

**Cheltenham Borough Council
Draft Employee and Councillor
Domestic Abuse Policy
Version 1 February 2024**

DRAFT

INTRODUCTION

Purpose and scope

- (a) Domestic abuse can affect anyone. Home and work issues are often inter-linked. Abusive and violent behaviour does not only take place in the home. It can frequently cross over into the workplace, where victims can experience stalking, threats, harassment and worse.
- (b) Equally, work can be a lifeline to the independence and survival of victims of domestic abuse as they can maintain a sense of independence from their perpetrator.
- (c) The Council recognises that it's employees will be amongst those affected by domestic abuse; for example, as a survivor of domestic abuse, an individual who is currently living with domestic abuse, someone who has been impacted upon domestic abuse, or as an individual who perpetrates domestic abuse.
- (d) By developing an effective Domestic Abuse Policy and working to reduce the risks related to domestic abuse, we will create a safer workplace and we will also send a strong message that domestic abuse is unacceptable.
- (e) Domestic abuse can encompass but is not limited to the following types of abuse:
 - [Coercive control](#)
 - Psychological and/or emotional abuse
 - Physical or sexual abuse
 - [Financial or economic abuse](#)
 - Harassment and [stalking](#)
 - [Online or digital abuse](#).
- (f) This policy also covers the approach the Council will take where there are concerns that an employee may be the perpetrator of domestic abuse.
- (g) This policy applies to employees across all sites, agency and contract employees, and elected members.
- (h) The policy helps the Council comply with the statutory guidance that is issued as part of the Domestic Abuse Act 2021

Terms and definitions

In this Domestic Abuse Policy:

Domestic abuse refers to 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 partners or family members regardless of gender or sexuality.

Coercive control means a pattern of intimidation, degradation, isolation and control with the use or threat of physical or sexual violence.

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.

Honour-based abuse or violence is used to refer to a collection of practices used predominantly to control the behaviour of people within families or other social groups in order to protect supposed cultural and religious beliefs, values and social norms in the name of 'honour'. This term can include forced marriage and female genital mutilation (FGM).

PRINCIPLES

- The Council has zero tolerance to any form of abuse and recognises that responsibility for domestic abuse lies with the perpetrator.
- The Council is committed to ensuring that any employee who is the victim of domestic abuse has the right to raise the issue with their employer in the knowledge that they will receive appropriate support and guidance.
- The Council recognises that domestic abuse is an equalities issue and undertakes not to discriminate against anyone who has been subjected to domestic abuse in terms of current employment or future development.
- This policy is part of the Council's commitment to ensuring that employees work in a safe environment and one which is supportive and cares for the wellbeing of all employees.

IDENTIFICATION OF DOMESTIC ABUSE

Whilst it is for the individual themselves to recognise, they are a victim of domestic abuse, there are signs which may indicate an employee may be a victim. These may include:

- The member of employees may confide in their colleagues or manager.
- Employees may inform their manager that a colleague is suffering from domestic abuse.
- There may be obvious effects of physical abuse (it is important not to make assumptions).
- It may come to light because of a drop in performance or a significant change in behaviour.
- It may reveal itself as the background to poor attendance.

It is essential to understand that any of the above may arise from a range of circumstances, of which domestic abuse may be one. Managers and supervisors who support employees with such matters should address the issue positively and sympathetically, ensuring that the employee is aware that support and assistance can be provided.

The Council respects employees' right to privacy. Whilst the Council strongly encourages victims of domestic abuse to disclose domestic abuse for the safety of themselves and others, it does not force them to share this information if they do not want to.

The Council encourages all employees to report if they suspect a colleague is experiencing or perpetrating abuse. Employees should speak to their line manager or HR about their concerns, this will be treated in confidence. In dealing with a disclosure from a colleague, employers should ensure that the person with concerns is made aware of the existence of this policy.

Disclosure of abuse

Employees experiencing domestic abuse may choose to disclose, report to, or seek support from a line manager, a colleague or HR. Line managers or HR will not counsel victims, but offer information about workplace support, and signpost to other organisations.

