton Abbot covering – South Hams, Teignbridge and West Devon. Tel: 01626 336552 Fax: 01626 362395**

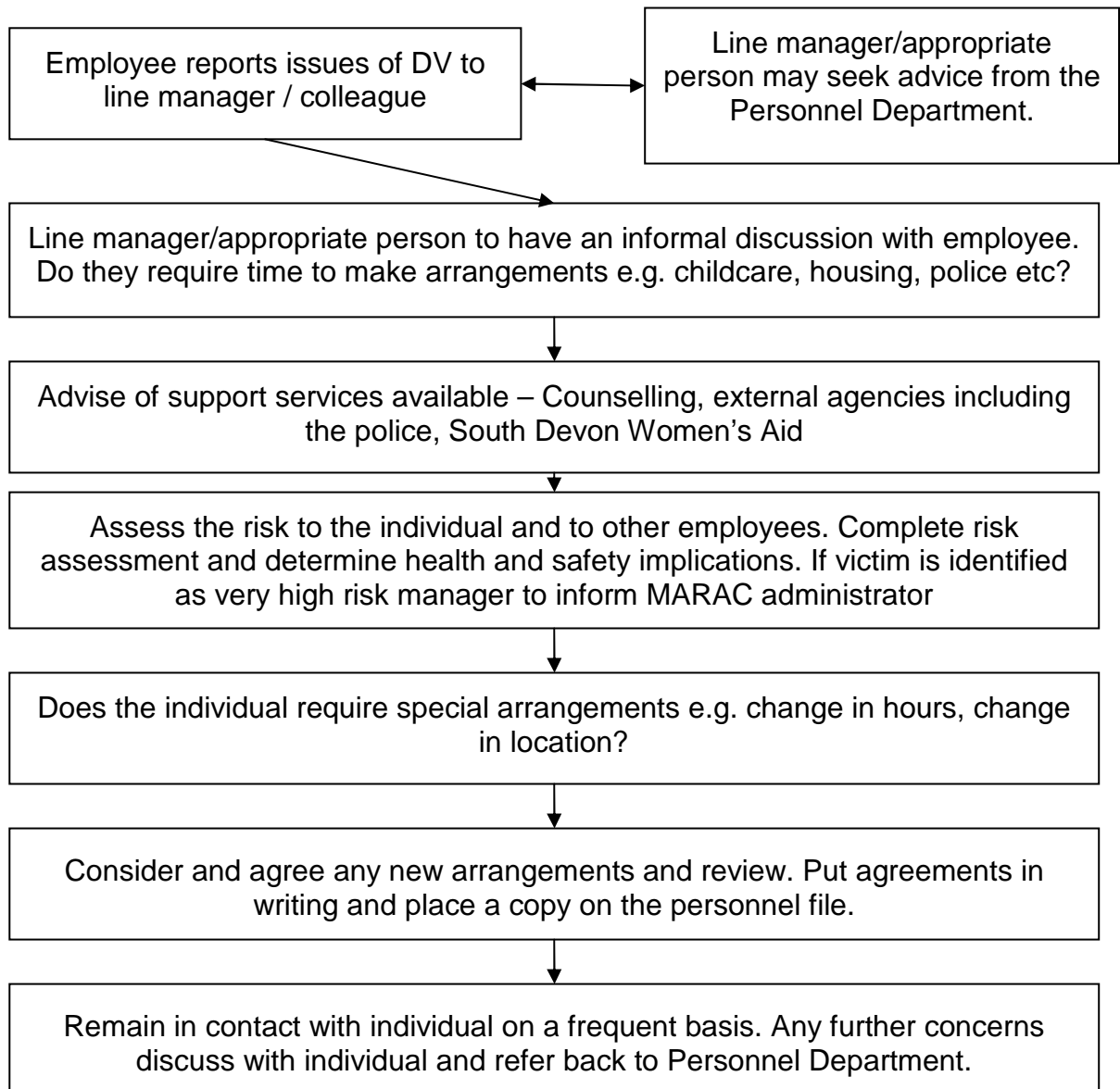
## **8 Monitoring and Review**

- 8.1 The SHDC Strategic Management Team (SMT) will be responsible for monitoring the performance of managers in the following areas:
- The SMT will review what awareness raising activities and materials have taken place, annually
  - The SMT will monitor the number of victims and perpetrators being supported within the council (only receiving anonymous information)
  - The SMT will keep a list identifying what domestic violence training has been received by managers and staff (course and dates of attendance)
  - The SMT will monitor the take-up of managers training every 6 months.
  - The Personnel Department to report quarterly to the SMT on the number of calls related to Domestic Violence
- 8.2 Personnel Department to report every 6 months to the Personnel Panel with regard to the use of this policy within the council

This policy will be reviewed every two years as agreed by the Chief Executive.

