

Policy – Domestic Abuse

February 2021

Policy – Domestic Abuse

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Economic abuse is wider in its definition than ‘financial abuse’, as it can also include restricting access to essential resources such as food, clothing or transport, and denying the means to improve a person’s economic status (for example, through employment, education or training). The charity Surviving Economic Abuse describes it in the following way:.....20

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1. Introduction

Denbighshire County Council (DCC) condemns all forms of abuse and violence and recognises that it is both a crime and unacceptable.

We are committed to developing a workplace culture in which there is zero tolerance for domestic abuse and/or violence, and recognises that the responsibility for domestic abuse/and or violence, lies with the perpetrator.

We recognise that the violence and abuse can impact greatly on an individual's working life. We also recognise that as an employer we have a role to play in taking action to ensure that victims of domestic abuse feel safe and are supported at work.

We aim to create a safer workplace by understanding the risks and consequences in the workplace for victims/survivors of domestic abuse and/or sexual violence and raising awareness.

We recognise that some employees reading this policy will be among those affected, experiencing, or may have historic experience of domestic abuse and/or sexual violence. We believe employees have the right to raise the issue with us as an employer, in the knowledge that we will treat the matter sympathetically, confidentially and effectively.

At DCC we aim to support individuals through periods of domestic abuse and /or violence and where possible, provide advice and information to aid the affected individuals and colleagues to cope with such circumstances.

DCC already has a role in the prevention of domestic abuse and/ or violence against women and sexual violence; support to these victims is through its involvement in the Community Safety Partnership. The development of a work place policy demonstrates our commitment to tackling these issues and of raising awareness.

We also wish to send out a strong message that domestic abuse and/or sexual violence could be dealt with as a disciplinary matter.

2. Scope

The policy applies to all council employees and elected members with the exception of:-

- Agency workers
- Volunteer staff or contractors

The policy will apply to full-time, part-time, fixed term and temporary employees who have an employment contract with the council, regardless of the hours worked.

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Other Legislation

The Violence against Women, Domestic Abuse and Sexual Violence Act (2015)

The purpose of this Act is to improve arrangements for the prevention, protection and support of gender-based violence, domestic abuse and sexual violence.

The Welsh Government 10,000 Safer Lives Project was developed to address domestic abuse and wider Violence against Women & Girls issues. The project developed 11 Minimum Service Standards to be implemented across Public Services in Wales around their response to domestic abuse one of which was implementation of a workplace policy.

Human Rights Act

Under the **Human Rights Act** all public bodies have an obligation to protect the human rights of individuals and to ensure that their human rights are not being violated. Domestic abuse and/or sexual violence denies individuals the most fundamental of human rights.

The articles most relevant are:

- Article 2: Right to life
- Article 3: Right to be free from torture, inhumane and degrading treatment
- Article 8: Right to family and private life, which extends to physical and psychological integrity

The Equality Act 2010

This includes a definition of harassment that covers harassment by third parties. For example, this could mean harassment by a partner or ex-partners through repeated phone calls, faxes or emails and unplanned visits to the workplace. Employers will be liable if they fail to take reasonably practicable steps to prevent harassment from occurring if they have been made aware of its occurrence on at least two separate occasions.

Public Sector Equality Duty (PSED)

This requires all public authorities to have due regard to the need:

- To eliminate unlawful discrimination and harassment
- To promote equality of opportunity
- To foster good relations between different protected groups

The **PSED** requires all public authorities to prioritise action to address the most significant inequalities, including gender inequality, and take actions that could deliver the best gender equality outcomes.

The Health and Safety at Work Act 1974

This Act ensures workers have the right to work in a safe environment where risks to

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health and wellbeing are considered and dealt with efficiently.

Confidentiality

If an employee confides or seeks support through this policy confidentiality will be maintained as far as it is reasonably practicable with the Council's duty as an employer.

There may be circumstances that prevent complete confidentiality, this could include where there are child protection issues or threat to life. In order to fully support employees, a Manager, colleague or Trade Union representative may need to involve Human Resources.

Requests for Domestic Abuse leave and any information will be handled in confidence and retained securely in line with GDPR requirements.

3. What is Domestic Abuse?

Men, women and children can all experience domestic abuse, and can also all be perpetrators of abuse. However, evidence shows that women are disproportionately affected by domestic abuse and the majority of perpetrators are men. It takes place at all levels of society, regardless of social class, race, religion, sexuality or disability. Individuals may experience abuse or be affected by it long after they have left their partner.

3.1 Domestic Abuse

The UK government's definition of domestic violence is 'any incident or pattern of incidents of controlling, coercive, threatening behavior, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to psychological, physical, sexual, financial, and emotional.'

There is a common misconception that domestic abuse is just physical abuse. This is not the case. There are many different forms of domestic abuse, these include but are not limited to:

- coercive or controlling behaviour
- emotional or psychological abuse
- physical abuse
- sexual abuse
- financial abuse
- online or digital abuse
- harassment and stalking

Domestic abuse may include a range of behaviours that, when viewed as isolated incidents, do not seem much, if they involve a pattern of behaviour that result in an employee feeling fear, alarm or distress, it is abuse.

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Further and more detailed information and examples can be seen in Appendix B.

3.2 Violence against women

The United Nations defines this as ‘any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts of coercion or arbitrary deprivation of liberty, whether occurring in public or private life’ this includes but is not limited to the following:

- Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
- Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.”

1 in 4 women and 1 in 6 men in the UK have endured in their lifetime. Two women each week and one man each month are killed in England and Wales by a current or former partner.

