



East Cambridgeshire
District Council

Domestic abuse employee policy

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1. Introduction

- 1.1. East Cambridgeshire District Council (ECDC) commits to ensuring that we will support all employees affected by domestic abuse in a sensitive manner and in a non-judgemental way.
- 1.2. This applies to everyone who is experiencing, or has experienced, domestic abuse. Employees have the right to raise the issue with the council effectively and empathetically. We will treat it in confidence. However, there are some limited circumstances where confidentiality cannot be assured, as outlined in section 4 of this policy.
- 1.3. This policy sets out ways the council will support people affected by abuse and hold persons causing harms to account for their actions. The council has a Corporate Safeguarding Policy which provides an overarching framework for all safeguarding matters.
- 1.4. This Domestic Abuse Employee Policy can be read with our Child and Adults at Risk Safeguarding Policy (<https://intranet.eastcambs.gov.uk/sites/default/files/Child%20and%20Adults%20at%20Risk%20Safeguarding%20Policy%202022.pdf>). The council also has an agreement to work with Cambridgeshire and Peterborough Safeguarding Partnership Board and to work within their Safeguarding Policy guidelines and procedures. The council also has a specific Policy for Supporting Residents Experiencing Domestic Abuse.

2. Definition of domestic abuse

- 2.1. Domestic abuse refers to abusive behaviours which take place between two people aged over 16 who are personally connected to each other. This includes people who are, or have previously been married, in civil partnerships or in relationships; or have a child together; or are relatives.
- 2.2. The 2021 Domestic Abuse Act states that abuse can be a single incident, but is often a pattern of behaviours, and it takes many forms:
- physical
 - emotional
 - psychological
 - sexual
 - financial
- 2.3. This definition also includes honour-based abuse, female genital mutilation and forced marriage, and is clear that victims are not confined to one gender, religion or ethnic group.
- 2.4. What constitutes domestic abuse is commonly misunderstood, and it is important to remember that no single act defines it. There are a wide range of activities and behaviours that amount to domestic abuse which are often dangerous and can be life-threatening.

2.5. Some examples of domestic abuse are controlling behaviour, coercive behaviour, harassment and stalking.

2.5.1. 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.

2.5.2. Coercive behaviour

This 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.

2.5.3. Harassment

This is a crime involving behaviour that takes place more than once and the perpetrator's actions must have an unwanted effect on the victim.

Under the Protection from Harassment Act 1997, it is an offence for a person to pursue a course of conduct that amounts to harassment of another person, and that they know (or ought to know) amounts to harassment.

The Act defines harassment and states: "References to harassing a person include alarming the person or causing the person distress." A 'course of conduct' in the case of harassment of a single person must involve conduct on at least two occasions.

2.5.4. Stalking

There is no specific legal definition of stalking. However, it is helpful to know that in cases of stalking there is a pattern of unwanted, fixated and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress.

3. Aims of policy and guidance

- 3.1. Through the application of this policy and the associated supporting guidance the council aims to:
- support our employees and contribute to tackling domestic abuse
 - ensure that all employees who ask for support in addressing domestic abuse issues are able to access appropriate advice and support
 - offer guidance on steps to take, measures to put in place and how to respond when an employee discloses abuse
 - set out steps that are easy to follow and helps you choose the best resources for you and your team
 - signpost to external organisations that offer advice and support to employers and employees
 - ensure that all managers can access guidance on how to support and assist employees asking for support in relation to domestic abuse and are aware of how to support and advise employees who may be perpetrators of domestic abuse
 - provide confidence to employees seeking assistance that their situation will be handled empathetically and confidentially

- respond constructively, compassionately and sympathetically with cases of domestic abuse - we want to create a safe space for all employees, to feel confident in disclosing abuse
 - help managers to be aware to the signs of abuse and be confident in how to respond to that situation
- 3.2. You can speak in confidence to your line manager, a member of the HR team, Mental Health First Aider, buddy or Domestic Abuse Support Champions. They can provide initial support and signpost you to resources. They can help you with any disclosure conversations you would like to have with colleagues
- 3.3. It is your choice whether you feel more comfortable talking to either your line manager or a HR representative. You might choose to talk to both.

