

Supporting employees subjected to domestic abuse

February 2019



RESPECTFUL
SUPPORTIVE

1. Introduction

In line with our [Equality at Work Policy](#), we are committed to equality and diversity in the workplace and want to have a workplace where all of our employees are treated with dignity and respect. We will do all we reasonably can to support employees who are subjected to domestic abuse. Our [Domestic Abuse Position Statement](#) also outlines our commitment to raising awareness of domestic abuse in South Ayrshire.

This guidance outlines some of the different forms of violence and abuse, signs of abuse and the various internal and external supports available for employees. You can also complete our Introduction to Gender Based Violence e-learning course under the 'Equality and Diversity' section of [COAST](#).

2. What is domestic abuse?

The UK government's definition of domestic violence is 'any incident or pattern of incidents of controlling, coercive, 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. The abuse can encompass, but is not limited to psychological, physical, sexual, financial, and emotional.'

Legal Context

Under the Domestic Abuse (Scotland) Bill it is a criminal offence for a person to behave in a way which is abusive towards a partner or ex-partner. This includes psychological abuse such as coercive or controlling behaviour as well as violence.

Forms of Abuse

There is a common misconception that domestic abuse is about physical abuse. This is not the case. Domestic abuse can be:

- Physical abuse - pushing, hitting, punching, kicking, choking and using weapons.
- Sexual abuse - forcing or pressuring someone to have sex (rape), unwanted sexual activity, touching or groping someone.
- Emotional abuse/coercive control - making someone repeatedly feel bad or scared, blackmailing, constantly checking up on someone, playing mind games, stalking. Our [Stalking Awareness Position Statement](#) outlines our commitment to raising awareness of stalking in South Ayrshire.
- Digital/online abuse - using technology to further isolate, humiliate or control someone.
- Financial abuse - taking money, controlling finances, not letting someone work.
- Different forms of family violence such as forced marriage, female genital mutilation and so called "honour crimes" that are perpetrated primarily by family members, often with multiple perpetrators.

3. Who experiences domestic abuse?

In the vast majority of cases domestic abuse is experienced by women and is perpetrated by men. It is important to acknowledge that most men do not commit acts of domestic abuse and that they too can be victims.

People experiencing violence and abuse may feel trapped and helpless. They often do not want to admit or share their experience because they feel shame or some responsibility for the situation or that they should be able to deal with the issue on their own. There can also be fears that they will not be believed, that their experiences will be trivialised or that they will cause trouble for the perpetrator.

Violence against women

Violence and the threat of violence affect women across the world, regardless of wealth, race and culture. It is estimated that at least 1 in 5 women in Scotland will experience domestic violence in their lifetime while 45% of women in the UK have experienced some form of domestic violence, sexual assault or stalking.

South Ayrshire Multi-Agency Partnership (MAP) works closely with its partners to tackle violence against women and children and to raise awareness of domestic abuse, including:

- **16 Days of Action to Eliminate Violence Against Women:** a global awareness-raising campaign that aims to raise awareness of the impact of violence against women.
- **ASSIST** - a support and advocacy service co-located with Police Scotland in Kilmarnock Police Station.

You can find more information, including detailed guidance on how and where to get help, on our [website](#).

Violence against men and LGBT domestic abuse

Men can also experience abuse, in both heterosexual and gay relationships, and statistics show that domestic abuse against men is increasing in the UK. Domestic abuse affects 1 in 4 lesbian, gay, bisexual and transgender people.

You can find a list of some useful helplines at the end of this guide.

4. Signs of abuse

Identifying that an employee is experiencing difficulties at an early stage can help them to deal with their situation and ensure that appropriate support is provided. Signs may include:

- Changes in personality/behaving out of character - they may be less confident and withdrawn, have difficulty concentrating or appear anxious, distressed or tearful.
- Changes in appearance – repeated injuries or unexplained bruising, wearing excessive clothing, even in hot weather, change in the pattern or amount of make-up.
- Isolating themselves – they may avoid lunch breaks or socialising outside of work, or want to avoid discussing their personal life.
- A change in timekeeping and attendance – this could include an increase in absence, asking for time off at short notice, being frequently late for work or being reluctant to leave at the end of the working day.
- Changes in work performance.
- Receiving repeated upsetting telephone calls, e-mails or texts at work and becoming withdrawn or anxious before or after this contact.
- Alcohol or drug use/dependence.
- Sleeping or eating disorders.

Abuse can occur over a period of time and any changes in behaviour may happen gradually and not become apparent immediately. There may even be occasions where there are no apparent signs.

5. Support available for employees

5.1 Responding to a disclosure

Employees are encouraged to confide in their manager if they are experiencing abuse. They may also wish to seek the support of a colleague, trade union representative or member of the HR team. Where employees suspect a colleague is experiencing or perpetrating abuse, they should raise the matter in confidence with a manager. Where a manager suspects that an employee is experiencing domestic abuse, they should talk to the employee in confidence about their well-being.

