

# DOMESTIC ABUSE POLICY

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This Policy Version 1.1 effective from 5<sup>th</sup> October 2020 -  
Lewisham Human resources



**WATERGATE SCHOOL**

'I Can, You Can, Together We Will'

Purpose	The aim of this policy is to raise awareness of the impact domestic abuse can have on employees and to set out the support that the Council and external agencies can offer.
Lewisham managers are expected to	<ul style="list-style-type: none"> <li>• Be aware of the signs of domestic abuse as may be shown by employees</li> <li>• Make sensitive enquires of employees who they suspect are victims/survivors of domestic abuse</li> <li>• Respond sympathetically to employees requesting help</li> <li>• Take prompt action in line with this policy, seeking support from People &amp; Organisation Development and external agencies</li> </ul>
The policy will help all employees to	<ul style="list-style-type: none"> <li>• Understand what constitutes domestic abuse</li> <li>• Be aware of the signs of domestic abuse as may be shown by colleagues</li> <li>• Know where to go to get specialist advice and support</li> </ul>
You can get further support from	HR: Advisers and external specialist agencies (see <a href="#">Appendix 1</a> )

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# 1. Policy statement

- 1.1 The Council recognises that its employees will be amongst those affected by domestic abuse either as: a survivor of domestic abuse, an individual who is currently living with domestic abuse, someone who has been impacted by a domestic abuse homicide or as an individual who perpetrates domestic abuse.
- 1.2 The Council believes that abuse is unacceptable and a breach of human rights since everyone has the right to live free from fear and abuse. We are committed to developing a workplace culture in which there is zero tolerance for abuse and which recognises that the responsibility for domestic abuse lies with the perpetrator.
- 1.3 The Council is committed to reducing domestic abuse and this policy sets out the actions that will be taken in responding to employees who are experiencing domestic abuse and where there are concerns that an employee may be the perpetrator of domestic abuse.
- 1.4 By developing an effective Domestic Abuse Policy and working to mitigate the risks related to domestic abuse, we will create a safer workplace and we will also send out a strong message that domestic abuse is unacceptable.
- 1.5 The Council will strive to create an environment which is alert to domestic abuse and in which employees feel supported to use confidential mechanisms to disclose experiencing abuse or perpetrating abuse.
- 1.6 The Council recognises that developing a life free from abuse is ongoing and not a 'one off' event and the Council will provide ongoing support for employees who disclose abuse.

# 2. Definition of domestic abuse

- 2.1 For the purposes of the policy domestic abuse includes: any incident of threatening behaviour, violence or abuse (psychological, verbal, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members.
- 2.2 Domestic abuse can occur regardless of gender, sexuality, age, ethnicity, disability, socio-economic status, religion or belief – whether the person is the abuser or the abused.
- 2.3 The Council recognises that domestic abuse is rarely confined to a single incident and typically forms a pattern of coercive or controlling behaviour.

### **3. Scope of the policy**

- 3.1 This policy covers survivors of domestic abuse, current victims of domestic violence, secondary victims of domestic violence homicide and perpetrators of domestic violence.
- 3.2 Whilst the majority of survivors and victims of domestic violence are women and the majority of perpetrators are men, the Council recognises that domestic violence is experienced in same sex relationships, by men from women partners and by family members. This policy is therefore applicable whatever the nature of the intimate relationship.
- 3.3 The policy excludes employees in locally managed schools where the procedure that applies is as determined by the governing body of the school. In many cases this will be the model procedure that has been recommended for adoption by the Council.
- 3.4 The Council's duty of care extends to agency workers and contractors, although they are not employees of the Council. The principles of this policy will apply and support will be offered in consultation with the worker's agency, as appropriate.

### **4. Legal obligations**

- 4.1 Under the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1992), the Council recognises its legal responsibilities in promoting the welfare and safety of all staff.
- 4.2 Under the Working Together to Safeguard Children statutory framework and guidance 2018, the Council recognises its legal responsibilities to safeguard children are paramount.

### **5. Disclosures**

- 5.1 The Council respects employees' right to privacy. Whilst the Council strongly encourages victims of domestic violence to disclose domestic abuse for the safety of themselves and all those in the workplace, it does not force them to share this information with us if they do not want to.
- 5.2 Employees experiencing domestic abuse are encouraged to notify their manager as a first point of contact. However, the Council recognises that some employees may not wish to approach their manager and may prefer to discuss with an HR adviser, a work colleague or trade union representative.