4. Confidentiality

- 4.1. Where an employee discusses with their line manager, an alternative line manager, a HR contact or Domestic Abuse Support Champion that they are experiencing domestic abuse, confidentiality will usually be maintained as far as possible. The information is only recorded with HR if the employee wants it to be.
- 4.2. There are, however, some circumstances in which confidentiality cannot be assured. These circumstances occur where:
- children/adults are at risk of serious harm
 - there are concerns about children or vulnerable adults
 - a high risk to safety has been identified
 - we need to act to protect the safety of members of the public, including other colleagues
- 4.3. The manager needs to be satisfied that appropriate steps are being taken to protect any dependent children or vulnerable adults. If they are not satisfied, they should make a referral to the Cambridgeshire and Peterborough Safeguarding Partnership Board and the employee should be made aware of this fact.
- 4.4. If a person causing harm may be placing their partner or family member(s) in genuine danger, then this may be reported to the police. This will be subject to prior discussion with the employee, wherever it is reasonably practicable to do so. Personal data will be stored in accordance with GDPR guidelines.
- 4.5. Managers have a duty to maintain a secure environment for all employees and this could be made easier if colleagues are aware of potential risks. However, it is essential that you agree with the individual concerned what information to tell colleagues. Managers should remind employees that this information is confidential. Any unauthorised breaches of this could be subject to disciplinary action being taken.
- 4.6. The consequences of breaching confidentiality could have serious effects for the person experiencing domestic abuse. Statistics have shown that the risk of serious assaults, permanent injury and threat to life taking place is highest when a victim decides to leave home or immediately after. Therefore, it is important to not underestimate the danger or assume that the fear of abuse is exaggerated.

5. Legal obligations

5.1. The council understands that all of its employees have the right to feel safe within their working environment. The council recognises its legal responsibilities in promoting the health, safety and well-being of its employees in line with the:

- Health and Safety at Work Act 1974
- Serious Crime Act 2015
- Human Rights Act 1998
- Local Government Act 2000
- Crime and Disorder Act 1998
- Domestic Violence, Crime and Victims Act 2004

6. Support for employees

6.1. The council will provide support to employees who are or have experienced domestic abuse or who are supporting a friend or family member who has experienced domestic abuse. Those providing support should address the issue sympathetically ensuring that the employee is aware that support and assistance is available where requested.

6.2. The council will create an environment which supports disclosure and reassures employees that they will be listened to and supported. Employees should also be aware that, typically, an individual who is experiencing domestic abuse will experience abuse for a considerable time before feeling able to disclose this to someone.

6.3. Managers are expected to signpost and encourage employees to access the sources of support available to them. These may include access to counselling, referral to appropriate domestic abuse services and discussing any safeguarding concerns.

6.4. Other support options that will be considered on a case-by-case basis are:

- temporary or permanent changes to working times and patterns
- changes to specific duties, for example, to avoid potential contact with an abuser
- measures to ensure a safe working environment, for example, changing a telephone number to avoid harassing phone calls
- using other existing policies, including flexible working

6.5. The council recognises that employees may need to take time off from work to make arrangements or attend relevant appointments, including attending medical appointments and counselling, attending legal proceedings and arranging housing or childcare. Where appropriate, managers should support the use of paid special leave in line with the council's Managing Attendance and Stress at Work Policy.

6.6. Employees should be provided time during work to contact any support service they require.

6.7. All advice, information and support will remain confidential. No information or documentation will be disclosed without the express consent of the employee, unless there is a risk of immediate harm or threat to life, in which case a referral to the appropriate child or adult safeguarding hub of the relevant borough may be necessary.

6.8. In cases where a safeguarding concern has been identified or an incident of domestic abuse with the employee may conflict with their job role or responsibilities, the HR team must be informed.

