

DOMESTIC ABUSE SUPPORT POLICY

| | |
|-------------------------------|--|
| Version | 1 |
| Date ratified | 14 March 2019 |
| Policy Number | |
| Name of originator/author | Head of HR |
| Name of Sponsor | Chief Nurse |
| Name of responsible committee | Equality and Engagement Committee |
| Date issued | April 2019 |
| Review date | April 2022 |
| Target audience | All staff working within or on behalf of NHS Barnsley CCG |

To ensure you have the most current version of this policy please access via the NHS Barnsley CCG Intranet Site by following the link below:

<http://www.barnsleyccg.nhs.uk/strategies-policies-and-plans.htm>



POLICY AUDIT TOOL

| |
|--|
| Please give status of Policy: New |
|--|

| 1. | Details of Policy | |
|-----|--|--|
| 1.1 | Policy Number | HR035/08/2021 |
| 1.2 | Title of Policy: | Domestic Abuse Policy |
| 1.3 | Sponsor | Chief Nurse |
| 1.4 | Author: | Head of HR |
| 1.5 | Lead Committee | Equality and Engagement Committee |
| 1.5 | Reason for policy: | Legislative and best employment practice |
| 1.6 | Who does the policy affect? | All employees |
| 1.7 | Are the National Guidelines/Codes of Practices etc issued? | No |
| | Has an Equality Impact Assessment been carried out? | Yes |
| 2. | Information Collation | |
| 2.1 | Where was Policy information obtained from? | See 1.6 |
| 3. | Policy Management | |
| 3.1 | Is there a requirement for a new or revised management structure for the implementation of the Policy? | n/a |
| 3.2 | If YES attach a copy to this form. | |
| 3.3 | If NO explain why. | Current management structure satisfactory |
| 4. | Consultation Process | |
| 4.1 | Was there external/internal consultation? | Yes |
| 4.2 | List groups/persons involved | Staff Chair/Trade Unions Designated Professional - Safeguarding Staff Engagement Forum |
| 4.3 | Have external/internal comments been included? | Yes |
| 4.4 | If external/internal comments have not been included, state why. | n/a |
| 5. | Implementation | |
| 5.1 | How and to whom will the policy be distributed? | All employees via the intranet |
| 5.2 | If there are implementation requirements such as training please detail. | Ongoing via mandatory training |
| 5.3 | What is the cost of implementation and how will this be funded | No funding required |
| 6. | Monitoring | |
| 6.2 | How will this be monitored | Workforce Reports |
| 6.3 | Frequency of Monitoring | Quarterly |

CONTENTS

| | Page |
|--|-----------|
| Section A – Policy | |
| 1. Policy Statement, Aims & Objectives | 4 |
| 2. Legislation & Guidance | 4 |
| 3. Scope | 4 |
| 4. Accountabilities & Responsibilities | 4 |
| 5. Dissemination, Training & Review | 5 |
| Section B – Procedure | |
| 1. Domestic Abuse Definition | 7 |
| 2. Basic Principles | 8 |
| 3. Support for employees experiencing Domestic Abuse | 8 |
| 4. Confidentiality | 9 |
| 5. Manager’s Responsibilities | 9 |
| APPENDIX 1 Good Practice Guidelines | 11 |
| APPENDIX 2 Helplines and Contact Information | 12 |
| APPENDIX 3 External Agencies Providing Advice/Support | |
| APPENDIX 4 Equality Impact Assessment | 13 |

SECTION A – POLICY**1. Policy Statement, Aims and Objectives**

- 1.1** NHS Barnsley Clinical Commissioning Group (CCG) values the views and experiences of all employees and seeks such information through regular communication and staff surveys. In addition, the organisation encourages employees who are, or have been the victim or the perpetrator of domestic abuse to seek support and information.
- 1.2** There is an increasing demand for flexibility in the workplace and a requirement for high level skills therefore the retention and motivation of employees is important.
- 1.3** The development of this policy:
- Ensures all employees recognise that domestic abuse is a serious issue within society
 - Provides effective, confidential and sympathetic support to employees and recognises they may not wish to divulge this fact, even in strict confidence, to any other employee of the organisation
 - Ensures employees are aware of the various external organisations which can offer support and guidance.