- 5.3 In such circumstances, the Council will advise the employee of the difficulties which may arise if the manager is not aware of the relevant facts and circumstances (for instance if there is a potential health and safety issue or if other action is being taken on performance or absence monitoring).
- 5.4 The role of the first point of contact is to:
- Be available and approachable
  - Listen, reassure and support
  - Respond in a sensitive and non-judgmental manner
  - Discuss how the organisation can support the employee
  - Ensure the employee knows what options are available to them (see Section 7 below)
- 5.5 The Council encourages all employees to report if they suspect a colleague is experiencing or perpetrating abuse. Employees should speak to their line manager about their concerns in confidence. In dealing with a disclosure from a colleague, managers should ensure that the person is made aware of this policy and that there is internal and external support available.
- 5.6 Disclosures should not impact on the employee's work record, provided their performance is maintained as agreed. If an employee discloses domestic abuse during disciplinary or sickness absence management or capability procedures in relation to performance, absenteeism etc. this will be taken into account. If it is felt that there are genuine mitigating circumstances and the issue can be resolved by addressing the support or safety needs of the employee the process may be suspended.

## **6. Maintaining confidentiality**

- 6.1 If an employee discloses that they are experiencing domestic abuse this should be treated as strictly confidential and should not be shared with other members of staff without the employee's express consent except in the circumstances given in 6.2 below.
- 6.2 There are some circumstances in which confidentiality cannot be assured. These occur when there are concerns about the safeguarding of children or vulnerable adults, or where the employer needs to act to protect the safety of employees.
- 6.3 In circumstances where children or vulnerable adults are part of the household and/or may have been exposed to the abuse, specialist advice should be sought from either the Director of Children's Social Care or the Director of Adult Social Care or their designated contact, e.g. The Local Authority Designation Officer (LADO)
- 6.4 In circumstances where the specialist advice determines that the Council may need to share information in order to safeguard a child or vulnerable adult, it

will discuss with the employee why it is doing so and it will seek the employee's agreement where possible. However, consent can and may be overridden in the best interests of safeguarding a child or vulnerable adult. Any decision to disclose without consent (if an individual is at serious risk) should be documented.

- 6.5 Any written record, including any agreed workplace adjustments, should be held outside of official employee records and stored securely. Arrangements will be made to ensure secure and restricted access recording of any social services records.
- 6.6 As far as possible, information will only be shared on a need-to-know basis. Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.
- 6.7 Employees experiencing domestic abuse may choose to be accompanied at meetings by a colleague, trade union representative or a friend.
- 6.8 All incidents of abuse, threatening behaviour or breaches of security in the workplace should be recorded and retained for evidence purposes if required. The record must be clear, accurate and include dates, times, locations, and any witnesses. Any breaches of orders, for example, non-molestation orders should also be noted.

## 7. Support

- 7.1 Survivors of domestic abuse, victims of domestic abuse, employees affected by domestic abuse homicide and employees who are concerned about their own abusive behaviour working for this organisation do not have to keep their experience to themselves; there is help and support available.
- 7.2 If a line manager or other first point of contact (see Section 5 above) is made aware that an employee is experiencing domestic abuse they should refer them to specialist practitioners who are trained to assess risk and to advise on safety. They should refer or signpost the employee to a domestic abuse helpline, web resource or external specialist domestic abuse service (See [Appendix 1](#) for support organisations). The manager or other first point of contact should also refer as appropriate to Social Services (see Section 6.3).
- 7.3 Managers may have their own views on an employee's domestic situation. However, they should refrain from giving personal advice on the employee's relationship and should be mindful of the following:

- People in an abusive relationship may make a number of attempts to leave their situation, before they are finally able to do so
- Someone experiencing abuse may be at most risk of life threatening or fatal consequences when they are attempting to leave or have recently left an abusive or violent partner

7.4 If an employee is willing and able to discuss their situation with their manager, the manager must ensure this is done in complete privacy. Managers should be aware that this may be a distressing and upsetting conversation and should seek advice from their HR Adviser on how to approach and prepare for this conversation.

7.5 Employers have an increased legal responsibility to any employee who discloses that they may be at risk of harm. Workplace adjustments may be put in place to reflect this. These should be reviewed periodically to reflect any change in risk. Examples of workplace adjustments include:

- Making emergency and safe contact arrangements
- Improving the safety of the employee whilst they are at work
- Adjusting their responsibilities and workload
- Reviewing communications and IT safety

Examples of possible workplace adjustments are given in [Appendix 3](#).