7. Perpetrators of domestic abuse

- 7.1. The council will treat all employees who disclose perpetrating domestic abuse sensitively and fairly. Advice should be sought from the HR team in all circumstances.
- 7.2. Domestic abuse is in contravention of the Employee Code of Conduct and may be subject to disciplinary action, which, if proved, may lead to dismissal. Where a perpetrator makes a disclosure of committing domestic abuse, a risk assessment must be completed, considering:
- the nature of the disclosure
 - job role – the impact of the employee’s actions on their duties and responsibilities
 - any safeguarding issues that arise
 - the employee’s work location
 - the impact on the victim or his/her dependents
 - whether the employee has voluntarily sought help to deal with the issue
- 7.3. Employees who disclose having perpetrated domestic abuse will be offered advice and support regarding appropriate services available.
- 7.4. All employees should be aware that domestic abuse is a serious matter that could also lead to criminal convictions.
- 7.5. In cases where both the victim and the perpetrator of domestic abuse work in the council, advice should be sought from the HR team immediately and the appropriate action will be taken.
- 7.6. All advice, information and support provided by managers and the HR team will remain confidential. No information or documentation will be disclosed without the express consent of the employee, unless:
- there is an immediate risk of harm or threat to life, in which case a referral to the appropriate child or adult safeguarding hub of the relevant borough may be necessary
 - a disciplinary process has been initiated, in which information will be shared in line with the disciplinary policy

8. Spotting the signs

- 8.1. Abuse is often associated with physical violence, but it takes many forms. It is important to raise awareness to enable colleagues to spot it.
- 8.2. There is an increasing public awareness of psychological, emotional, financial, and other coercive forms of domestic abuse. Employers can play a role in educating their employees about domestic abuse.
- 8.3. If most work meetings happen virtually, all symptoms of abuse, particularly physical, may be masked. It also may reduce the potential for employers and work colleagues to notice changes in behaviour. This may include nervousness or a new reticence to engage in conversation. By identifying that an employee is experiencing difficulties at an early stage, this will lead to appropriate help being offered. This in turn could mean that the employee can access support quickly to keep safe.
- 8.4. Managers should have a sensitive and non-judgmental approach when dealing with employees who have experienced domestic violence or abuse.
- 8.5. Indications that something might be wrong can be symptomatic of other issues such as ill-health. Team leaders and managers should be looking out for these signs more generally. It should not be assumed that these signs relate to domestic abuse. If there is a supportive atmosphere in the workplace - whether in the office, in the district or through online team activity - then it is more likely employees are going to feel comfortable disclosing abuse.
- 8.6. Employers should also be aware that people can be subject to domestic abuse whilst at work. Signs that an employee might be experiencing domestic abuse can include unexplained injuries or change in the way they dress. They could also include substance abuse, fatigue or decreased productivity. There may also be frequent lateness, absence, long hours at work for no reason or changes in behaviour. It may include tearfulness, irritability, defensive behaviour. It could include the partner or ex-partner stalking the employee around the workplace, flowers or gifts sent for no clear reason. Please note that this is not an exhaustive list.

9. Raising awareness

- 9.1. The council is committed to not tolerating abuse against anyone. It is essential that the working environment promotes the view that such abuse is unacceptable. It will not be condoned, nor should it be made the subject of jokes or graphics. The council will aim to raise awareness through the following measures:
- preparation and distribution of information publicising the issue and the council's policy
 - training for all employees through the council's e-learning platform
 - briefings for other appropriate employees, in particular, front-line and customer contact centre employees
 - inclusion of issues relating to domestic abuse in relevant in-house training sessions and as part of the induction

10. Duties and responsibilities

10.1. Line managers

- 10.1.1. It is possible that a manager may become aware that an employee is experiencing domestic abuse through associated issues, such as attendance management or poor performance. Therefore, they have a crucial role to play in enabling employees experiencing domestic abuse to seek help. The role of the line manager includes the following points:
- identify employees experiencing difficulties because of domestic abuse, for example, using regular one to one meetings, fostering an open-door culture that enables team members to disclose sensitive issues
 - provide support in the first instance; this includes giving specific advice on the options available, but also recognising the limitations of their role (managers are not professional counsellors or experts)
 - protect confidentiality in all instances, bearing in mind the circumstances outlined in section 4 of this policy
 - refer the individual to the appropriate internal or external source of help and support
 - be aware of what support is available and explore these options with the employee (a list of support agencies are included in section 13 of this policy)