Sexual Violence

Any sexual act, attempt to obtain a sexual act, unwanted sexual comment or advances, or acts to traffic, or otherwise directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting.

Sexual violence can affect anyone, at any stage of their lives. A victim may experience one incident of sexual violence or many.

Impact of Domestic Abuse in the Workplace

Domestic abuse can affect the health, morale, and confidence of employees at work. The effects can include decreased productivity, lateness, stress, absenteeism, errors and increased employee turnover. It can also contribute to difficulties in working relationships and some may find it difficult to trust and form relationships within the workplace.

Domestic abuse affects not only the victim, but also colleagues may also be affected; they may be followed to or from work, or subject to questioning about the victim’s contact details or location. They may have to cover for other workers while they are off, try to fend off the abuse and fear for their own safety. Furthermore, colleagues can also be unaware of the abuse, or not know how to help.

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It is also important to recognise that while domestic abuse impacts on the health, safety and wellbeing of employees, for some victims the workplace can be the safest place to be. A supportive workplace is essential to ensure that routes to safety can be achievable.

It is possible for perpetrators to use workplace resources, such as phones, email, text and other means to threaten, harass or abuse their victim.

Supporting Employees

The Council is committed to supporting employees experiencing domestic abuse and/or sexual violence. However, everyone will have a role to play when dealing with any form of domestic abuse. If an employee is experiencing any of these issues they are encouraged to confide in someone they trust such as:

Managers:

Managers have a **primary responsibility** to be alert to employees displaying signs of domestic abuse and to take appropriate action. Managers need to take a sensitive and non-judgemental approach when dealing with employees; also their primary concern must be to safeguard the welfare of vulnerable children and adults

A statement from the employee is enough for them to be given support and information, no proof of violence is needed. Matters relating to domestic abuse can be very complicated and as such managers will not be in a position to give specific advice. Managers should:-

- Ensure they are familiar with the policy and associated procedures, including the corporate safeguarding policy and the need to safeguard children and vulnerable adults;
- Be available and approachable for those employees experiencing domestic abuse;
- Listen, reassure and support individuals;
- Assess risks in relation to the employee, colleagues and service users as a result of the threat or impact of abuse or violence;
- Enable the affected employee to remain productive and at work during a difficult period, for example, make reasonable attempts to adapt working arrangements to support an employee if required;
- Provide reasonable time off from work if appropriate;
- Keep records of any discussions held with employees about domestic abuse and any actions agreed.
- Keep any information confidential (subject to the requirements of child and adult protection);
- Respond in a sensitive, non-judgmental manner;
- Encourage the employee to seek the advice of other relevant agencies and signpost if relevant/appropriate;
- Communicate the awareness of a definite threat to the Health & Safety Team so the appropriate measures/controls can be put in place to ensure employee safety.
- Report incidents to appropriate agencies if the employee wishes this.

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Human Resources:

Human Resources can support both the Manager and the employee with providing appropriate information, advice and guidance.

- Advise managers on matters relating to the implementation of the policy, including advising on disciplinary issues, if appropriate;
- To respond in a sensitive, non-judgmental manner;
- To provide support directly or by way of manager to employee;
- To signpost or refer to other relevant agencies;
- Offer support as needed, by obtaining the views of Occupational Health, Health and Safety and other agencies;
- Ensure that information on this policy, and support available, is incorporated into the induction of all new employees;
- To keep any information confidential (subject to the requirements of child and adult protection);
- Facilitate appropriate awareness raising sessions for managers and employees.

Safeguarding Representative, Trade Union, Mental Health Champion:

Any of these groups of representatives within the Council will be able to support and guide the employee with any domestic abuse issue.

Employees/Colleagues:

- Ensure they are familiar with the policy and associated procedures;
- Follow guidance and instructions, observe safe working practice;
- Feel able to bring concerns regarding domestic abuse to managers, Human Resources or their Trade Union representative;
- Participate in the identification and management of risks to themselves and others.

Further and more detailed information can be seen in the Guidance for Managers.

Denbighshire County Council will also encourage and promote the Live Fear Free Helpline. This can be used by both the employee and the Manager to get the correct and most up to date information.

Live Fear Free Helpline (Tel: 0808 80 10 800)

This is the national free signposting and information service for all genders and children in Wales who are experiencing, or who have experienced abuse at the hands of someone close to them and provide information on practical options. This helpline can also be contacted by Managers or anyone that may want advice or further information.

When contacting the Helpline you can expect:

- Highly trained, committed, experienced staff
- Assistance to make decisions without pressure

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- To be treated with dignity and respect at all times
- As much time as needed to explain the situation and experience
- The call to be treated in a confidential nature

Domestic Abuse Leave

Victims seeking support under this policy may be granted a one off allocation of up to **5** days' pro rata equivalent paid leave for reasons including but not limited to:

- attending medical appointments and counselling
- attending legal proceedings
- seeking safe housing
- visiting legal advisors or support agencies, for re-housing or re-organising childcare, or for other relevant appointments; and
- matters as a result of family violence

Domestic Violence leave may be taken as a one off block of up to **5** days or as intermittent periods of absence, based on the needs of the affected person.

The manager may ask for supporting documentation, such as from healthcare professionals, the police and/ or the relevant support agencies, as appropriate.

There are a number of existing policies that can be utilised once a disclosure has been made that may reduce the need to take unplanned time away from work, e.g., requests for flexible working.