The Council will respond sympathetically, confidentially, and effectively to any employee who discloses that they are suffering from domestic abuse. HR can provide guidance and support for line managers who are approached by employees who are being abused.

Confidentiality and right to privacy

Employees who disclose experiencing abuse can be assured that the information they provide is confidential and will not ordinarily be shared with other employees without their permission.

There are, however, some circumstances in which confidentiality cannot be assured. These occur when there are safeguarding concerns about children or vulnerable adults or where the employer needs to act to protect the safety of employees.

In circumstances where the Council may need to breach confidentiality it will seek specialist advice before doing so. If it decides to breach confidentiality, after having taken advice, it will discuss with the employee why it is doing so, and it will seek the employee's agreement where possible. As far as possible, information will only be shared on a need-to-know basis.

All records concerning domestic abuse will be kept strictly confidential. No local records will be kept of absences related to domestic abuse and there will be no adverse impact on the employment records of victims of domestic abuse.

Improper disclosure of information e.g., breaches of confidentiality by any employees, will be taken seriously and may be subject to disciplinary action.

Where domestic abuse in a same sex relationship is disclosed, due regard will be paid to the double disclosure of confidential information particularly where the individual's may not be out at work.

SUPPORT FOR INDIVIDUALS

The Council recognises that developing a life free from abuse is a long-term process, and the Council will provide ongoing support for employees who disclose abuse, as listed below:

- The Council will work cooperatively with external partners to support and help employees experiencing domestic abuse.

- The Council will respond sympathetically, confidentially, and effectively to any employees who discloses that they are experiencing domestic abuse.
- Where domestic abuse has been reported line managers will treat unplanned absences and temporary changes to timekeeping sympathetically.
- The Council may offer employees experiencing domestic abuse a broad range of support. This may include, but is not limited to:
 - Special paid leave for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments.
 - Temporary or permanent changes to working times and patterns.
 - Changes to specific duties, for example to avoid potential contact with an abuser in a customer facing role.
 - Redeployment.
 - Measures to ensure a safe working environment, for example changing a telephone number to avoid harassing phone calls.
 - Using other existing policies, including the Flexible Working Hours Scheme.
 - Access to counselling and/or support services.
 - Access to resources and support programmes. The Council will respect the right of employees to make their decisions on the course of action at every stage.
 - Access to external agencies who can offer support around an employee's dependants.

Other existing provisions will also be signposted to employees as a means of support, such as occupational health and counselling services.

Safety planning

The Council will prioritise the safety of employees if they make it known that they are experiencing domestic abuse.

When an employee discloses domestic abuse, with the employee's consent the Council will signpost to Gloucestershire Domestic Abuse Support Service (GDASS) who can undertake a Domestic Abuse Stalking and Harassment (DASH) risk assessment.

The Council will work with the employee and relevant specialist agencies to identify what actions can be taken to increase their personal safety at work and at home as well as address any risks there may be to colleagues.

If the victim and the perpetrator work in the same organisation

In cases where both the victim and the perpetrator of domestic abuse work in the organisation, the Council will take appropriate action.

In addition to considering disciplinary action against the employee who is perpetrating the abuse, action may need to be taken to ensure that the victim and perpetrator do not come into contact in the workplace.

Action may also need to be taken to minimise the potential for the perpetrator to use their position or work resources to find out details about the whereabouts of the victim. This may include a change of duties for one or both employees or withdrawing the perpetrators access to certain offices or computer programmes.

PERPETRATORS OF DOMESTIC ABUSE

Domestic abuse perpetrated by employees will not be condoned under any circumstances nor will it be treated as a purely private matter. The Council recognises that it has a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds. Employees should report if they suspect a colleague is a perpetrator of abuse.

If an employee approaches the Council about their abusive behaviour, the Council will provide information about the services and support available to them.

