

EMPLOYMENT MATTERS COMMITTEE

2 DECEMBER 2020

WORKPLACE DOMESTIC ABUSE POLICY UPDATE

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Summary

The Council has had a workplace domestic abuse policy in place since 2009 which has been updated regularly. The policy has recently been updated and as the proposed revisions are fairly substantial, these have been consulted upon. The consultation period ends on 25 November 2020, the results of which will be reported to the Committee.

1. Budget and policy framework

1.1 Changes to the workplace domestic abuse policy are a matter for the Employment Matters Committee.

2. Background

2.1 The Council developed a workplace domestic abuse policy in 2009 in order 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.

2.2 Medway Council HR are committed to continuously reviewing HR policies to ensure that as an employer the Council is up to date with legislation and ACAS guidance and adopting best practice. The policy is set out in Appendix 1 to the report.

3. Key Changes

3.1 The domestic abuse policy now incorporates clearer guidance relating to the safeguarding of children and adults and includes a new appendix specifically on safeguarding.

3.2 Statistics and external contacts have been updated.

3.3 Domestic Abuse champions who work for Medway Council have been asked if they will support work colleagues suffering and if they consent then they are added as workplace contacts.

3.4 The key changes are highlighted in yellow in the draft policy at Appendix 1.

4. Advice and analysis

4.1 Domestic abuse reduces an employee's ability to work effectively and has an economic impact far beyond any sickness absence resulting directly from the harm caused by abuse. Indirect costs include time off work, poor productivity and reduced promotion prospects for the individual as a result of working below their potential.

4.2 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 an abusive partner constantly contacts the victim whilst they are working. 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.

4.3 The purpose of this policy is to:

- support employees experiencing domestic abuse;
- enable employees experiencing domestic abuse to remain productive and safe at work;
- aid managers seeking to support team members experiencing domestic abuse;
- assist colleagues who are experiencing domestic abuse; and
- reinforce organisational corporate social responsibility objectives by demonstrating Council values and demonstrating that the Council is prepared to support staff during difficult periods in their lives.

5. Risk management

5.1 Whilst there is no statutory requirement to have a Domestic Abuse Workplace Policy, it is good employment practice to do so.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Policy is not accessed by and therefore does not have an impact on the victims Domestic Abuse	Access to the policy is via the intranet and workers may not be aware that it exists	A communication strategy that promotes the policy and a training programme that raises awareness of domestic abuse is embedded	D2

Risk	Description	Action to avoid or mitigate risk	Risk rating
		within Medway Council	

6. Consultation

6.1 This policy has been consulted upon with the following stakeholders:

- Trade unions
- Staff who have undertaken recent training in domestic abuse
- Safeguarding lead senior officers (LADO and Head of Adult Services)
- Health Improvement Programme Manager (Domestic Abuse)
- Disabled Workers Forum
- BAME Workers Forum
- Gender Forum
- LGBTQI Workers Forum
- CHOICES - External voluntary service provider of domestic abuse services

6.2 A diversity impact assessment has been produced (Appendix 2).

6.3 The consultation period ends on 25 November and the responses will be circulated to Members as soon as possible and in time to be considered at the meeting of the Committee (Appendix 3 - to follow).

7. Financial implications

7.1 There are no additional financial implications as a result of this policy being implemented however there are hidden costs of not supporting employees who are experiencing domestic abuse (see sections 4.1 and 4.2 above).

7.2 The Council already invests in local domestic abuse services including commissioned support for medium and high-risk victims, early help domestic abuse specialists as well as a range of housing support including refuges.

7.3 Through the Public Health Grant the Council funds a Domestic Abuse co-ordinator role, however all other staff cited in the policy volunteer their time and there is an expectation that line managers will allow staff reasonable time away from their normal duties during work time in order to support colleagues who are victims of abuse. In most cases this support will only comprise initial advice and support whilst the victim is referred into relevant services and safety plans are completed.

8. Legal implications

- 8.1 The Domestic Abuse Bill 2019-2021 has yet to have its second reading in the House of Lords. Although the Bill does not directly impact upon the Council's Workplace Domestic Abuse Policy, the passing of the Bill highlights the priority the Government has placed on tackling domestic abuse.
- 8.2 The Bill brings forward a number of legislative changes including the appointment of a Domestic Abuse Commissioner who will seek consistency of service over areas and evidence of the consideration of children, minority and marginalised groups within the policy and delivery of services. In October 2019, the government confirmed new statutory duties linked to accommodation-based domestic abuse services (which will come into force once the Domestic Abuse Bill is passed). This does not affect the workplace policy.

9. Recommendation

- 9.1 Members are asked to approve the revised Workplace Domestic Abuse Policy as set out in Appendix 1.

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Appendices

Appendix 1 - Workplace Domestic Abuse Draft Revised Policy

Appendix 2 - Diversity Impact Assessment

Appendix 3 - Consultation Responses (to follow)

Background papers

None