

Agenda Item	
Report No	

**Supporting Employees Experiencing Domestic Abuse Policy
And Management Guidelines**

Report by Assistant Chief Executive

Summary

This report recommends the introduction of the Supporting Employees Experiencing Domestic Abuse policy and management guidelines as an employment policy which addresses the requirements within the Violence against Women Strategy 2008, and sets out an action plan for implementation.

1. **Background**

- 1.1 It is recognised by the Highland Council that domestic abuse as a form of gender based violence (also known as Violence against Women) is a serious issue within our society and affects the lives of many people.
- 1.2 The Supporting Employees Experiencing Domestic Abuse policy and guidance for Managers and staff (Appendix 1) has been developed in response to the Domestic Abuse Strategy 2004 as a specific action within the Council's Gender Equality Scheme, and now in recognition of the Violence against Women Strategy 2008. Its aim is to practically demonstrate the Highland Council's commitment to its employees, the principle that all forms of domestic abuse and gender based violence are unacceptable and that everyone has a right to live free from fear and abuse
- 1.3 Domestic Abuse has been acknowledged as being firmly located within the framework of gender inequality. Violence against Women provides a wider definition than domestic abuse to include prostitution, child sexual abuse and may other forms of violence that predominately affect women and are most commonly perpetrated by men. They are grouped together by the term Violence against Women to emphasise that women face the risk of violence at home and in the community.
- 1.4 For the purposes of this employment policy the phrase domestic abuse is used to recognise that employees who have experienced abuse or violence should be afforded the same support and provision regardless of gender or type of abuse.

2. Community Planning Partnership

- 2.1 The Community Planning Partnership in Highland has been tackling domestic abuse since 1999. Domestic Abuse was also seen as a national priority that was set out by the Scottish Executive's National Strategy on Domestic Abuse in 2001. In response to this the Highland Wellbeing Alliance developed the Domestic Abuse Strategy which was implemented between 2004 and 2007.
- 2.2 The Strategy located domestic abuse as gender based violence and has now moved from focussing wholly on domestic abuse to considering all forms of Violence Against Women in line with Scottish Government direction. The Violence Against Women Strategy 2008 aims to increase awareness and understanding of the different forms of Violence against Women, and state that all forms are unacceptable, preventable and by no means inevitable.
- 2.3 The Supporting Employees Experiencing Domestic Abuse Policy and Guidance reflects this aim by establishing an employment based policy which recognises that domestic abuse is only one type of gender based violence and that all employees who have experienced abuse or violence should be afforded the same support and provision regardless of gender or type of abuse.

3. Prevalence

- 3.1 Figures for the Highlands and Islands in 2006/2007 show that 91% of domestic violence is perpetrated by men against female partners or ex partners, the remaining 9% includes abuse perpetrated by women against men and occurrences in same sex relationships. (Statistics from Northern Constabulary). Statistics issued in November 2008 show that incidents of domestic abuse against men in Scotland more than trebled last year with the figures also revealing a rapid rise of incidents among same sex couples. However as statistics continue to show that the vast majority of those who require support are women, the policy refers principally to women but is committed to offering the same level of support and assistance regardless of gender.
- 3.2 It is difficult to know how many women suffer domestic abuse, but research shows that it is widespread and under reported. It is generally accepted that 1 in 5 women will experience domestic abuse at some point in their lifetime (Scottish Executive 2000). It has been estimated that only 36% of women ever tell anybody about the abuse they experience and only between 2% and 18% of domestic incidents ever come to the notice of the police. (Scottish Crime Survey 2000). It is also understood that the level of repeat victimisation is high. In 2005 there were 1392 domestic abuse cases reported to the police in Highland. 43% of those incidents were reported by victims involved in prior reports. (Strategic Framework on Violence Against Women 2006)
- 3.3 For many women the effects of domestic abuse will be catastrophic and impact on their physical and mental health and well being. Women experiencing domestic abuse can also experience social and financial exclusion. Abuse can lead to poverty, ill health and lack of opportunity.

4. Employers' Responsibilities

- 4.1 The reported incidence of domestic abuse is such that the Council, as an employer, needs to recognise that its own employees may be victims and

perpetrators. The policy and management guidance has been developed to put in place measures which will:

- * Help to prevent Domestic Abuse – through raising awareness by directed communication and tackling attitudes and behaviour;
- * Provide protection from Domestic Abuse – by establishing processes which ensure the health, safety and welfare of Highland Council employees who experience, or have experienced domestic abuse; and
- * Ensure provision of services for those affected by Domestic Abuse – by fully utilising Highland Council policies, and by establishing a range of support as an employer and service provider.

