

EMPLOYMENT MATTERS COMMITTEE

10 JUNE 2010

REVIEW OF DOMESTIC ABUSE WORKPLACE POLICY

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Summary

The report asks the Employment Matters Committee to note comments following the implementation of the Domestic Abuse Workplace Policy in 2009.

1. Budget and Policy Framework

1.1 The policy lies within the Council's policy and budget framework and the Committee's terms of reference. Therefore, this is a matter for the Employment Matters Committee.

2. Background

2.1 On 15 April 2009, the Employment Matters Committee agreed to introduce a new policy on Domestic Abuse and Workplace issues. The policy was developed to support employees' health and wellbeing at work. It covers the internal and external support available to employees experiencing domestic abuse, including special leave provisions and signposting to external sources of advice and help. The policy is attached at Appendix A. The contact details at the end of the policy have been checked and updated.

2.2 It was agreed at the Committee to review the new provisions one year later.

3. Advice and analysis

3.1 Domestic abuse reduces an employee's ability to work and has an economic and attendance impact far beyond any sickness absence resulting directly from injuries received during abuse. These indirect costs include time off work, talking to lawyers and medical professionals, poor productivity and reduced promotion prospects for the individual as a result of working below her/his potential.

- 3.2 Individuals may even lose employment as a result of poor attendance or work performance, or as a result of the need to move to a different area to escape an abuser. Costs to the employer arise from lower productivity due to poor concentration on the part of abused employees, and the possibility of business disruption if a violent partner presents at the workplace.
- 3.3 Medway Managers were contacted in April 2010 to find out how the policy was working in practice and whether any managers were aware of it being used and whether they had any observations on its usefulness and/or whether there were any pitfalls etc. The responses, whilst limited in number indicated that the introduction of this policy has been a positive step.
- 3.4 Human Resources advisers were asked whether there had been any adverse feedback from managers or employees relating to the implementation of the new policy and they confirmed that there had not.
- 3.5 The trade unions and equality forums were also consulted but no feedback was received.
- 3.6 At the development stage of this policy, Care First, the Council's Employee Assistance Provider, were asked to separately record the number of contacts from employees relating to domestic abuse. The total number of contacts in 2009 for counselling relating to personal issues was 350. Of these, 10 contacts related to Domestic Abuse/Violence. Family issues accounted for 58 contacts and Relationship issues accounted for 65 contacts, both of which could be linked to domestic abuse.

2009	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total	% of total contacts
Domestic Abuse/Violence	1	4	3	2	10	3%
Family	11	20	13	14	58	16.6%
Relationship	21	20	13	11	65	18.8%
					133	38.4%

3.7 In the first 3 months of this year, a similar pattern is seen, but in all 3 areas there shows a slight increase in the percentage of contacts with Care First for personal issues in the areas of domestic abuse/violence, family and relationship. The total number of contacts for counselling relating to personal issues was 94. Of these, 4 contacts related to Domestic Abuse/Violence. Family issues accounted for 16 contacts and Relationship issues accounted for 21 contacts.

2010	Jan	Feb	Mar	Total	% of total contacts
Domestic Abuse/Violence	2	1	1	4	4.2%
Family	6	6	4	16	17%
Relationship	5	7	9	21	22.3%
				41	43.6%

The other categories recorded under personal issues are alcohol, bereavement, debt, drugs, gambling, general finance, health (emotional), health (physical) and housing.

3.8 Recent research has shown that:

- One in ten people who have experienced domestic abuse have been forced to take time off work because of the effects of the abuse;
- Twenty percent of those have been absent for more than a month;
- In 2009, domestic violence cost UK businesses £1.9 billion in lost economic output caused by physical injuries alone.

However, research has also shown that more than one in ten victims of domestic violence chooses to confide in a manager or colleague.

Refuge and Respect have developed the Domestic Violence Resource Manual for Employers and HR Services will be obtaining a copy of this with a view to raising the profile of these issues within the workplace.