Managers should respond positively and sympathetically to such requests under these circumstances (if reasonable and practicable) and should also explore other measures supportively, such as temporary negotiated hours, where requested by employees experiencing domestic abuse.

Managers should also consider the mitigation of personal circumstances if managing the employee through any formal stages.

Managers should look sympathetically at requests for reasonable time-off within these arrangements for employees who have disclosed that they are experiencing domestic abuse.

Awareness Training

This policy has been developed as part of the Council's strategy of raising awareness of the issues relating to domestic abuse and the Council is committed to communicating the policy as widely as possible. The Council is committed to raising awareness of the issues relating to domestic abuse and/or sexual violence and we will communicate the policy as widely as possible.

All employees are required to complete the relevant Violence Against Women, Domestic Abuse and Sexual Violence E-Learning mandatory module. Some employees may be

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identified as needing further training as part of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 Training Framework as seen in Appendix C

It is also recognised that all DCC managers are able to:

- Recognise the problem (look for signs and ask)
- Respond appropriately
- Record the details
- Signpost where necessary to supporting agencies/charities
- Support those experiencing domestic abuse and/or violence in a sympathetic, non-judgemental and confident manner.
- Utilise the attached Guide or Managers.

There is also a dedicated Domestic Abuse section on our website, as well as further links and numbers to various specialist agencies in Appendix D. [LINK TO OTHER RESOURCES OR OUR NEW PAGES](#)

Perpetrators

There is growing recognition that, in tackling domestic abuse, both victims and perpetrators must be engaged and offered effective services to address the symptoms, impacts and cause of the issue.

Everyone has a role to play in creating a culture across Wales which does not tolerate domestic abuse. Educating perpetrators about the consequences of their actions, holding them accountable and assisting them to seek help in changing their behaviour are vitally important strategies to prevent further abuse.

It is important that staff who are concerned about their own behaviour are supported. The Council will encourage and support colleagues who make such disclosures by adopting a non-judgemental approach, providing time to attend appointments designed to address the problem (e.g. medical appointments or domestic violence perpetrator programmes) and ensuring the individual is not subject to judgement by others within the organisation. Confidentiality is vital in ensuring that individuals feel safe to make disclosures and use available support.

Where possible the Council's aim is to work with victims of domestic abuse and will be guided by them of how best to deal with the issues. However the Council cannot ignore conduct issues arising out of a domestic abuse incident in the workplace

Any employee, who threatens, harasses, abuses or stalks an individual (including a partner or family member) at, or from, the Council's workplace will be subject to disciplinary action up to and including dismissal. This includes employees who use Council resources such as phones, e-mail, personal information or other means to threaten, harass, abuse or stalk an individual (including a partner or family member) and those who

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intentionally misuse their authority or position to enable abuse to continue or encourage others to do so during the course of their employment or when representing the Council.

In line with the terms and conditions of employment with the Council, employees are required to inform their line manager if they are charged with, or convicted of, a criminal offence.

If an employee is charged or convicted of a criminal offence outside of their employment, appropriate disciplinary action may be taken and if their role for example requires a valid (DBS) a caution or conviction relating to domestic abuse and/or sexual violence may have an adverse impact on suitability to remain in that post.

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Section 2 Guidance for Managers

These guidelines are designed to assist managers in developing a proactive response to domestic abuse in support of the Domestic Abuse Policy.

Denbighshire County Council has a duty of care for all its employees at all levels to ensure the wellbeing of their physical and mental health. Managers have a primary responsibility to be alert to employees displaying signs of domestic abuse and to take appropriate action.

2.1 The Role of Managers

Employees who are experiencing domestic abuse and/or sexual violence may not feel able to tell people at work of their situation or approach their manager with problems in the first instance.

It is important to recognise that for some the workplace can be a safe haven and provide a route to safety so presentism may be as likely as absenteeism. However, it may also mean that home working is a risk and therefore a manager must take every step to support the employee to limit the risk, but always working together to find a suitable solution.

Managers need a sensitive approach and to ensure the employee is offered support if domestic abuse and/or sexual violence issue has been disclosed. When dealing with a report of domestic abuse and/or sexual violence from an employee, managers should:

- Ensure discussions take place in privacy and are confidential
- Take them seriously, taking time to listen to them, believing what they tell you and ensuring a non-judgmental approach
- Understand that they may wish to involve a third party, such as a colleague, trade union representative or friend
- Be aware that there may be additional issues facing them because of their age, gender, sexuality, ethnic background, race or disability
- Explore what support is available, explore options for action, and support them in whatever they then decide to do
- Review their next of kin details and offer support to change the bank details for salary payments.

In order to support individuals appropriately in the workplace, a manager may need to be involved at a later stage.

You should consider if there is an underlying cause such as domestic abuse and/or sexual violence and take this into account in considering how to deal with the situation although it is important not to jump to conclusions. If there is an underlying cause which has been identified then offering appropriate support may mean that the employee is able to deal with their situation more effectively. Where domestic abuse and/or sexual violence has been reported you may need to treat unplanned absences and temporary poor timekeeping sympathetically.

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Research has shown that whilst victims of domestic abuse and/or sexual violence may be reluctant to disclose what is happening to them, often they are hoping that someone will realise that something is wrong and ask them about it. Managers should be available and have the confidence to listen and support an employee.

You should consider the practical options mentioned in Section 2.3, in consultation with them, taking into consideration the effects of the abuse and/or sexual violence in conjunction with the effect of any of these measures on services.