2. Legislation and Guidance

- 2.1** The following legislation and guidance has been taken into consideration in the development of this procedural document.
- Domestic Violence, Crime and Victims (Amendment) Act 2012
 - Government strategy to tackle Violence Against Women and Girls (VAWG)
 - Home Office 'Domestic Violence & Abuse' (<https://www.gov.uk/domestic-violence-and-abuse>)
 - Domestic abuse: a toolkit for employers

3. Scope

- 3.1** This policy applies to those members of staff that are directly employed by NHS Barnsley CCG and for whom the CCG has legal responsibility. Seconded staff are covered by the policy of their employing organisation. For those staff covered by a letter of authority / honorary contract or work experience, this policy is also applicable whilst undertaking duties on behalf of the CCG or working on CCG premises and forms part of their arrangements with the CCG. As part of good employment practice, agency workers are also required to abide by CCG policies and procedures, as appropriate, to ensure their health, safety and welfare whilst undertaking work for the CCG.

4. Accountabilities and Responsibilities

- 4.1 Overall accountability for ensuring that there are systems and processes to effectively ensure compliance with this Policy lies with the Chief Officer. Responsibility is delegated to the following:

| | |
|---|--|
| Chief Officer | <ul style="list-style-type: none"> • Maintaining an overview of the corporate ratification and governance process associated with the policy. • Ensuring that the policy is applied fairly, consistently and in a non-discriminatory manner. |
| Head of HR | <ul style="list-style-type: none"> • Leading the development, implementation and review of the policy. • Providing advice and guidance to managers and employees in relation to this policy. • Ensuring the policy and procedure is reviewed and updated as required |
| Head of Quality and Safeguarding | <ul style="list-style-type: none"> • With HR Lead, senior leader with responsibility for the workplace policy on domestic abuse. |
| Appointing Officers/ Line Managers | <ul style="list-style-type: none"> • Ensuring they understand and adhere to their obligations in relation to the policy. • Ensuring the policy is applied fairly and consistently to all employees. • Ensuring employees are aware of this Policy including referring new employees to the policy as part of their induction process. |
| All Employees | <ul style="list-style-type: none"> • Ensuring they understand their responsibilities in relation to this Policy |

| | |
|-------------------|---|
| Staff Side | <ul style="list-style-type: none">• Ensuring they are familiar with the Policy and procedure.• Advising and representing employees who are members of a recognised Trade Union |
|-------------------|---|

5. Dissemination, Training and Review

5.1 Dissemination

The effective implementation of this procedural document will support openness and transparency. NHS Barnsley Clinical Commissioning Group will:

- Ensure all employees and stakeholders have access to a copy of this procedural document via the organisation's website.
- Ensure employees are notified by email of new or updated procedural documents.
- Ensure that relevant training programmes raise and sustain awareness of health and wellbeing.

5.2 Training

All line managers and employees will be offered relevant training commensurate with their duties and responsibilities. Employees requiring support should speak to their line manager in the first instance. Support may also be obtained through Human Resources.

All employees are required to undertake Safeguarding training appropriate to their role, to help enable them to recognise domestic abuse.

5.3 Review

- 5.3.1** As part of its development, this procedural document and its impact on staff, patients and the public has been reviewed in line with the CCG's Equality Duties. The purpose of the assessment is to identify and if possible remove any disproportionate adverse impact on employees, patients and the public on the grounds of the protected characteristics under the Equality Act.

5.3.2 The procedural document will be reviewed every three years, and in accordance with the following on an as and when required basis:

- Legislatives changes
- Good practice guidelines
- Case Law
- Significant incidents reported
- New vulnerabilities identified
- Changes to organisational infrastructure
- Changes in practice

5.3.3 Procedural document management will be performance monitored to ensure that procedural documents are in-date and relevant to the core business of the organisation.

SECTION B – PROCEDURE

1. Domestic Abuse Definition

1.1 Domestic abuse can be described as a range of behaviours which are used against someone in order to gain power, control and compliance. It can be extremely complicated with victims experiencing many tactics of abuse at any one time. Some forms of abuse can be subtle, others are more extreme and visible to people around them. This can make domestic abuse hard to identify and hard for the victim to understand.

NHS Barnsley CCG and its partners use the national definition of domestic abuse, which is:

“any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partner or family members regardless of gender or sexuality. This can encompass but is not limited to psychological, physical, sexual, financial and emotional abuse”. (Home Office, 2013)

Controlling behaviour 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 violence that is used to harm, punish, or frighten their victim. This definition, which is not a legal definition, includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

- 1.2 Domestic abuse is any abuse which takes place in an intimate or family relationship. It can happen to anyone although most frequently it overwhelmingly concerns men's abuse of power over their female partner or ex-partners, and the children of those women. However, it is important to recognise that men can be abused and women can be abusers and that abuse can and does happen in same gender relationships. Services in Barnsley are available to both male and female victims. The abuse may be physical, sexual, emotional/ psychological, financial or, more likely, a combination of these. Domestic Abuse describes all forms of violent and controlling behaviour, and is inclusive of the experiences of children and young people living in fear of such behaviour. As such, this policy should also be followed when managing situations involving Child Sexual Exploitation and other forms of historical sexual abuse or trauma such as Female Genital Mutilation. This is not an exhaustive list.