3.8 In light of the comments received and the information provided by Care First there are no proposals to change the current policy.

4. Scope

- 4.1 The policy applies to all employees of Medway Council, apart from schools based staff.

5. Risk Management

- 5.1 There is no statutory requirement to have a Domestic Abuse Workplace Policy but it is good employment practice to do so. Failure to have a policy could increase the risk of:

- Employees not receiving the support and information that is available;
- A loss of productivity at work;
- Adverse impact on the health and morale of employees suffering levels of stress, anxiety and sickness absence;
- Ongoing harm to the employee that might have been avoided if they had sought help;
- The loss of employees with valuable skills and experience.

6. Diversity Impact Assessment

- 6.1 A Diversity Impact Assessment (DIA) was undertaken on the policy and it was found that it was not necessary to carry out a full impact assessment.

7. Financial and legal implications

- 7.1 There are no direct financial implications arising from this report.
- 7.2 There is no legal requirement to have a policy on these issues and there are no direct legal implications arising from this report.

8. Recommendation

- 8.1 That the Employment Matters Committee notes the content of this report and asks officers to submit a review of this policy to this Committee in 2 years' time.

Lead officer contact

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Background papers

Agenda and minutes of Employment Matters Committee on 15 April 2009
Care First Management Information 2009
Care First Management Information 1 January – 31 March 2010



DOMESTIC ABUSE WORKPLACE POLICY

Updated June 2010

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EMPLOYEES EXPERIENCING DOMESTIC ABUSE

1. INTRODUCTION

- 1.1 The Council promotes the view that abuse against any individual is totally unacceptable and that every employee who is experiencing domestic abuse can raise the issue and be assured that they will be supported by the Council. The Council will take seriously cases where its employees are perpetrators of domestic violence and will investigate such cases as misconduct/gross misconduct in accordance with its disciplinary procedure.
- 1.2 The Council has developed this policy to support employees' health and wellbeing at work. It covers the internal and external support available to employees experiencing domestic abuse, including special leave provisions and signposting to external sources of advice and help.
- 1.3 Domestic abuse reduces an employee's ability to work and has an economic and attendance impact far beyond any sickness absence resulting directly from injuries received during abuse. These indirect costs include time off work, talking to lawyers and medical professionals, poor productivity and reduced promotion prospects for the individual as a result of working below her/his potential.
- 1.4 Individuals may even lose employment as a result of poor attendance or work performance, or as a result of the need to move to a different area to escape an abuser. Costs to the employer arise from lower productivity due to poor concentration on the part of abused employees, and the possibility of business disruption if a violent partner presents at the workplace.

2. SCOPE

- 2.1 The policy applies to all employees of Medway Council with the exception of schools based staff.

3. PURPOSE

The purpose of this policy is to:

- support employees experiencing domestic abuse;
- enable employees experiencing domestic abuse to remain productive and at work;
- aid managers seeking to support team members experiencing domestic abuse;
- assist colleagues of those experiencing domestic abuse; and
- reinforce organisational corporate social responsibility objectives by demonstrating that the employer values, and is prepared to support, staff during difficult periods.

4. DEFINITION

4.1 The term “Domestic Abuse” rather than “Domestic Violence” is being used to ensure clarity that it is not only physically violent behaviour that constitutes abuse.

4.2 Women’s Aid Definition:

‘Domestic violence is physical, sexual, psychological or financial violence that takes place within an intimate or family-type relationship and that forms a pattern of coercive and controlling behaviour. This can include forced marriage and so-called “honour crimes”.