If you receive information that suggests that a child is at risk from abuse (whether physical, emotional, sexual or neglect) you should inform your employee that you must refer to Social Services immediately in line with the All Wales Child Protection Procedures.

2.2 Recognising the signs

The effects of domestic abuse can often lead to workplace concerns which may be observed by work colleagues and/or line managers. These may include reduced performance, increased absenteeism, lateness and signs of stress. It's important to remember that not all victims behave in the same way, nor does any single characteristic point to an individual being a victim.

Any changes in an employee's behaviour and work performance should raise concerns as well as other signs or indicators that an employee may be a victim of domestic abuse, such as:

- The employee may confide in their colleagues.
- There may be obvious effects of physical abuse.
- Issues relating to domestic abuse may come to light as a result of performance management or a significant change in behaviour.
- An employee experiencing domestic abuse may lack concentration at work and find it difficult to cope.
- Domestic abuse may also be the reason for presenteeism – where victims prefer to be at work and work long hours and are reluctant to take holidays.
- Employees who suffer domestic abuse may experience panic attacks, anxiety, depression or severe stress reactions.

Remember

- Domestic abuse is fundamentally a process of psychological intimidation. The threats and humiliations perpetrated by the abuser are often more significant than the beatings.
- Domestic abuse is a controlling behaviour and includes all kinds of physical, sexual and emotional aspects within all kinds of intimate relationships.
- Offering basic information about services is very helpful whether they are used immediately or not.

2.3 Providing Support

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If domestic abuse is disclosed, or if a manager becomes aware of domestic abuse they need to take a sensitive and non-judgemental approach when dealing with employees; also their primary concern must be to safeguard the welfare of vulnerable children and adults. Managers may become aware of domestic abuse via such activities as return to work interviews after an absence or as part of one to one discussions.

Identifying that an employee is experiencing difficulties at an early stage will lead to the appropriate help being offered. This, in turn, could mean that the employee is able to deal with their situation far more effectively.

It can be difficult for victims to make a disclosure of abuse and your support is important:

- Handle the conversation sensitively – listen to what they have to say and give them the time and space to talk about their situation. Don't put pressure on them to do anything that they are not ready to do.
- Be careful not to seem to pass judgement on their situation or to ask them to justify their actions. Don't make assumptions about what they might want or need.
- Put your own feelings to one side. You may feel shocked at some of the details. If you show you are distressed or horrified by what you are being told, it may put them off talking to you.
- Make them aware of the support available and encourage them to seek the advice of specialist agencies, such as the Live Fear Free helpline or Welsh Women's Aid. A referral may be made to our Occupational Health and/or Care First Service.
- Consider seeking advice and guidance from the HR team.
- Consider their safety and what measures can be put in place to increase their personal safety in the workplace and at home if they are working at home.
- Ensure their emergency contacts, next of kin details and address are up to date, should we be unable to contact them for any reason.
- A Manager/ HR can work with them and any appropriate specialist agency to identify what actions can be taken to increase their personal safety as well as address any risks there may be to other colleagues, taking into account the duty of care for all our employees.

Further options for support may include but are not limited to:

- Offer of Domestic Abuse leave for relevant appointments following disclosure, including with support agencies, solicitors and/ or court appointments, housing, meeting with school/nursery to discuss education issues and/or childcare arrangements.
- Consider temporary or permanent changes to working times and patterns.
- Improve security measures, such as installing keypads or changing entry numbers.
- Where reasonably practicable, consider offering temporary changes in workplace.
- Consider the office layout to ensure that the employee is not visible from reception points or from windows.
- Offer changes in specific duties temporarily e.g. not customer facing.
- Changing or diverting a telephone number or email address.
- Ensure they do not work alone or in an isolated area.
- Agree what to tell colleagues and how they should respond if the perpetrator phones or arrives at the workplace.

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- Reminding all team members, not to divulge information about colleagues, especially personal details such as addresses, telephone numbers or shift patterns.
- Providing selected colleagues e.g. security or facilities teams with a photograph of the abuser and other relevant details, such as car registration number.
- An advance of pay.
- Making sure systems for recording their whereabouts during the day are adequate and that a colleague knows of their location at all times.
- If the work requires visits outside the office, consider how risks can be minimised (e.g. changing duties or allowing another colleague to accompany them).
- Changing bank details for salary payments.
- Provide parking close to the entrance of the building ideally covered by CCTV.
- Record all incidents of violence or threatening behaviour in the workplace, including persistent phone calls where possible, e-mails or visits by the alleged perpetrator.

You, as a manager are also able to call the Live Fear Free Helpline for support. A number of other information and agency numbers are included in Appendix D.

Employees suffering from domestic abuse will very often be able to anticipate the ways in which the perpetrator may continue to harass and abuse them in the workplace. Managers should therefore discuss with victims safety procedures to be put in place in order to keep victims and other employees safe.