5. Key Issues

5.1 Contacts

The policy identifies mechanisms of confidential contact that employees can use, and detail the support they can expect to receive from their Line Managers (with support from Personnel Advisers), and from the newly created role of Domestic Abuse Link Adviser.

- 5.2 Managers have overall responsibility for the health, safety and welfare of their staff. If an employee informs them of domestic abuse, or if the manager recognises possible signs of domestic abuse, their responsibility (with guidance and advice from Personnel) is to identify for that employee what support is available and how she can access it. This entails providing information on internal and external support services, utilising Council policies to be as flexible as possible in support of the situation, and carrying out workplace risk assessments with the employee if required, to develop a mutually agreed workplace safety plan.

The role of Domestic Abuse Link adviser has been created to reflect the sensitivity of a situation where normal points of contact may not be adequate or appropriate. The Domestic Abuse Link Adviser will be selected from employees within the Highland Council to meet a defined, specific role in the support of employees, and given the appropriate training. There will be three female employees covering operational areas of the council and one male employee. (This is proportionate to statistical information detailed in Section 3.1).

6. Violence in the Workplace

- 6.1 The guidance also addresses and acknowledges the possibility of violence in the workplace. It is recognised that the workplace may be one of the only 'safe' places where victims can access support and get the help they need. However if the victim has tried to leave an abusive relationship the work place may be the only place the perpetrator can locate her. The guidance outlines provision and support that is needed to address both situations.

7. Perpetrators

- 7.1 The guidance communicates the stance on perpetrators of domestic abuse amongst its employees and for anyone who colludes with perpetrators.

Domestic Abuse is a serious matter and can lead to criminal conviction. The Guidance states that the Highland Council will consider disciplinary action against employees for their conduct outside work (whether or not it involves police action/criminal conviction). The guidance outlines factors which would need to be taken into consideration but makes it clear that any conduct in relation to domestic abuse will be viewed seriously.

8. **Equality Impact Assessment**

8.1 An Equality Impact Assessment has been conducted on the policy and guidelines. Cognisance was taken of the Highland Council's responsibilities under the Gender Equality Duty to adopt a gendered analysis approach to the policy and guidelines and resultant actions have been implemented into the current draft.

9. **Consultation**

Developing the policy and management guidelines has involved extensive research and consultation with key stakeholders and utilising our Well Being Alliance/Community Planning Partnership partners including the NHS.

Consultation has taken place with the LNCT (Local Negotiating Committee for Teaching Staff) and the the JCG (Joint Consultation Group) on 12th December 2008.

10.

Action Plan

To fully meet the policy objectives the following actions are proposed:

Action	Target Date
Implement a Communication and Information Plan	March 2009
Instigate recruitment process to identify, select and train employees as Domestic Abuse Link Advisers	March 2009
Promote 'Understanding Violence Against Women' Training delivered by Highland Wellbeing Alliance for Managers within the Highland Council	from March 2009
Review appropriate Personnel, Health and Safety and Employee Development policies and training. To include information and guidance in relation to policy and guidelines.	completion by May 2009
Establish monitoring and review process which will reflect the need to maintain confidentiality for employees by monitoring the use of policies used to support employees, i.e. special leave, relocation.	March 2009

11. Recommendations

That the Resources Committee:

- (i) Supports and approves the introduction and implementation of this policy and action plan

Signature:

Designation: Assistant Chief Executive

Date: 6th February 2009

Author: Kateryna Zoryk – Senior Personnel Adviser

Background Papers

1. Highland Wellbeing Alliance Domestic Abuse Strategy 2001
2. Highland Wellbeing Alliance Violence Against Women draft Strategy 2008

Supporting Employees Experiencing Domestic Abuse

Policy Statement

Introduction

The Highland Council and its partners in the Highland Wellbeing Alliance recognise that domestic abuse is a serious issue within our society and affects the lives of many people. The Highland Council is committed to the principle that all forms of domestic abuse are unacceptable and that everyone has a right to live free from fear and abuse. We seek, through this policy and the associated guidelines to support employees who may be experiencing/or have experienced domestic abuse.