4.3 Domestic abuse may include a range of abusive behaviours, not all of which are in themselves inherently “violent”.’

It's impossible to know with certainty what goes on behind closed doors, but there are some telltale signs and symptoms of domestic violence and abuse. If you witness a number of warning signs in a colleague, you can reasonably suspect domestic abuse. These may include:

- Frequent injuries, with the excuse of “accidents”
- Frequent and sudden absences from work
- Frequent, harassing phone calls from the partner
- Fear of the partner, references to the partner's anger
- Personality changes (e.g. an outgoing person becomes withdrawn)
- Excessive fear of conflict
- Submissive behavior, lack of assertiveness
- Isolation from friends and family
- Insufficient resources to live (money, credit cards, car)
- Depression, crying, low self-esteem

It is important to be aware of the signs so that you may approach the subject with the person sensitively if you have concerns either as a colleague or as a line manager. You may for example wish to approach the subject at a return to work meeting after persistent or sudden absences if some of the other signs are also present.

4.4 It is also important to remember that most research also suggests that domestic abuse occurs in all sections of society irrespective of race, culture, nationality, religion, sexuality, disability, age, marital status, class or educational level.

5. INTERNAL SUPPORT

5.1 In order to support employees who experience domestic abuse, the Council will:

- nominate an appointed person in the workplace as a confidential first point of contact for those experiencing domestic abuse (this could either be the line manager or another nominated person);
- offer employees experiencing domestic abuse access to counselling, and publicise the availability of this support regularly through notice boards, the intranet and ongoing health and wellbeing initiatives;
- offer access to counselling and other support as appropriate, to employees perpetrating domestic abuse who seek help from the employer; and
- undertake to raise workplace awareness of domestic abuse issues through a programme of regular information initiatives.

6. EXTERNAL SUPPORT

6.1 Details of organisations providing external support are attached at Appendix 1.

7. LINE MANAGERS' ROLE

7.1 Line managers have a crucial role to play in enabling employees experiencing domestic abuse to seek help. Care First, the Council's external Counselling Service provides management support to any manager requiring advice and assistance in handling sensitive issues including domestic abuse (Telephone 0800 174319). HR Services can also provide advice and guidance

7.2 The role of the line manager is to:

- foster an open management culture that enables team members to disclose sensitive issues);
- provide support in the first instance, including specific advice on the options available, but also recognise the limitations of his/her role (managers are not professional counsellors or experts);
- protect confidentiality in all instances except where to do so would leave children of the relationship at risk of harm or place a vulnerable adult at risk of significant harm/danger;
- refer the individual to the appropriate internal or external source of help and support, for example the organisation's confidential point of contact or external agency;
- ensure that the safety of all employees in the team is protected; and
- enable the affected employee to remain productive and at work during a difficult period in his/her domestic life, for example by using the organisation's special leave policies and procedures.

7.3 It is appreciated that some employees may find it difficult to raise these types of issues with their immediate line manager. If this is the case, the employee can raise the issues with any other manager, or HR Services or their trade union representative. If the line manager or anyone else supporting the employee considers that any children in the family or vulnerable adult may also be at risk of abuse, they must request a consultation with the Duty Manager of the relevant Area Team. For families living in the Medway Council area, the contact number is

01634 334466 from where they will be redirected to the Duty Manager of the relevant Area Team. For families living outside of the Medway Council area, they must contact the relevant local authority for advice.

8. ATTENDANCE

- 8.1 The Council recognises that those experiencing domestic abuse may need to be absent from work at times and will assist them by using its special leave or short-notice leave provisions.
- 8.2 Individual absences can be discussed and agreed between the employee and the line manager, with HR support where appropriate.
- 8.3 Flexible working, change of workplace and changes to hours of work will be considered wherever possible.

9. SECURITY AND SAFETY

- 9.1 As far as possible, the Council will protect the safety and security of all employees at work, including those affected by domestic abuse and their colleagues.

10. PERPETRATORS OF DOMESTIC ABUSE

- .10.1 The Council will treat any criminal convictions related to domestic abuse as misconduct/gross misconduct and employees will therefore be subject to the Council's disciplinary procedure which could result in the termination of their employment with the council.
- 10.2 In the event that an employee is imprisoned as a result of a conviction related to domestic abuse depending on the circumstances the council will consider treating such absence as frustration of the employment contract which could result in the termination of the employee's employment with the Council.