If domestic abuse is disclosed, you should consider undertaking a work place risk assessment to ensure that the potential risk to the employee and work colleagues is minimised, which includes if employee is home working, and could include: -

- Improving security, changing keypad numbers or reminding staff of any restricted access arrangements which may apply;
- Creating a Safety plan should the employee work from home. This can be a daily check in, which could be a single word, phrase or a specific call. Both will need to agree as to what action will be taken, for example calling the Police;
- Changing duty arrangements such as reception or answering the phone;
- Changing the layout of the room so that the individual cannot be seen through reception/entrances or through a window;
- Changing specific duties, for example to avoid potential contact with an abuser in a customer facing role or if they are a fellow employee;
- Agreeing with the person experiencing domestic violence/abuse what to tell colleagues and how they should respond to contact from the abuser. Providing colleagues with a photograph and other relevant details e.g. car make and registration;
- Making sure that the systems for recording staff whereabouts are adequate and if work requires going out of the office or working alone consider how to minimise risks;
- Considering special arrangements for when a member of staff has to leave work at the end of the day;

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- Ensuring any incidents are recorded using incident report forms. These reports may be used in court or civil proceedings. Details of all witnesses should be recorded;
- Seeking redeployment for a member of staff if they request a change of work site or considering a change of working hours or other temporary measures as an option;
- Avoiding requests to work overtime without reasonable notice;
- Establishing how to contact the member of staff outside of work; contacting them at home may not be appropriate.

Ensure employee has access to equipment, technology or assistance needed to increase their personal safety, for example being escorted to their car or public transport and a personal alarm, as required.

Assessments of safety, risk and management control measures should include all foreseeable risks. A risk of domestic violence and abuse in the workplace is reasonably foreseeable once an employee has raised such an issue with the line manager.

You must never attempt to mediate between your employee and a perpetrator or suggest that they access professional mediation services. If the perpetrator becomes aware that someone knows about the abuse and/or violence, this could compromise the employee's safety or make a difficult situation even worse.

2.4 Record Keeping

Affected employees are encouraged to make a record of any threatening or violent incidents by the perpetrator (within and outside the workplace) including visits, abuse or persistent phone calls, e-mails or other forms of harassment. Police should be contacted where a violent incident occurs on work premises.

It is good practice to keep detailed records if an employee discloses domestic abuse. Any discussions about domestic abuse and any actions agreed should be documented to provide as full a picture as possible. The Council processes personal data collected in accordance with its Data Protection Policy. Data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of supporting employees who are the subject of domestic and sexual violence. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Council's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Council's Disciplinary Procedure.

In accordance with the Data Protection Act records should be kept strictly confidential. However, there are some circumstances in which confidentiality cannot be assured. These occur when there are concerns about children or vulnerable adults or where the Council needs to act to protect the safety of employees. If you have any concerns about the welfare of a child or vulnerable adult, you have a duty to refer to social services or the police. Further guidance can be obtained in the All Wales Child Protection Procedures, POVA Guidance and Corporate Safeguarding Policy.

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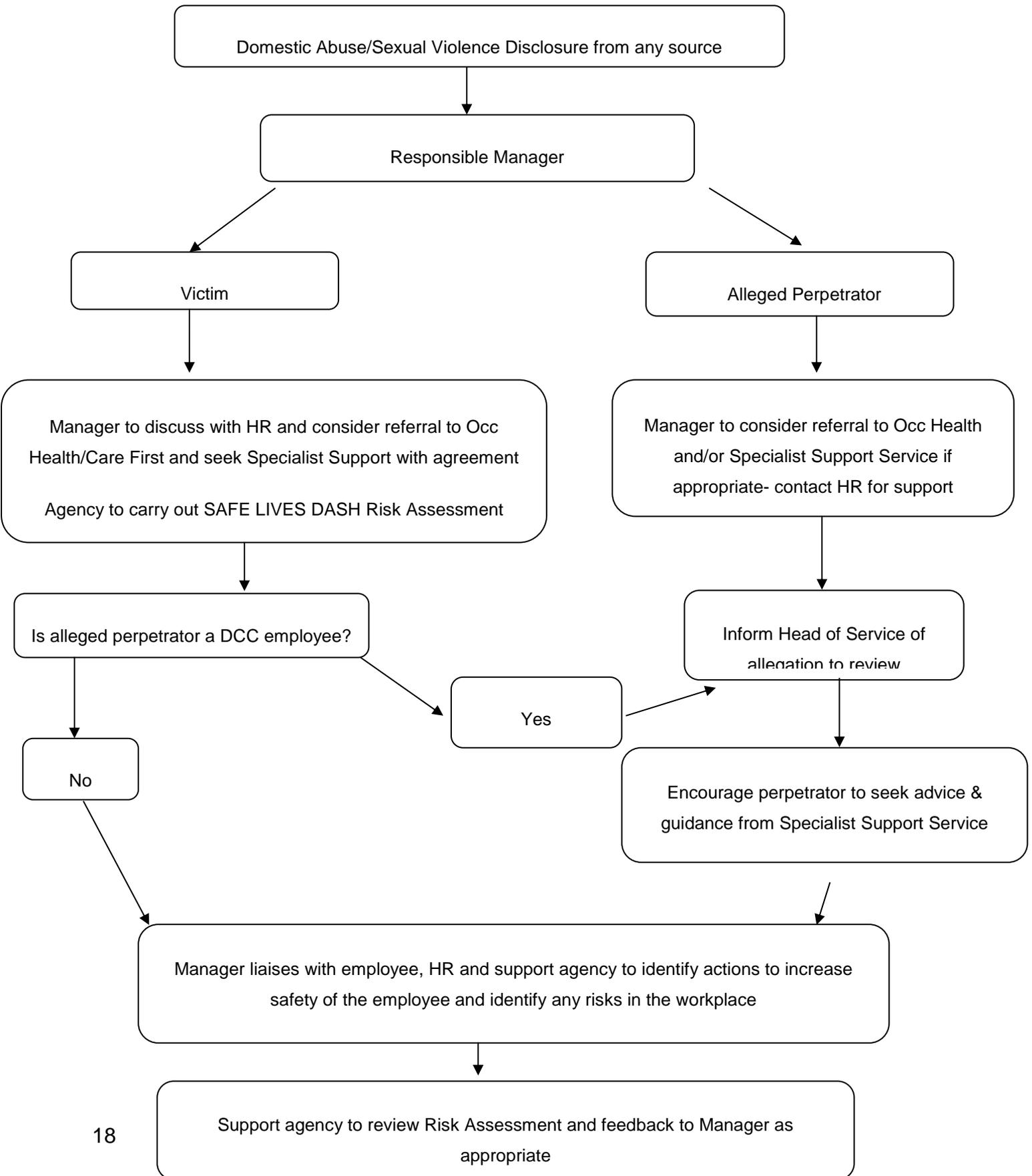
Where Health and safety applies, you have a duty to maintain a safe place of work. This necessitates monitoring and recording all incidents of violence or threatening behaviour in the workplace. These may include persistent telephone calls, e-mails, visits to the workplace by the perpetrator etc.