As a key partner in the Wellbeing Alliance, The Highland Council's commitment to tackling domestic abuse is evident in its adoption of the multi-agency domestic abuse strategy and in its previous affiliation to the Zero Tolerance campaign. The Highland Council along with the NHS Highland and Northern Constabulary are all directly involved in the implementation of the strategy.

The policy and associated guidelines apply to employees of either sex who may be experiencing domestic abuse although we recognise that most commonly women will be the ones needing support from The Highland Council. . Figures for Highlands and Islands in 2006/2007 show that 91% of Domestic violence is perpetrated by men against female partners or ex partners, the remaining 9% includes abuse perpetrated by women against men and occurrences in same sex relationships. (Statistics from Northern Constabulary) As the statistics show that the vast majority of those who require support are women this policy will refer principally to women but it applies equally to men. It must also be acknowledged that domestic abuse in same sex relationships can follow similar patterns to those found in heterosexual relationships and again the policy and guidelines will apply equally.

Definitions

Domestic Abuse is a generic term to describe a range of behaviours used by one person to control and dominate another with whom they have had, wanted to have or are in a close, intimate, family or other type of relationship.

It knows no boundaries as regards age, race, religion, sexual orientation, wealth or geography. In Highland in 2006/2007 there were 664 recorded crimes and offences of domestic violence. Domestic Abuse can go beyond actual physical violence. It can involve emotional abuse – e.g. undermining self-confidence; the destruction of property; threats to others including children; controlling behaviour; control over access to money, personal items, and food, etc.

The Highland Council has adopted the following definition used by the Scottish Government.

'Domestic abuse (as gender-based abuse) can be perpetrated by partners or ex-partners and can include physical abuse (assault and physical attack involving a range of behaviour), sexual abuse (acts which degrade and humiliate women and are perpetrated against their will, including rape) and mental and emotional abuse (such as threats, verbal abuse, racial abuse, withholding money and other types of controlling behaviours such as isolation from family and friends).'

The National Working Group on Violence Against Women has developed another definition which has not yet been officially ratified by Scottish Government but should be acknowledged as a definition that reflects the wider implications of domestic abuse as one of the many forms of gender based violence against women. This definition can be found at Appendix Z. Under the Gender Equality Duty the Highland Council acknowledges Violence Against Women as a function of gender inequality and an abuse of male power and privilege.

Domestic abuse can include abuse and violence inflicted on, or witnessed by, children. The wide adverse effects of living with domestic abuse for children may be recognised as a child protection issue, and therefore carries with it additional responsibilities for the Council and other support agencies in ensuring children are safe.

It is also acknowledged that domestic abuse can manifest itself through the actions of immediate and extended family members through the perpetuation of unlawful activities such as forced marriage and 'honour crimes'. Extended family members may condone or even share in the pattern of violence.

Purpose and Commitment

The purpose of the policy and associated guidelines is to show its commitment and outline practical solutions to meet the Highland and Scotland wide strategy of:

- Prevention of domestic abuse – through raising awareness, directed communication and continuing positive action the Highland Council will seek to actively prevent crimes of violence against women by tackling attitudes and behaviours
- Protection from domestic abuse – through the establishment of specific processes regarding the health, safety and welfare of staff the Highland Council seek to provide appropriate protection for women who experience domestic abuse
- Provision of services for those affected by domestic abuse – by establishing several points of confidential contact and ensuring the framework for cross service, cross agency support is in place,

the Highland Council seeks to establish cohesive support services for women.

This will be achieved through;

Policy Implementation

- instigating a communication and awareness raising strategy which will provide information on domestic abuse and state clearly the Highland Council's commitment to the principle that domestic abuse is unacceptable behaviour and that everyone has a right to live free from fear and abuse,
- Advising employees and managers on the processes of policy implementation through written guidance and training appropriate to each employee's role
- By creating points of contact through confidential mechanisms by which employees can seek help and information, thus increasing employee and workplace safety. This will be offered through line management, appropriately trained staff, Personnel or Trade Union representatives.
- Identify employees as Domestic Abuse Link staff through appropriate internal recruitment processes who, with suitable training, will be able to provide a first point of contact and assistance for victims of domestic abuse who may not feel able to speak with their Line Manager or Personnel Adviser in the first instance
- Review appropriate personnel and health and safety policies and guidance, and employee development training programmes to ensure inclusion, acknowledgment and integration of information and guidance in relation to supporting employees who experience domestic abuse.
- Provide, as part of management training, sessions that include recognition of signs of domestic violence and abuse, and appropriate responses including duty of care to pass on information where a child is thought to be at risk
- Meet its legal obligations under the Health & Safety at Work Act 1974, and Management of Health and Safety Regulations 1999 to assess the risk of violence to employees and put in place planning, organisation and control measures to ensure their health and safety in the workplace.