As we recognise that both men and women can be victims of domestic abuse, for simplicity throughout these guidelines we have referred to the victim as a person.

- 1.3 A list of forms of abuse and potential indicators are listed in Appendix 1.

2. Basic Principles

- 2.1. Abuse is unacceptable and should not be condoned in any circumstance.
- 2.2 Employees need to consider their own personal safety and must not expose themselves to unnecessary risk. Employees should, where possible keep line managers informed.
- 2.3 Advice should always be offered where possible and by an appropriate person (e.g. line manager, Human Resources Team, Safeguarding professionals), information given and signposted to specialist services.

Employees who are victims of domestic abuse should be given time and space to make choices and be supported, whatever decision they make.

- 2.4 Do not blame the victim for the abuse.
- 2.5 Always believe a victim who discloses abuse.
- 2.6 Treat employees with respect and dignity.
- 2.7 Victims living with domestic abuse will not necessarily want to end their relationship, or may decide to return to an abusive partner. They should be offered a choice of options, time to talk these through and non-judgemental support in making their own choices.

- 2.8 Harassment or intimidation by a CCG employee whether of a partner or ex-partner who is employed by the CCG or not, will be considered misconduct and may lead to disciplinary action being taken.

Conduct outside of work (whether or not it leads to a criminal conviction) may also lead to disciplinary action being taken because of the impact it may have on the employee's suitability to undertake their role and/or because it undermines public confidence in the CCG. Advice must be sought from Human Resources, Chief Nurse and Safeguarding Team.

Any allegations of this nature would be fully investigated and action taken as appropriate in accordance with the Disciplinary Policy and if necessary reported to the relevant agencies through the Local Safeguarding Team.

- 2.9 All staff should be aware of the Good Practice guidelines that are available in Appendix 2.

3. Support for employees experiencing or affected by Domestic Abuse

- 3.1 Any employee who is experiencing, or is affected by, domestic abuse is encouraged to seek support and speak to their Director, line manager, HR Team, Trade Union representative, the Employee Assistance Programme or the Occupational Health Service, who will help to identify the appropriate specialist support.

Staff to whom disclosure has been made may also be in need of support and guidance and are encouraged to access the sources of support listed above.

- 3.2 The matter will be dealt with on a strictly confidential basis and only those who need to be aware from an advice or support perspective will be made aware of the situation.

- 3.3 Any employee who feels that domestic abuse is having an impact on their self-esteem can arrange to attend one to one counselling sessions.

- 3.4 Employees who are experiencing domestic abuse often require to take time off work in order to visit solicitors, banks, schools, support agencies etc and this can be accommodated through the organisation's Special Leave Policy; such arrangements should be made, in confidence, through the employee's line manager. Alternatively, this can be progressed through the HR Team, Trade Union representative or the Occupational Health service, who may then discuss the matter with the line manager.

- 3.5 Further details of external agencies who can provide advice and/or support to victims of domestic abuse are listed in Appendix 3.

3.6 Notwithstanding any action taken under 2.8 above, the CCG would also seek to provide support to any employee who discloses that they are the perpetrator of domestic abuse. Managers should signpost the employee to a Perpetrator Programme which can be accessed via self-referral to [South Yorkshire Community Rehabilitation Company](#). Tel: 01142 567 270; website: inspiretochange.co.uk or email: inspiretochange@sodexojustice.scc.gov.uk

4. Confidentiality

- 4.1 The CCG will treat any breach of confidentiality committed by an employee under the provisions of the appropriate employee conduct procedure, in which case the range of penalties open to the organisation will include dismissal.
- 4.2 The need for confidentiality generally includes ensuring that an employee's address, telephone number and work location is not identified.
- 4.3 To protect the confidentiality of employees, the CCG will ensure that any disclosures which are required under its data protection registration, or its responsibilities under the Freedom of Information Act, do not have the potential to compromise employees who may be experiencing domestic abuse. The CCG will also ensure that, in cases where an employee is known to suffer from domestic abuse, only those other employees who "need to know" about the employee's situation are informed.
- 4.4 If a line manager feels there is a child/adult safeguarding concern, managers should speak to the safeguarding team within the CCG.
- 4.5 Extreme care should be taken to protect employees affected by abuse and no information should be disclosed which may breach their safety e.g. where staff are contacted by a third party trying to use the whereabouts of children to trace a mother. This would apply even if the enquirer were a professional, partner or family member who worked in a local agency.
- 4.6 It needs to be made clear to employees that there are limits to the extent of confidentiality and that in cases where children or adults who are at risk are living in a violent household, information may be passed to other agencies in line with child protection procedures and similarly for adults in line with adult safeguarding procedures.