This information can be used if the employee wants to press charges or apply for an injunction. Good records may also be used in criminal proceedings or if the employee wants to apply for a court order, and Managers and employees may be called as witnesses for any court proceedings. Please ensure that it is only factual information that is recorded and not opinion.

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Appendix A

Manager's pathway following disclosure of Domestic Abuse involving employee. **If in immediate danger contact Police 999**



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Appendix B

Examples of Domestic Abuse and/or Violence & Sexual Abuse

Domestic abuse

This is a pattern of coercive control, by one person using emotional, financial, physical and/or sexually abusive behavior's to ensure power and control over another with whom they have, or have had, an intimate or family relationship. The main characteristic of domestic abuse is that the behavior is intentional and is calculated to induce fear, and involves the misuse of power to control how the victim thinks, feels and behaves.

Domestic abuse and/or sexual violence is not a 'one off' occurrence but is frequent and persistent, aimed at instilling fear into, and compliance from, the victim. Once it has started it often becomes more frequent and more violent. On average a victim of domestic violence/abuse is assaulted 35 times before they report the matter to the police.

Coercive & Controlling behaviour

This is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.'

Physical abuse:

Physical abuse is the use of physical force against someone in a way that injures or endangers that person. Physical assault is a crime, whether it occurs inside or outside of the home or family.

Emotional abuse:

Emotional abuse is often minimised or over looked – even by the person being abused. The aim of emotional abuse is to chip away at feelings of self-worth and independence. A victim may feel there is no way out of a relationship or that without their abusive partner, they have nothing.

Emotional abuse includes verbal abuse such as yelling, name-calling, blaming and shaming. Isolation, intimidation and controlling behaviour also fall under emotional abuse.

Rape and sexual abuse:

Sexual assault is an act of physical, psychological and emotional violation, in the form of a sexual act, which is inflicted on someone without consent. It can involve forcing or manipulating someone to witness or participate in any sexual acts. It ranges from adults

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exposing their genitals ('flashing') through to repeated brutal sexual torture, and in the most extreme cases death.

Rape is an act of violence and domination using sexual acts including penetration as weapons. The Sexual Offences Act 2003 extended the definition of rape to include the penetration by a penis of the vagina, anus or mouth of another person. It can be committed against men or women but since it involves penile penetration it can only be committed by men. The Act also changed the law about consent and belief in consent: a person consents if he or she agrees by choice, and has the freedom and capacity to make that choice.

- 45% sexual assault committed by current partner
- 74% sexual assault occurs in the person own home
- attacks by partners double risk of physical injury

Financial abuse:

An abuser's goal is to control; they will frequently use money to do so. Economic or financial abuse includes:

- rigidly controlling finances
- withholding money or credit cards
- withholding basic necessities (food, clothes, medications, shelter)
- stealing from the victim
- sabotaging their partner's job (making them miss work, calling constantly)
- preventing their partner from working or choosing their own career

Economic abuse:

Economic abuse is wider in its definition than 'financial abuse', as it can also include restricting access to essential resources such as food, clothing or transport, and denying the means to improve a person's economic status (for example, through employment, education or training). The charity Surviving Economic Abuse describes it in the following way:

"Economic abuse is designed to reinforce or create economic instability. In this way it limits women's choices and ability to access safety. Lack of access to economic resources can result in women staying with abusive men for longer and experiencing more harm as a result."

Digital/online:

Abuse using technology and or social media to further isolate, humiliate or control someone.

Domestic abuse and/or sexual violence includes actual harm of children as part of controlling women and is a strong indicator of child abuse. The Children's Act has extended the definition of 'harm' to include any impairment to a child's health and development as a result of witnessing the ill treatment of others. Ill treatment is broader

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than physical violence and includes sexual abuse and forms of ill treatment such as seeing a person harassed or intimidated by another person.

Child sexual abuse

This involves sexual activity with children by adults, and coercive sexual activity between children themselves. It involves an abuse of power and an abuse of trust to persuade or force a child to take part in sexual activities, or encourage a child to behave in sexually inappropriate ways.

Child sexual exploitation is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet).

Sexual violence may also involve ritual abuse, which usually starts in early childhood and usually involves more than one person as abusers, and is defined as organised sexual and other forms of abuse, using rituals (with or without a belief system) and patterns of learning and development to sustain the abuse and silence the abused.

Perpetrators can include relatives, intimate partners and strangers, although most are known in some way. It can happen anywhere – in the family/household, workplace, public spaces, social settings, during war/conflict situations.