Practical Support

- Advise Managers on sensitive use of performance/attendance procedures
- Outline support mechanisms that can be used in response to individual domestic abuse cases, including granting leave,

allowing flexible working arrangements where necessary, arranging different methods of salary payment if necessary, making staff aware of sources of financial assistance and, if required opportunities for redeployment.

- Maintain up-to-date list of organisations and contacts able to support people suffering abuse
- Put in place monitoring and reviewing processes to ensure the policy and guidelines are effectively implemented by assessing the impact on employees and the organisation itself.
- Work in partnership with trade unions to help support staff experiencing domestic abuse.

Legal Implications

The Highland Council has a duty of care under the Health and Safety at Work Act 1974 to ensure, as far as is reasonably practicable, the health and safety at work of their employees. The Management of Health and Safety at Work Regulations 1999 also requires employers to assess the risks of violence to employees and make arrangements for health and safety by effective planning, organisation and control. Thus if an employee of the Highland Council informs their Manager that they are experiencing domestic abuse, the organisation will support the employee to minimise the risk to their safety at work.

The Impact of Domestic Abuse on the Workplace

Domestic abuse can impact greatly on the working life of someone who is being abused. Domestic abuse can result in the deterioration of an employee's performance, increased or intermittent absenteeism, and issues relating to alcohol or substance misuse as a response to and way of dealing with abuse, all of which threaten job prospects and job security.

By having a policy in place to assist staff experiencing domestic abuse it is possible to create a safe and supportive environment where the workplace can be a place of safety. The benefit to the Highland Council is to assist in personnel and performance management by reducing absence-related costs and increasing productivity, while ensuring the safety and welfare of all employees. It will help retain skilled and experienced staff and will contribute to the motivation and job satisfaction of all employees.

The policy and guidelines will apply to all employees of the Highland Council.

Guidance for Managers and Staff in the Implementation of Supporting Employees Experiencing Domestic Abuse Policy

Introduction

1. The Highland Council as a major employer in Highland recognises its significant responsibility to provide a safe and effective work environment that responds to its employees needs. Statistically in Scotland 1 in 5 women experience domestic abuse in their lifetime, and 1 in 10 in any one year. (Scottish Govt Stats 2005). Domestic abuse must be recognised as being serious, preventable and an important issue for an organisation that cannot be ignored. Domestic abuse may affect employee's productivity, emotional and physical health and well-being and there is the possibility that there may be an increased risk of workplace violence. It must also be acknowledged however that the workplace may be one of the 'safe' places where those experiencing abuse can access the support and help they need.
- 1.1 To meet the Highland Councils policy commitments clear processes, guidelines and protocols must be adopted so that managers are clear about:
 - what domestic abuse is and why it should be prevented
 - the impact of domestic abuse on the workplace
 - how to support any employee who is experiencing domestic abuse
 - when its appropriate to act , and
 - what action can be taken.

2. What is Domestic Abuse?

- 2.1 Domestic Abuse is not just about actual physical violence. It can involve sexual abuse and/or emotional abuse – for example; undermining of self-confidence; destruction of property; threats to others including children; controlling behaviour such as isolation from friends and family; control over access to money, personal items, food, transportation and the telephone; and stalking.

The Highland Council has adopted the following definition used by the Scottish Executive.

'Domestic abuse (as gender-based abused) can be perpetrated by partners or ex-partners and can include physical abuse (assault and physical attack involving a range of behaviour), sexual abuse (acts which degrade and humiliate women and are perpetrated against their will,

including rape) and mental and emotional abuse (such as threats, verbal abuse, racial abuse, withholding money and other types of controlling behaviours such as isolation from family and friends).¹

2.2 Misconceptions about the causes of abuse against women are many, but contrary to widely held beliefs:

- Domestic abuse is frequent, premeditated and secret
- It happens to people from all social classes
- It is not caused by drinking alcohol or taking drugs or living with domestic abuse as a child.