Services available

Care First is a confidential service for information and advice or counselling, available to you free of charge. Calls to Care First are voluntary – you decide when and if you want to use the service and you make the call yourself – from wherever you want. Care First are available 24 hours a day, 365 days of the year – your call will be answered by a professional and there is no limit to the number of times you can contact them. Telephone number: 0800 174319 or e-mail: counsellingformedwaycouncil@care-first.co.uk

Kent Domestic Abuse Information Line 0845 603 6813: 24 hours, 365 days per year

Women's Aid 01622 761146: Tuesday-Friday, 9.30am-3pm

Men's Advice Line M.A.L.E 0808 801 0327: Monday-Friday, 10am-1pm, 2-5pm

Man 2 Man 020 8698 964924: From 10pm - Emergencies only

Medway Housing Services 01634 333600: Monday-Friday, 8.30am-5.15pm

Shelter 0844 515 1740: Monday-Friday, 9am-5pm
0808 800 4444 (housing and advice helpline)

Basic Benefits 0800 055 6688: Monday-Friday 8am-6pm

Solicitors (Davis, Simmonds & Donaghey) 01634 291960: Monday-Friday, 9am-5pm

Citizens Advice Bureau 08701 264095: Monday-Friday, 9am-5pm

Refuge 0808 200 0247: 24 hours

Dove Project 01702 300006

Medway Human Rights and Equality Council 01634 333880: Monday-Friday, 9am –5pm

GP Services Your own GP number

Health Visitors: Monday-Friday, 8.30am-5pm

- Gillingham 01634 281381
- Strood 01634 717755
- Rainham 01634 337698
- Chatham 01634 337523
- Rochester 01634 337500

Medway Children's Services 01634 334466: Monday-Thursday, 8.30am-5pm Friday 8.30am-4.45pm. 0845 7626777: 24 hours emergency number

Freedom Programme 01547 520 228

Medway Police 01634 891055: 24 hour

Crown Prosecution Service 01622 356300: Monday-Friday, 8.30am-5pm

Victim Support 0845 389 9527: Monday-Friday, 8.30am-5pm
0845 303 0900: Monday-Friday, 9am-9pm, Saturday and Sunday, 9am-7pm

Sunlight Development Trust 01634 338600: Monday-Friday, 9am-8pm

Family Mediation 01795 429689: Monday-Friday, 9.30-4.30pm

Relate 01634 846914: Monday-Friday, 9am-5pm

Witness Service 01634 815779: Monday-Friday, 9am-2pm (then answerphone)

Equinox (Alcohol or Drug Issues) - 01634 831999: Monday-Friday, 9am-4.30pm (Wednesday evenings until 7.45pm)

Substance Misuse Care 01634 337216: Monday-Friday, 9am-5pm
24 hour emergencies 0845 7626777

Age UK 0800 169 6565: Monday-Friday, 9am-5pm

Broken Rainbow 0208 539 9507: Monday, 2-8pm

Nuisance Call Advice Line – Malicious calls – 0800 661 441: 24 hour

Careline 0208 514 1177: Monday-Friday, 10am-1pm, 7-10pm
Counselling for children

Kent Lesbian Line 01622 763573: Thursdays only
Support and awareness around issues of lesbian domestic abuse

Medway AND Swale Advocacy Partnerships (01634) 713739: Monday-Friday, 8.30am-4.30pm
Advocacy for mental health problems

Racial Incidents Reporting Line 0800 138 1624: 24 hours

The Respect Phonenumber 0845 122 8609: Monday-Friday, 10am-1pm, 2-5pm
Provides information and advice to perpetrators of domestic abuse and to victims and professionals

Samaritans 01634 730981: Someone to talk to 24 hours a day
08457 909090: National link line number

Shelterline 0808 800 4444: Monday-Sunday, 8am-8pm
Emergency access to refuge services or housing advice

SureStart 01634 338833: Monday-Friday, 9am-5pm
Help and advice for parents of under fives in Chatham