Sexual exploitation, including through the sex industry

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Sexual exploitation breaches a person's human right to dignity, equality, respect and physical and mental wellbeing. It becomes commercial sexual exploitation when another person, or group of people, achieves financial gain or advancement through the activity. These activities have been shown to be harmful for some individual women involved and have a negative impact on the position of all women through the objectification of women's bodies.

Activities such as pornography, prostitution, stripping, and lap/table dancing are forms of commercial sexual exploitation.

Sexual harassment in the workplace and public sphere

Sexual harassment is unwanted behaviour of a sexual nature which:

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- Violates your dignity
- Makes you feel intimidated, degraded or humiliated
- Creates a hostile or offensive environment

You don't need to have previously objected to someone's behaviour for it to be considered unwanted.

Sexual harassment may occur in a context of domestic and/or sexual violence and abuse, and can also occur in the workplace or in the public sphere. Sexual harassment may be verbal (comments about appearance, requests for sexual favours) non-verbal (display of sexually explicit material) or physical (touching, pinching, assault, rape). Sexual harassment at work can also involve conduct based on sex affecting a person's dignity of women and men at work, which include physical, verbal and non-verbal conduct. Conduct is unacceptable if it is unwanted, unreasonable and offensive to the recipient.

Public sexual harassment occurs by those who feel a sense of entitlement. At its core it is a power dynamic that constantly reminds historically subordinated groups (women and LGBTQ people, for example) of their vulnerability to assault in public spaces. Further, it reinforces the ubiquitous sexual objectification of these groups in everyday life

Stalking and harassment

Repeated harassment or other behaviours causing fear, alarm or distress. It can include repeated or threatening phone calls, texts or letters, cards or 'presents'; damaging property; following someone and turning up at their home or workplace; faking someone's identity to contact others; targeting friends, family and neighbours.

Stalking can be defined as persistent and unwanted attention that makes someone feel pestered and harassed. It includes behaviour that happens two or more times, directed at or towards the victim by another person, which causes alarm or distress, or to fear that violence might be used. The problem isn't always 'physical', stalking can affect victims psychologically. Social media and the internet are often used for stalking and harassment, and 'cyber-stalking' or online threats can be just as intimidating.

"Ask for Angela" is a national scheme which enables anyone of any gender who is on a date or in a situation in a registered licensed premises to approach one of the staff and "ask for Angela". The staff can then support in them being able to leave the premises safely.

Honour based violence / Forced marriage

A marriage in which one or both spouses do not, or in the case of some adults with learning or physical disabilities, cannot, consent to the marriage and duress is involved, which can include physical, psychological, financial, sexual and emotional pressure.

Forced marriage affects people from many communities and cultures, - for example, people from Black, minority ethnic and refugee communities; lesbian, gay, bisexual and transgender people; and disabled people.

So-called 'honour' based violence

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Different forms of violence, mainly but not exclusively against women, including assault, imprisonment and murder, which is used to control behaviour within families and communities to protect perceived cultural and religious beliefs and/or honour.

Victims are punished for actually, or allegedly, undermining what the family or community believes to be the correct code of behaviour. In transgressing this correct code of behaviour, the person shows that they have not been properly controlled to conform by their family and this is to the “shame” or “dishonour” of the family.

The concept of ‘honour’ is a motive for violence, or a constraining factor preventing women from leaving abusive situations, rather than a specific form of violence. It cuts across all cultures, nationalities, faith groups and communities, and transcends national and international boundaries.

Female genital mutilation (FGM)

This involves the complete or partial removal or alteration of external female genitalia for nonmedical reasons.

The practice is medically unnecessary, extremely painful and has serious health consequences, both at the time when the mutilation is carried out and in later life. It is mostly carried out on young girls at some time between infancy and the age of 15 or before marriage, and occasionally on pregnant women and on widows. FGM is illegal (Female Genital Mutilation Act 2003) and its extensive harmful health consequences are widely recognised.

Trafficking/modern day slavery

Modern Slavery is defined within the Modern Slavery Act 2015, which categorises offences of Slavery, Servitude and Forced or Compulsory Labour and Human Trafficking. These crimes include holding a person in a position of slavery, servitude forced or compulsory labour, or facilitating their travel with the intention of exploiting them soon after.

Although human trafficking often involves an international cross-border element, it is also possible to be a victim of modern slavery within your own country.

Children cannot give consent to being exploited therefore the element of coercion or deception does not need to be present to prove an offence.