2.3 A popular misconception is that domestic abuse is a crime committed towards women by certain kinds of men with a specific psychological profile who can be easily identified. The reality is that domestic violence and abuse is perpetrated by people of all social classes and occupations. Domestic abuse can only be perpetrated by partners or ex partners but may include extended family members as part of that abuse.

3. **Indicators of Domestic Abuse.**

3.1 Possible signs of domestic abuse could include:

- late or high absenteeism rate without explanation
- uncharacteristic depression, anxiety, distraction or problems with concentration
- changes in the quality of work performance for no apparent reason
- the receipt of repeated upsetting calls/texts/emails, or the individual being a victim of vandalism or threats
- obsession with time
- needing regular time off for appointments
- inappropriate or excessive clothing
- repeated injuries, or unexplained bruising or explanations that do not fit the injuries displayed; and
- increased hours being worked for no apparent reason.
- Withdrawal from interaction with others, where this was not previously evident

3.2 It is important to note that this is not a checklist. Some victims may display no easily recognisable signs of abuse. Individuals experiencing domestic abuse suffer a broad range of physical and emotional consequences which may be different to those above.

4. Principles.

- 4.1 Abusive behaviour is the responsibility of the perpetrator. No proof of abuse is needed and a statement from someone experiencing domestic abuse must be enough for them to be given support and information on protection and help.
- 4.2 Fair and open practices are key when responding to domestic abuse, including non-discrimination against abused women in recruiting and promoting women, and sensitivity in assessing performance.
- 4.3 A victim's experiences of domestic abuse may be compounded by racist reactions, isolation, language and cultural barriers or other reactions to age, sexuality or disability. The same access to information and support should be available for everyone experiencing domestic abuse.
- 4.4 Managers should not make assumptions about what action is appropriate because of a woman's age or because she is black, disabled a lesbian or whether or not she has children.
- 4.5 It should also not be assumed that only a husband/male partner is a threat because abusers may include relatives, friends and same sex partners.
- 4.6 Incidents of abuse that take place in the workplace must be dealt with in a clear and effective manner, as it can be very damaging and potentially dangerous for both the abused employee and their colleagues.

5. Role of Line Managers.

- 5.1 Individual Line Managers, in consultation with staff in personnel, can play a key role in supporting staff that are being subjected to, or have experienced domestic abuse. However, Managers must not feel that they are responsible for resolving this issue. In the context of domestic abuse it is important to understand this distinction as it will help reduce the potential for confusion of the manager's role.
- 5.2 Managers will be advising staff of the provisions within the policy and procedures to assist in providing the most appropriate support available, and providing contacts to ensure that employees who wish to seek assistance have access to the most appropriate professional help available.
- 5.3 Managers have an overall responsibility for the health, safety and welfare of the employees they manage.
- 5.4 As previously stated Managers will be aware that domestic abuse can lead to poor work performance, and as an outcome it may be that the individual is already the subject of disciplinary procedures when the issue of

domestic abuse first comes to light. Therefore, where domestic abuse is suspected, managers should contact personnel for advice before any discussion with the employee takes place.

- 5.5 Any discussion about the employee's situation should take place in private and any questions should be asked with care and sensitivity, reinforcing that, as far as possible, confidentiality will be respected.
- 5.6 Managers should try to be specific during the meeting and make clear that what they have seen is leading them to have the conversation.
- 5.7 Personnel will provide support to managers as required.
- 5.8 The following are practical steps that might be taken to encourage discussion/disclosure of abuse, and enable the manager to provide ongoing support:
 - providing information about the policy to staff, e.g. on notice-boards, notices in toilets etc
 - ensuring that the list of domestic abuse link staff is available to all employees so that there are options regarding who the issues can be shared with
 - creating an environment where the employee feels safe and able to talk about issues that are affecting them
 - Listening and believing what they are saying. You must provide a sensitive, non judgemental response and reassure the employee that they are not to blame, that there is no justification for this treatment of them and that there is help and support available, both through the organisation and links with external agencies
 - The information you receive must be treated in complete confidence and you must give reassurance of this. However, one exception is where child protection issues could arise, for instance, if an employee gives information that suggests that their child or another child is at risk from abuse (whether physical, emotional, sexual, or neglect) , then it is essential to pass this information on to others in the organisation, personnel in the first instance. This requirement must be explained to the staff member at the outset.
 - be aware of any additional issues for any employee because of their ethnic background, age, sexuality or disability
 - Prioritise safety. Discuss the development of a mutually agreed workplace safety plan with the employee – remember that those experiencing domestic abuse are best able to assess the danger to themselves