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

- Handle the conversation sensitively – listen to what the employee has 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 a domestic abuse helpline or Women's Aid. A referral may be made to our Occupational Health and Employee Counselling Service, where appropriate. Advice and guidance is available from the HR team.

5.2 Safety and security measures

Ask the employee about their safety and what measures can be put in place, such as:

- Additional security measures, where possible, at the entrance of the employee's workplace – to protect both the individual concerned and their colleagues.
- Considering any safety implications if the employee is a lone-worker or mobile worker. The employee should not work in an isolated area and there should be arrangements in place for getting staff safely to and from home.
- Agreeing appropriate contact arrangements and emergency contact details.

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

5.3 Confidentiality

Information and support provided should remain confidential and any meetings should take place in private. The employee may wish to be accompanied by a colleague, trade union representative or another person of their choice. It should be agreed with the employee what, if any, information should be given to colleagues (for example, should the perpetrator call or visit the workplace).

Any written records should be held outside of official employee records and stored securely. This includes any special leave taken as a result of domestic abuse.

5.4 Leave arrangements

Safe Leave

As outlined in our [special leave policy](#), up to 10 days paid safe leave is available to employees experiencing domestic abuse 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.
- Matters as a result of family violence.

The leave may be taken as a block of up to 10 days or as intermittent periods of absence, based on the needs of the affected person. Managers should deal with such requests sensitively in line with the needs of the service. The Council may request supporting documentation prior to granting leave, such as from healthcare professionals, police and/or relevant support agencies.

Annual leave, unpaid leave and flexi-time

Annual leave, unpaid leave or flexi-time (where this operates within the service) may also be granted to enable the affected employee to respond to unforeseen emergencies.

Scheme of enhanced leave

Employees can apply to purchase up to 2 weeks additional annual leave under this scheme.

Family emergencies

Up to 1 day's paid leave will normally be granted for each incident where an employee is required to be absent from work to make alternative arrangements arising from family emergencies. Up to 5 days leave with pay will normally be granted in the case of the emergency hospitalisation of a child where an employee has been advised by medical staff to remain with their child while in hospital. Full details can be found in our [special leave policy](#).

Parental leave

As outlined in our [terms and conditions of employment](#), employees with at least one year's continuous service may be entitled to take up to 18 weeks unpaid leave to care for a child or make arrangements for the child's welfare. Employees can choose to take parental leave up until the child's or adopted child's 18th birthday.

Career break scheme

A career break is a period of special leave without pay. Under our [special leave policy](#), employees can apply for a career break which can last from 3 months to up to 2 years if they have 2 years' service with us.

5.5 Flexible working

Employees can apply to work flexibly if they have 26 weeks continuous service with us. A wide range of flexible working arrangements are available including a 9-day fortnight, reduced hours/part-time working and term-time working. Temporary arrangements should also be considered to support employees affected by domestic abuse such as a change to working hours or work patterns. A change to work location may also be required. Further details can be found in our [flexible working policy](#).

6. Employees who are perpetrators of domestic abuse

Domestic abuse is chosen, intentional behaviour and perpetrators are solely responsible for the abuse they inflict. All employees should be aware that such abuse is a serious matter that can lead to criminal convictions. Consideration should be given to any appropriate support that can be provided, such as a referral to our OHS.

There may be occasions where the employee's behaviour is dealt with in accordance with our grievance and discipline and appeals procedures. Further guidance is available from HR.

Where the victim and the perpetrator are both employees of the Council and work in the same office or in close proximity to each other consideration may have to be given to redeployment to ensure the safety and well-being of the victim. There may also be occasions where bail restrictions placed on the perpetrator, such as a restraining order, requires them to be moved to a different location. Guidance is available from HR.

Respect is a confidential and anonymous helpline for anyone concerned about their violence and/or abuse towards a partner or ex-partner. Call Freephone **0808 802 4040** or e-mail info@respectphoneline.org.uk.

7. Reporting domestic abuse

There are several ways to report abuse to the police if you are a victim, witness or have concerns:

- At your local police office. If the incident is urgent, this is the best way to report it. If someone is in immediate danger phone 999.
- Use [Police Scotland's online domestic abuse form](#). If you are unable to go to your local office or prefer to remain anonymous, you can submit the form directly to them or download a form and post it to the Domestic Abuse Coordination Unit, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, Glasgow, G40 4EH.

8. Contacts for help and support

National Domestic Violence Helpline
0808 2000 247

Abused Men in Scotland
0808 800 0024

South Ayrshire Women's Aid
01292 266482

Men's Advice Line
0808 801 0327

Galop (LGBT+anti-violence charity)
0800 999 5428