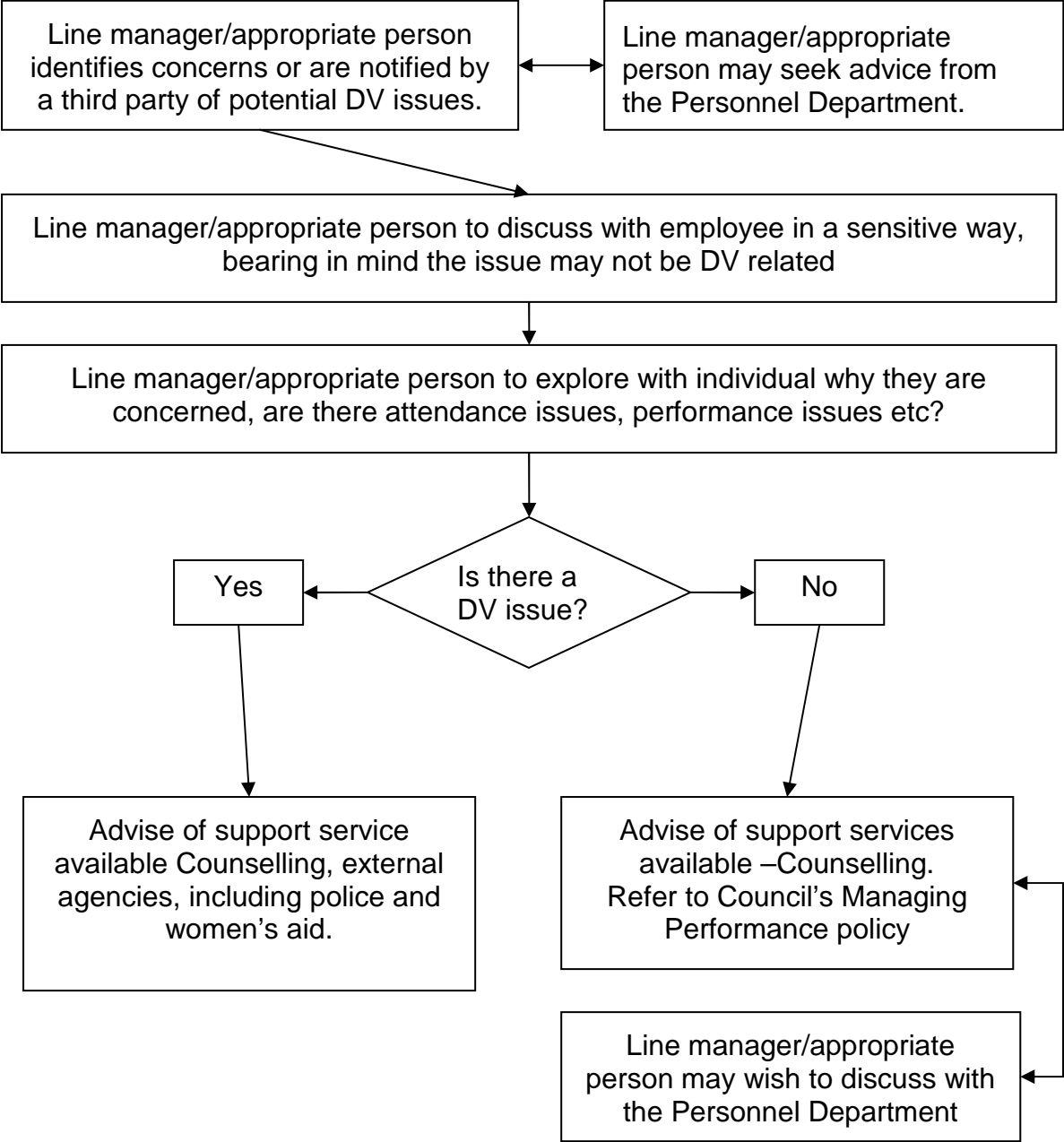
**Appendix A**

**Guidance for Managers**  
**Victims of Domestic Violence**



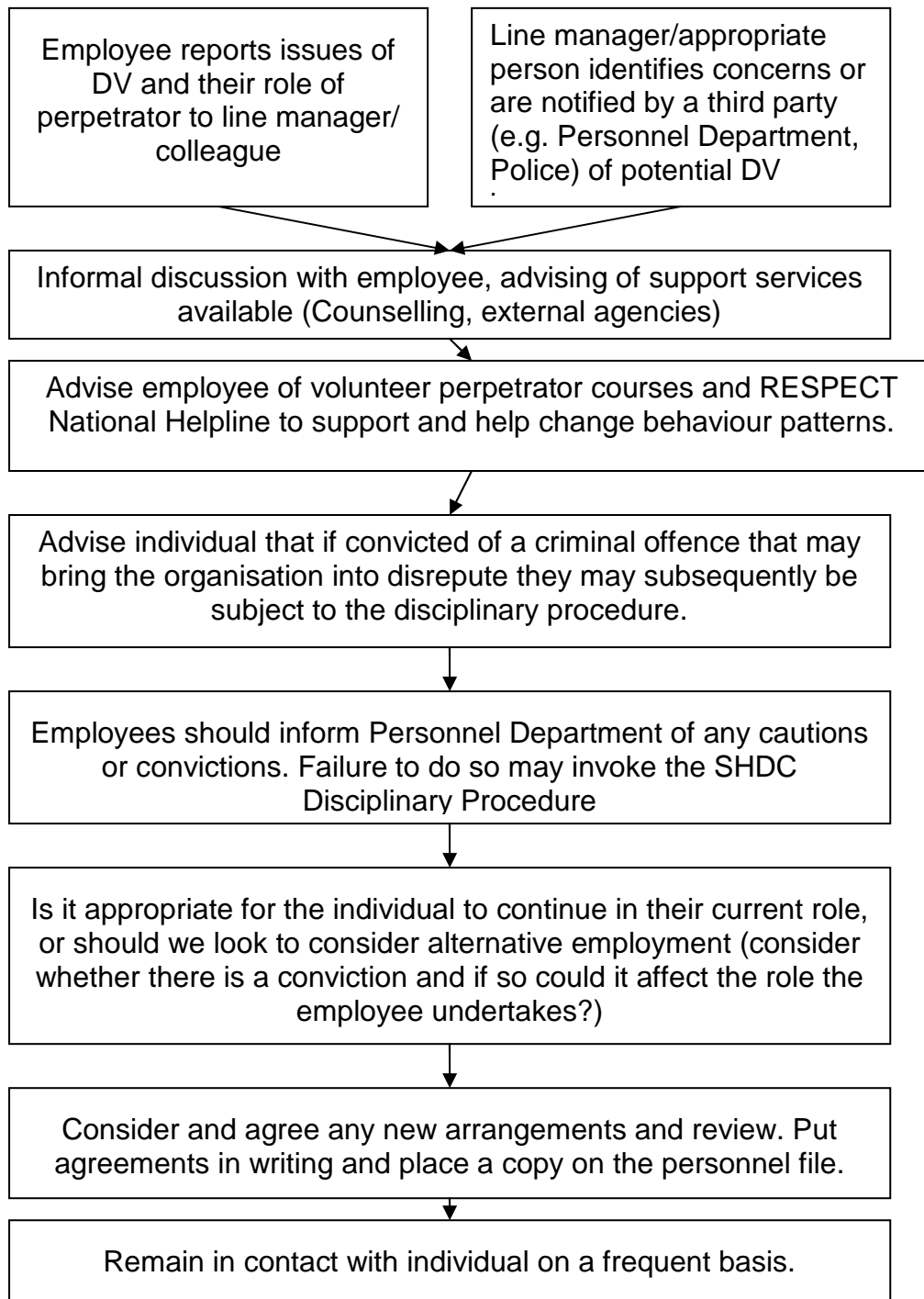
(Appendix A continued)

**Potential Victims of Domestic Violence**



**Appendix B**

**Guidance for Managers**  
**Perpetrators of Domestic Violence**



**Appendix C**

**Domestic Violence Incident Disclosures  
Management Checklist**

Name of Individual

Date of Disclosure

Nature of Disclosure

Are there any other individuals involved i.e. Children / Vulnerable Adults?

Have they reported the incident to any other authorities i.e. Police, GP?

Do they have any injuries as a result?

Do they feel safe to return home or have they made other arrangements? Do they need time to make arrangements?

Do they require special arrangements at work i.e. change in hours, change in duties? Contact arrangements i.e. phoning to make sure they are home safely?

Provide with Support service information i.e Counselling, Women's Aid Outreach, ADVA, Refuge etc.

Would they like to meet with a member of SHDC Personnel Department?

Would they like to be referred to a specialist support service?

Do they need to see a GP?

Risk assessment of current working practices, in line with current health and safety practice. Or Domestic Violence Risk Assessment undertaken; Date of risk-assessment; Level of risk identified (very high, high, medium, standard); If very high risk date referred to MARAC administrator.

Do work colleagues need to be aware of any potential threat?

Is there anything else we can do to support them?

Arrange to meet on a regular basis – open door policy?

Any other information the individual wishes to discuss / should be noted?

**POLICY HISTORY**

Policy Date	Summary of change	Contact	Implementation Date	Review Date

## **Managers Training Programme**

### **Description**

The programme will examine the nature, scale and consequences of domestic violence and to how to take appropriate action within the workplace.

### **Aims**

- To raise awareness of the impact of domestic abuse upon individuals and the workplace
- To appreciate how the impact of domestic abuse may manifest itself in the workplace
- To increase understanding of how best to respond to victims and perpetrators
- To raise standards of practice both individually and collectively

### **Objectives**

By the conclusion of the course, participants will be able to:

- Demonstrate an understanding of the extent of domestic violence within our society and South Hams District Council
- Demonstrate an understanding of the impact of domestic violence on employees
- Appreciate the responsibilities of managers and be able to carry out best practice

### **Style**

This course is practical and user-friendly. Participants will experience an enjoyable and productive workshop involving group discussion and participative exercises.

### **Duration**

½ day (9.30 to 13.00)