## 8. Perpetrators of domestic abuse

8.1 The Council has a duty of care towards all staff and recognises that employees who are perpetrators of domestic abuse may be harming themselves as well as the lives of others. As such, the Council will provide information about the services and support available to them (e.g. the Respect phone line – see [Appendix 1](#))

8.2 However, acts of verbal or physical or domestic abuse by employees whether at work or, outside of work, are unacceptable. Supporting a perpetrator to stop or to seek help does not excuse or condone abuse and is an important step to help provide a safe working environment for all and protect the lives of those experiencing abuse now and in the future.

8.3 The Council will treat any allegation, disclosure or conviction of a domestic violence related offence on a case-by-case basis with the aim of reducing risk and supporting change.

8.4 Where an allegation is made that an employee is a perpetrator of domestic abuse, this will be investigated and may lead to disciplinary action if it falls within the remit of the Council's Disciplinary Rules and/or Code of Conduct.

## 9. Policy review

9.1 This policy document will be reviewed to take into account one or more of the following criteria:

- Changes in legislation
- Court rulings
- Examples of good practice from other Local Authorities or other relevant organisations
- Representations made by recognised Trades Unions

# Appendix 1 – Specialist organisations who can offer support

## **National Domestic Abuse Helpline**

The National Domestic Abuse Helpline is a freephone 24 hour helpline which provides advice and support to women and can refer them to emergency accommodation. The National Domestic Abuse Helpline is run by Refuge.

Tel: 0808 200 0247

Online submission form: [www.nationaldahelpline.org.uk/Contact-us](http://www.nationaldahelpline.org.uk/Contact-us)

Website: [www.nationaldahelpline.org.uk](http://www.nationaldahelpline.org.uk)

## **Refuge**

Their helpline offers advice and support to women experiencing domestic abuse. Refuge also provides safe, emergency accommodation through a network of refuges throughout the UK, including culturally specific services for women from minority ethnic communities and cultures. Their website also includes some information for men who are either being abused or who are abusers.

Tel: 0808 200 0247

Email: [info@refuge.org.uk](mailto:info@refuge.org.uk)

Website: [www.refuge.org.uk](http://www.refuge.org.uk)

## **Women's Aid**

The Women's Aid website provides a wide range of resources to help women and young people. This includes The Survivor's Handbook which provides a range of information including legal and housing advice, tips on how to create a safety plan and advice for people with specialist housing needs. It's available in 11 languages and in audio.

Website: [www.womensaid.org.uk](http://www.womensaid.org.uk)

## **Rape Crisis**

Rape Crisis (England and Wales) is an umbrella organisation for Rape Crisis Centres across England and Wales.

National Freephone Helpline: 0808 802 9999

Website: [www.rapecrisis.org.uk](http://www.rapecrisis.org.uk)

## **SurvivorsUK**

This is a helpline for men who have been victims of rape or sexual abuse.

They may be able to arrange counselling or a support group if you live in the London area or provide details of an appropriate service if you don't.

You can contact the SurvivorsUK helpline through an online chat service, text message or WhatsApp.

Online chat: [www.survivorsuk.org/ways-we-can-help/online-helpline/](http://www.survivorsuk.org/ways-we-can-help/online-helpline/)

Text message: 020 3322 1860

WhatsApp: 07491 816064

Admin: 0203 598 3898

E-mail: [info@survivorsuk.org](mailto:info@survivorsuk.org)

Website: [www.survivorsuk.org](http://www.survivorsuk.org)

## **ManKind Initiative**

The ManKind Initiative is a charity offering information and support to men who are victims of domestic abuse or violence. This can include information and support on reporting incidents, police procedures, housing, benefits and injunctions. They can refer you to a refuge, local authority or other another support service if you need it.

Telephone: 01823 334 244  
Email: [admin@mankind.org.uk](mailto:admin@mankind.org.uk)  
Website: [new.mankind.org.uk](http://new.mankind.org.uk)

### **Safelives**

SafeLives is a national charity dedicated to ending domestic abuse. Their experts find out what works to stop domestic abuse. They gather evidence, and we spread great new approaches across the UK. They work with everyone who wants to stop domestic abuse.