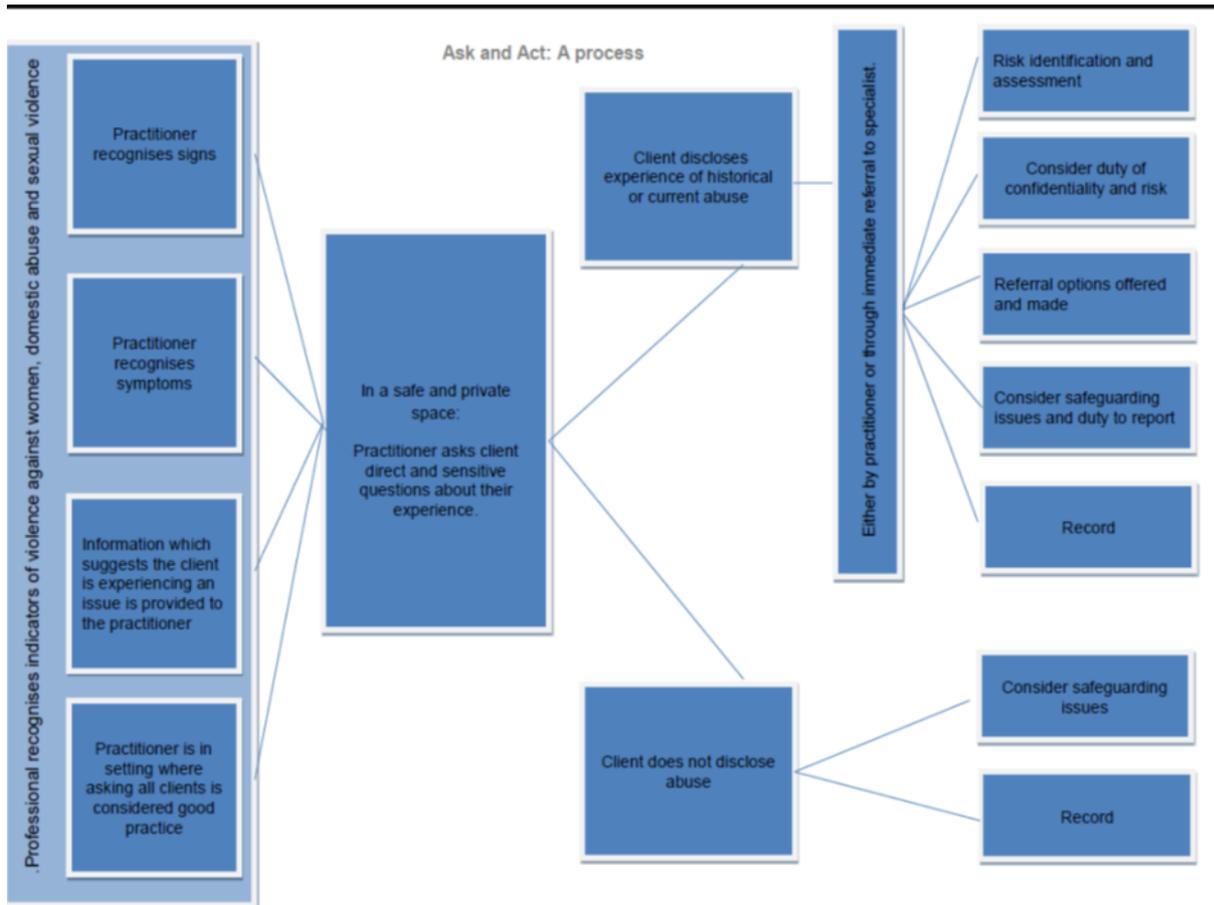
Trafficking involves the action of the recruitment, transportation, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person; for the purposes of exploitation.

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Appendix C. Ask & Act Process

For information: 'Ask and Act' is a principles based approach to targeted enquiry for violence against women, domestic abuse and sexual violence across the Public Service.

<https://gov.wales/identifying-violence-against-women-domestic-abuse-and-sexual-violence-ask-and-act>



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Appendix D

External Support via Regional & National Agencies

In an emergency call the Police on 999 (non - emergencies on 101)

The Live Fear Free helpline – 0808 80 10 800	
Provides help and advice about violence against women, domestic abuse and sexual violence	
info@livefearfreehelpline.wales	
Denbighshire – Advice, support & refuge	01745 337 104
Aberconwy – Advice, support & refuge	01492 872 992
Colwyn – Advice, support & refuge	01492 534 705
Glyndŵr – Advice, support & refuge	01745 814 494
Victim Support North Wales	0300 30 30 159 northwales.helpcentre@victimsupport.org.uk
Rape and Sexual Assault Abuse Support Centre North Wales	0808 8010800 www.rasascymru.org.uk
Domestic Abuse Safety Unit (DASU)	01745 337104
Rape Crisis England and Wales	www.rapecrisis.org.uk
Amethyst - Sexual Assault Referral Centre (SARC)	0808 156 3658 www.amethystnorthwales.org.uk
Black Association Women Step Out (BAWSO) 24hr helpline	0800 731 8147 www.bawso.org.uk
Action on Elder Abuse	08088 088 141 www.elderabuse.org.uk/cymru
Men Experiencing Domestic Abuse (MEDA)	01686 610 391 www.mensadviceline.org.uk/
The Dyn Wales / Dyn Cymru Helpline for men	0808 801 0321 www.dynwales.org

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Denbighshire Independent Domestic Violence Advisers	01745 339 331 07725 616 910
Conwy Independent Domestic Violence Advisers	01492 523802 07773 814733
Survivors UK	www.survivorsuk.org/ 0845 1221201 0207 404 6234
ChildLine	www.childline.org.uk 08001111

If you are concerned about the way you are treating your partner and you want to change, you can get help from these organisations:

RESPECT helpline	0845 122 8609 www.respect.uk.net
Choose2change (for men who want to change their abusive behaviour)	01745 345 929

'Clare's Law' can provide people with the information they need to escape an abusive situation before it ends in tragedy.

Clare's Law, or the Domestic Violence Disclosure Scheme, has two functions: 'Right to ask' - this enables someone to ask the police about a partner's previous history of domestic violence or violent acts. A precedent for such a scheme exists with the Child Sex Offender Disclosure Scheme; and 'Right to know' - police can proactively disclose information in prescribed circumstances.

This law can be used by someone in an abusive relationship or someone who knows or suspects someone close to them maybe in an abusive relationship.

You may share information to North Wales Police by ringing the non-emergency number 101