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

The Council views the use of violence and abusive behaviour by an employee, wherever this occurs, as a breach of the organisation's Code of Conduct and would be addressed under the Council's disciplinary policy and procedure. The Council's Code of Conduct sets out standards of conduct expected from all employees, irrespective of grade. Employees are expected at all times to present high standards of personal integrity and conduct that will not reflect adversely on the Council and its reputation.

In some circumstances it may be deemed inappropriate for the individual to continue in their current role(s).

This can be applicable in cases where an employee has:

- Behaved in a way that has harmed or threatened their partner;
- Possibly committed a criminal offence against their partner;
- Had an allegation of domestic abuse made against them; and/or
- Presented concerns about their behaviour within an intimate relationship.

The Council is committed to ensuring that:

- Allegations will be dealt with fairly and in a way that provides support for the person who is the subject of the allegation or disclosure.
- All employees will receive guidance and support.
- Confidentiality will be maintained, and information restricted only to those who have a need-to-know.
- Investigations will be thorough and independent.
- All cases will be dealt with quickly avoiding unnecessary delays.
- All efforts will be made to resolve the matter as quickly as possible, although some cases will take longer because of their nature or complexity.

NOTE: This process is intended to be safety-focussed and supportive rather than punitive.

The alleged perpetrator will be:

- Treated fairly and honestly;
- Helped to understand the concerns expressed and processes involved;
- Kept informed of the progress and outcome of any investigation and the implications for any disciplinary process;
- Advised to contact their union representative; and
- Supported throughout the process to ensure employee wellbeing is considered and supported

There are five potential strands in the consideration of an allegation:

1. A police investigation of a possible criminal offence.
2. Disciplinary action by the employer.
3. Providing specialist, safety-focused counselling.
4. Identifying risk.
5. Safeguarding.

Any employee who is responsible for giving advice, or who comes into contact with or supports those vulnerable people or children experiencing domestic abuse, needs to be particularly aware of the potential consequences if they are found to be perpetrators.

If a colleague is found to be assisting an abuser in perpetrating the abuse, for example, by giving them access to facilities such as telephones, email, or computer programmes then they may be seen as having committed a disciplinary offence.

TRAINING

The Council is committed to ensuring all line managers are aware of domestic abuse and its implications in the workplace. Information, briefings, or awareness raising sessions will ensure that all managers are able to:

- Identify if an employee is experiencing difficulties because of domestic abuse;
- Respond to disclosure in a sensitive and non-judgemental manner;
- Provide initial support – be clear about available workplace support;
- Support employees to work with HR and the Designated Safeguarding and domestic abuse officer or deputy to make a referral to external agencies for support including safety planning;
- Understand that they are not counsellors.

Employees identified as part of this policy as having specific enhanced responsibilities regarding domestic abuse such as the designated safeguarding and domestic abuse officer, designated deputy safeguarding and domestic abuse officers and employees within HR will be offered additional training. These employees will be listed on the intranet and in the domestic abuse resources available as contacts who can provide support and signposting for victims of domestic abuse.

ROLES AND RESPONSIBILITIES

All employees and elected members must ensure that they are aware of the domestic abuse and related safeguarding procedures in place within the authority and those employees and members who have a specific responsibility for safeguarding and domestic abuse. All employees and elected members will receive safeguarding and domestic abuse information at induction.

Designated Senior Leaders

Cheltenham Borough Council has two Senior Leaders (one officer and one cabinet member) responsible for safeguarding and domestic abuse.

They are overall responsible for ensuring that the Council fulfils its safeguarding and domestic abuse responsibilities:

Senior Officer Lead – Tracey Birkinshaw, Director of Communities & Economic Development
Cabinet Member Lead – Councillor Flo Clucas Member for Communities and safety

Designated Safeguarding and Domestic Abuse Officer

Their role is to support employees & elected members and provide guidance and advice to aid implementation of this policy and the related safeguarding policy and in making a referral or safety plan. They will also support the Safeguarding and Domestic Abuse Advocates and Leadership team to fulfil their roles.