0117 317 8750

Website: [www.safelives.org.uk](http://www.safelives.org.uk)

Email [info@safelives.org.uk](mailto:info@safelives.org.uk)

### **Southall Black Sisters**

Southall Black Sisters provide advice and information on domestic abuse, racial harassment, welfare and immigration, primarily for Asian, African and African-Caribbean women.

Website: <https://southallblacksisters.org.uk/>

### **Honour Network Helpline**

The Honour Network Helpline is a national helpline run by Karma Nirvana, a national charity which advises victims and survivors of forced marriage and honour-based abuse.

Helpline: 0800 599 9247

Website: [www.karmanirvana.org.uk](http://www.karmanirvana.org.uk)

Helpline: 0808 802 0300

### **Galop - National LGBT+ Domestic Abuse Helpline**

Galop provides support for lesbian, gay, bisexual and transgender people experiencing domestic abuse.

Helpline: 0800 999 5428

Website: [www.galop.org.uk](http://www.galop.org.uk)

### **Respect Phonenumber**

Respect Phonenumber offers information and advice to men and women in heterosexual or same-sex relationships who want to stop their violent behaviour.

Telephone: 0808 802 4040 (free from landlines and most mobiles)

E-mail: [info@respectphonenumber.org.uk](mailto:info@respectphonenumber.org.uk)

Website: [www.respectphonenumber.org.uk](http://www.respectphonenumber.org.uk)

## Appendix 2 - Signs that someone might be experiencing domestic abuse

None of these things specifically indicate that a staff member is experiencing domestic abuse but they do suggest that they are struggling with something and may require help with that issue, so it is important that you explore it with them and identify appropriate support.

### Work productivity signs:

- Changes in the person's working patterns: for example, frequent absence, lateness or needing to leave work early
- Reduced quality and quantity of work: missing deadlines, a drop in usual performance standards
- Change in the use of the phone/email: for example, a large number of personal calls/texts, avoiding calls or a strong reaction to calls/texts/emails
- Spending an increased number of hours at work for no reason

### Changes in behaviour or demeanour

- Conduct out of character with previous employment history
- Changes in behaviour: for example, becoming very quiet, anxious, frightened, tearful, aggressive, distracted, depressed etc.
- Isolating themselves from colleagues
- Obsession with timekeeping
- Secretive regarding home life
- Worried about leaving children at home with abuser

### Physical signs

- Visible bruising or single or repeated injury with unlikely explanations
- Change in the pattern or amount of make-up used
- Change in the manner of dress: for example, clothes that do not suit the climate which may be used to hide injuries
- Substance use/misuse
- Fatigue/sleep disorders

### Other signs

- Partner or ex-partner stalking employee in or around workplace
- Partner or ex-partner exerting unusual amount of control or demands over work schedule
- Flowers/gifts sent to employee for no apparent reason
- Isolation from family/friends

# Appendix 3 - Issues to consider in relation to workplace safety and examples of workplace adjustments

## Questions for the employee

- Does the alleged abuser know where the employee works?
- Have they ever been followed on their way to/from work?
- Is the employee frightened of anything specific that might take place at work or to and from work?
- Does the abuser have their work email address and/or work telephone number?
- What information can be shared with the wider team or relevant staff to ensure any changes are implemented and they can deliver an appropriate response?

## Contact arrangements

- Retain both a work contact and an emergency contact at home (not the abuser)
- Arrange in advance when and who to contact if an employee doesn't come into work (family member/police/neighbour etc.)
- Maintain communication with the individual during any absence, while keeping their whereabouts confidential from the abuser and other agreed persons

## Safety to and from work

- Change the route to and from work (e.g. different bus or train time)
- Change the location of where they work or consider a transfer
- Change the start and finish time of work hours
- Provide a security escort to and from a car / transport links

## Safety while at work

- Change the locks/codes to enter the workplace
- Consider a personal or workstation alarm
- Consider an alternative entrance to, or exit from the workplace
- Consider screening access to the workplace. If possible and required, enable reception/security to identify the abuser (photo, car registration), and advise them on what to do if the abuser arrives at the workplace

## Communication safety

- Review the security of all employee records and personal information
- Change email addresses/work phone number or divert incoming phone calls and emails
- Issue instructions to all staff NOT to reveal the employee's personal details or their whereabouts to anyone, including family members

## Managing responsibilities at work

- Consider flexible working or changing work pattern
- Adjust workload (extend deadlines, reassign responsibilities)
- Consider additional support/supervision/debriefing sessions
- Provide special leave or time off during the day to attend appointments or court