5. Manager Responsibilities

- 5.1 All chief officers, senior/line managers and supervisors must be aware that domestic abuse can influence the health and self-confidence of people who may be reticent to confide in others, or seek help. They should, therefore, be alerted to the signs of **possible** domestic abuse e.g. distracted and/or

lacking in self-confidence, which may be reflected in work performance, while being aware that domestic abuse may not always be the reason behind such conditions. Any sign of physical injury, particularly if these are repeated, should also be noted.

5.2

Where an abusive situation is disclosed the manager should consult the Safeguarding Team who will assess whether or not a referral should be made to a Multi-Agency Risk Assessment Conference (MARAC) and the employee informed of this.

5.3

All managers should recognise the importance of employee welfare and appreciate that, by supporting an employee who may be affected by domestic abuse; they will potentially contribute to an improvement in service delivery and a reinforcement of good management/employee relations.

5.4

All managers should ensure that employees are aware of the issues surrounding domestic abuse by bringing this policy to their attention and the services that can offer help to them.

APPENDIX 1
FORMS OF ABUSE AND POTENTIAL INDICATORS

| | |
|--|---|
| <p style="text-align: center;">PHYSICAL</p> <ul style="list-style-type: none"> • Punching • Shoving • Hitting • Drowning • Biting • Beating • Pushing • Choking • Stabbing • Rape • Burning • Scalding • Denying sleep | <p style="text-align: center;">THREATS</p> <ul style="list-style-type: none"> • To kill her/him • To kill or hurt her/his children • To abuse children • To withhold care if ill or disabled • To find her/him if she/he leaves • To have her/him locked up – she/he is mad/unfit • Blame her/him for breaking up family • Turn children against her/him • Abuse her/him in front of children • Smash or burn everything • Mutilate |
| <p style="text-align: center;">EMOTIONAL</p> <ul style="list-style-type: none"> • Jealousy • Telling her/him she/he's worthless • Boasting about abuse to friends • Forcing to do things at exact times, in exact ways • Undermining • Telling her/him she/he's a bad mother/father • Telling her/him she/he couldn't manage on her/his own • Repeated criticism | <p style="text-align: center;">SEXUAL</p> <ul style="list-style-type: none"> • Rape • Buggery • Forcing sex when ill or tired • Forcing sex with others • Forcing to mimic pornography • Forcing using objects during sex • Forcing sex with friends • Forced prostitution • Forcing to be photographed |
| <p style="text-align: center;">ISOLATION</p> <ul style="list-style-type: none"> • No visitors, friends, family • Locking in house/room • Not allowed to work/attend college/evening class • Accompanying him/her to and from work • Not allowed out on own • When out not allowing to talk to anyone, walking him/her to the toilet • Monitoring/controlling the use of phonecalls • Using tracking technology to monitor whereabouts | <p style="text-align: center;">FINANCIAL/ECONOMIC</p> <ul style="list-style-type: none"> • Making her/him beg for money • Threatening to kick her/him out of house • Withholding information re welfare benefits by isolating her/him • Running up debts in her/his name • Withholding money for basic necessities |

POTENTIAL INDICATORS

- suspicious injury or attempts to disguise an injury through clothing and make-up;
- partner / family member always present and answering for the person;
- depression; alcohol and drug abuse;
- self-harm;
- anxiety and self-neglect;
- regular non-attendance for appointments;
- restrictions on access to money;
- restrictions in relation to work, education and social life;
- children having issues such as behavioural difficulties, being withdrawn or sleep problems.