10.1.2. In addition, line managers must:

- ensure that the safety of all employees in the team is protected
- enable the affected employee to remain productive and at work during a difficult period in their domestic life; this may include using the organisation's special leave policies and procedures
- have a non-judgemental approach and work based on believing the employee so that they feel supported
- maintain a supportive environment
- respect the employee's boundaries and privacy

10.1.3. The duty of a manager is not to deal with the abuse itself but to make it clear (through a workplace policy and its associated guidance) that employees will be supported and to outline what help is available.

10.1.4. It may be that a risk assessment needs to be completed/updated for the employee. Support can be given by the Health and Safety Advisor and the HR team.

10.1.5. However, if the employee does not want you to contact other agencies, you must follow their wishes, unless there is a safeguarding concern as outlined in section 4 of this policy.

10.2. Employees

- 10.2.1. All employees of the council have a responsibility to support survivors of domestic violence and abuse.
- 10.2.2. Employees are responsible for seeking further advice and guidance where they are unclear about the application of any aspect of this policy or associated guidance. We will respond to everyone's circumstances on a case-by-case basis and support them via a co-ordinated community response as needed.

11. Training

- 11.1. A corporate domestic abuse training plan for the council was agreed in July 2023.
- 11.2. The purpose of the training plan is:
- to help meet the council's commitment to raising awareness of and tackling domestic abuse in any form
 - to enable all council employees to have the awareness, confidence and support to enable them to recognise and respond appropriately to incidents of domestic abuse involving customers or colleagues in their personal lives
 - to encourage and promote the development of Domestic Abuse Support Champions within the council, who can help raise awareness and act as a reference point for colleagues seeking advice
- 11.3. The training plan sets out tiered training for different roles within the council, including e-learning, online and face to face resources, depending on a person's role.

12. Equal opportunities

- 12.1. The council is fully committed to taking effective action to eliminate discrimination and to advance equality of opportunity and foster good relations in all that we do as an employer, a service provider and as a community leader.
- 12.2. We believe that all people are entitled to be treated with dignity and respect. We are determined to ensure that both our employees and everyone entitled to use our services receive fair and equitable treatment.
- 12.3. One way that we can do this is by ensuring that those who do not use English as a first language (including if they are a user of British Sign Language), still have equal access to our services through the provision of interpretation and translation services.
- 12.4. We are committed to working with our partners and communities to promote good relations and to combat prejudice, discrimination, and harassment.
- 12.5. In addition, in terms of supporting people experiencing domestic abuse, the council recognises that a person's intersectional needs will impact on their experience and the support required. The council promotes a range of resources and information via the Intranet, which can support employees and access to the champions' specialist advice.

13. Support agencies

- 13.1. If you or someone else is in immediate danger, you should call 999.
- 13.2. Other key organisations that you might find helpful are:
- National Domestic Violence Helpline 0808 2000 247
 - Cambridge Women's Aid 01223 361214 (07730 322098 emergency out of hours) www.cambridgewa.org.uk (provides an outreach service for women who are experiencing domestic abuse in Cambridge City, East Cambridgeshire and South Cambridgeshire)
 - Men's Advice Line 0808 8010 327 (for men experiencing domestic abuse)
 - National LGBT+ Domestic Violence Helpline on 0800 999 5428 (for a person experiencing the domestic violence in a same-sex relationship)
 - police 101 (if it is not an emergency) or 999 (in an emergency if your personal safety is threatened)
 - Respect 0808 802 4040 www.respect.uk.net (if you are concerned because you think you might be hurting someone or demonstrating abusive behaviour)
 - trade unions are also able to provide support to their members suffering from domestic abuse

- the recognised trade union at ECDC: UNISON 01223 457047 unison@cambridge.gov.uk
 - GMB Union 01223 458208 gmb@cambridge.gov.uk
 - council's Designated Safeguarding Officers
- (<https://intranet.eastcambs.gov.uk/sites/default/files/Designated%20Safeguarding%20Officers.pdf>)

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