Designated Safeguarding and Domestic Abuse Officer – Tracy Brown, Safeguarding and Partnerships Manager

Deputy Designated Safeguarding and Domestic Abuse Officer – Shona Corbett, HR Business Partner

Elected Member Safeguarding and Domestic Abuse Advocates

Elected member safeguarding and domestic abuse advocates are responsible for championing the importance safeguarding, tackling domestic abuse and promoting the welfare of children, young people, vulnerable adults and victims of domestic abuse. They are nominated by full council and are normally cross-party.

Safeguarding and Domestic Abuse Advocates – Councillor Chelin and Councillor Harman

Leadership Team

Cheltenham Borough Council's Leadership Team will ensure that:

1. The Council meets its legal obligations.
2. Where applicable, domestic abuse and its prevention are considered in strategies, plans and services.
3. The best practices in domestic abuse are embedded and maintained across all services to ensure continuous improvement and compliance with national and local policies.
4. Matters relating to domestic abuse are expedited in a timely manner and treated seriously.
5. Support employees and members on all aspects of domestic abuse and ensure procedures are adhered to.
6. Appropriate training is facilitated, in particular for frontline employees

Service Managers

Cheltenham Borough Council's service managers will ensure that:

1. The domestic abuse policy is adhered to across the organisation.

2. They and their employees complete and implement the appropriate domestic abuse training and that this is reinforced through team meetings 121s etc.
3. Employees handling domestic abuse issues are fully supported.
4. They take responsibility for the quality of the response to domestic abuse in their service area.
5. Report any concerns as per the policy.

Human Resources

Human Resources will ensure that:

1. The relevant policies are in place e.g., Special Leave and Disciplinary Procedures
2. Managers are supported in the use of these policies directly and indirectly associated with domestic abuse
3. Provide employees involved in domestic abuse support as outlined in the policy including workplace safety planning.
4. Provide support with the pre-employment checks as appropriate.
5. All employees are issued with domestic abuse information at induction and support ongoing domestic abuse training for all employees.
6. When the domestic abuse policy is updated, ensure this is communicated to all employees

Employees

Cheltenham Borough Council's employees will:

1. Treat all domestic abuse matters seriously.
2. Report any concerns as per the policy.
3. Be aware of and adhere to the domestic abuse policy and related policies
4. Complete domestic abuse policy training relevant to their role covering children, adults and domestic abuse

RELATED DOCUMENTS AND LEGISLATION

- Health and Safety at Work Act (1974)
- Management of Health and Safety at Work Regulations (1992)
- Flexible Working Hours Scheme
- Safeguarding Policy
- The Council's Disciplinary Policy
- Domestic Abuse Act 2021 and its statutory guidance (2022)

APPENDICES

- A. Domestic Abuse Resources

Appendix A. Domestic Abuse Resources

Police Emergency Contact Number: 999

Police Non-Emergency Contact Number: 101

Website: www.gloucestershire.police.uk

DOMESTIC ABUSE HELPLINES

Gloucestershire Domestic Abuse Support Service https://www.gdass.org.uk/	01452 726570
National 24-hour Domestic Violence Helpline http://www.nationaldomesticviolencehelpline.org.uk	0808 2000247
Childline http://www.childline.org.uk	0800 1111
Men's Advice Line (for male victims) www.mensadviceline.org.uk	0808 8010327
National Domestic Violence Helpline (Women's Aid) http://www.nationaldomesticviolencehelpline.org.uk	0808 2000247
National Victim Support http://www.victimsupport.org.uk	0808 1689111
Fear Less https://www.fear-less.org.uk/	01452 529866
For Help TEXT "NCDV"	60777
Samaritans	116 123
Crime Stoppers	0800 555111
National Drugs Helpline	0800 5404120
National Help Line for LGBT	0800 9995428
Debtline	0808 8084000
NHS Direct	111
Stalking Helpline	0808 802 0300