APPENDIX 2

GOOD PRACTICE GUIDELINES FOR MANAGERS OR COLLEAGUES

- **Do** give priority to ensuring the employee's immediate safety
- **Do** ensure that the employee understands the confidentiality policy
- **Do** be sensitive and believe what the employee is telling you
- **Do** find out what the employee wants and see if you can help to achieve it
- **Do** help to explore ways of maximising the employee's safety.
- **Do** give up to date information on what other agencies have to offer
- **Do** place the responsibility for the abuse with the perpetrator. The violence is not the employee's fault
- **Do** take personal responsibility for ensuring that appropriate information and support is offered
- **Do** use non-threatening, open questions
- **Do** always allow time for the person to talk
- **DO NOT** ignore your intuition if you suspect an employee is being abused
- **DO NOT** ask her/him what she/he did to provoke the violence
- **DO NOT** just focus on what she/he alone can do in the situation
- **DO NOT** assume the perpetrator's age or sex
- **DO NOT** share your own experiences
- **DO NOT** act as a go-between, between victim and perpetrator

APPENDIX 3 – External Agencies Providing Advice and/or Support

National Domestic Abuse Helpline: 0800 2000 247

National LGBT+ Domestic Abuse Helpline: 0800 999 5428 Mankind Confidential Helpline for male victims of domestic abuse and domestic violence. Tel: 01823 334 244

Domestic abuse services in Barnsley are provided by IDAS. Their website gives more information: <https://www.idas.org.uk/our-services/domestic-abuse/> IDAS provide support to anyone who is a victim or survivor of domestic abuse regardless of their gender.

Advice and support specifically for LGBT+ people can be found at:

<http://www.galop.org.uk/domesticabuse/> and at <https://lgbt.foundation/how-we-can-help-you/domestic-abuse>

Mankind Initiative is a registered charity and a member of the Helplines Partnership. Their website is a source of information and support for men who are victims and survivors of domestic abuse as well as for their families and loved ones.

<https://www.mankind.org.uk/help-for-victims/>

In an emergency dial 999. Domestic abuse is taken very seriously by the police.

For advice on what to do if you have concerns about a child follow the CCG Safeguarding Vulnerable Clients Policy or contact the Designated Nurse Safeguarding Children for advice and support. Appendix 4 Domestic abuse: a toolkit for employers

https://www.bitc.org.uk/sites/default/files/bitc_phe_domestic_abuse_toolkit.pdf

NHS Barnsley CCG Equality Impact Assessment 2016

| | | |
|--|------------------------------|----------------|
| Title of policy or service | Domestic Abuse Policy | |
| Name and role of Officers completing the assessment | Head of HR | |
| Date assessment started / completed | January 2019 | Updated |

| 1. Outline | |
|---|---|
| Give a brief summary of your policy or service <ul style="list-style-type: none"> • Aims • Objectives • Links to other policies, including partners, national or regional | <p>NHS Barnsley Clinical Commissioning Group (CCG) values the views and experiences of all employees and seeks such information through regular communication and staff surveys. In addition, the organisation encourages employees who are, or have been the victim or the perpetrator of domestic abuse to seek support and information.</p> <ul style="list-style-type: none"> • Ensures all employees recognises that domestic abuse is a serious issue within society • Provides an effective, confidential and sympathetic support to employees and recognises that they may not wish to divulge this fact, even in strict confidence, to any other employee of the organisation • Ensures employees are aware of the various external organisations which can offer support and guidance. |

| 2. Gathering of Information | | | | | |
|---|--------------------------------------|----------------|-----------------|--|---------------------------------|
| This is the core of the analysis; what information do you have that indicates the policy or service might <i>impact on protected groups, with consideration of the General Equality Duty.</i> | | | | | |
| | What key impact have you identified? | | | What action do you need to take to address these issues? | What difference will this make? |
| | Positive Impact | Neutral impact | Negative impact | | |
| Human rights | | ✓ | | | |
| Age | | ✓ | | | |
| Carers | | ✓ | | | |
| Disability | | ✓ | | | |
| Sex | | ✓ | | | |
| Race | | ✓ | | | |
| Religion or belief | | ✓ | | | |
| Sexual orientation | | ✓ | | | |
| Gender reassignment | | ✓ | | | |
| Pregnancy and maternity | | ✓ | | | |
| Marriage and civil partnership (only eliminating discrimination) | | ✓ | | | |
| Other relevant group | | | | | |

Please provide details on the actions you need to take below.

| 3. Action plan | | | | |
|--------------------------|-------------------------|---|------------------|----------------------------|
| Issues identified | Actions required | How will you measure impact/progress | Timescale | Officer responsible |
| | | | | |
| | | | | |
| | | | | |

| 4. Monitoring, Review and Publication | | | |
|--|-------------------|---------------------|-------------------|
| When will the proposal be reviewed and by whom? | | | |
| Lead Officer | Head of HR | Review Date: | April 2022 |