- consider the appropriateness of carrying out a workplace risk assessment for other employees
- be flexible with working hours, workloads and discuss the option of negotiated time off to make arrangements, for example for meetings with solicitors, making financial arrangements, schooling or housing
- Make arrangements for keeping in touch with the employee during any period of absence, maintaining confidentiality regarding their whereabouts at all times.

5.9 Managers must be aware that it is often very difficult for a person experiencing domestic abuse to admit to the reality of the situation. The decision to break free from abusive relationships is the employees alone. This must be acknowledged and respected throughout the process of support.

6. **The Role of Personnel Services Organisational Development Unit**

6.1 Personnel Services Organisational Development Unit has the central responsibility of developing a policy and procedures that advises both employees and managers on domestic abuse. They will also review and update other policies, procedures and practices which are linked and could affect the implementation of this policy to ensure that awareness and support mechanisms are instigated and applied, for example, health and safety management, performance and absence management, special leave, flexible working and redeployment. Their direct involvement will be one of consultancy, support and advice to Managers and staff.

6.2 It is important that employees experiencing domestic abuse know that help is available. If the individual does not feel comfortable talking to their line manager or Personnel in the first instance, there should be another avenue of support available.

6.3 It will be the responsibility of the Organisational Development Unit to instigate the identification, selection, training and 'marketing' of a 'domestic abuse link staff' within the organisation to whom those affected can talk safely and confidentially.

6.4 O.D.Unit responsibilities will therefore include:

- publishing and promoting the policy and procedures to all staff
- advising employees and managers on the implementation of the policy
- 'recruiting' and training link staff from within the organisation as people to approach if employees wish to discuss issues of a personal nature with someone other

- than their line manager or personnel reviewing all policies and procedures to reflect commitment of Highland Council to staff experiencing domestic abuse
- ensuring the availability of guidance is publicised to staff in correspondence where relevant i.e. for staff preparing for maternity leave (statistics suggest that the first occurrence of domestic abuse can occur during pregnancy - note 1)
- working with managers and Personnel Advisers to respond to domestic abuse, including utilising approved policies such as granting special leave, allowing flexible or more flexible working, arranging salary advances when appropriate and if required, opportunities for redeployment (see summary of all approved policies to be used in support of employees experiencing domestic abuse in Appendix Y)
- maintaining an up-to-date list of organisations and contacts able to support people suffering abuse (see Appendix X)
- advising managers on the sensitive use of performance or absence management procedures
- ensuring that as part of management training, sessions include the recognition of signs of domestic violence and appropriate responses including the duty of care to pass on information where a child is thought to be at risk
- working with Trade Unions to play a supporting role to their members in the implementation of the policy and guidelines
- regularly reviewing the domestic abuse policy to ensure that it meets the needs of the organisation and staff.

7. Risk of Violence in Workplace.

- 7.1 Although we have a policy and guidelines for management and staff on Violence at Work, it is likely that it will not protect survivors of domestic abuse from abusive partners. The point at which a woman leaves the relationship is when they are at the greatest risk of serious injury or homicide.
- 7.2 Our responsibility should be increased towards the employee when a current or former partner has threatened them. The threat may not be an isolated incident and the perpetrator may already have knowledge of working hours, phone numbers, colleagues and security entry systems.
- 7.3 Anyone experiencing domestic abuse is particularly vulnerable while at work. Once a victim has tried to leave an abusive relationship, the workplace may be the only place the perpetrator is able to locate her.

- 7.4 There is also a risk if the perpetrator, or their friends or colleagues work within the Council. Security of personal information, including payroll records is paramount to ensure addresses and other details are kept confidential.
- 7.5 When looking at any issue affecting employees and the workplace cost, safety, liability and productivity should be considered. Domestic abuse is no different.
- 7.6 By working to mitigate the risks related to domestic abuse, an organisation will also create a safer workplace for an employee experiencing abuse and will send out a strong message that domestic abuse is unacceptable and responding to it makes good business sense.
- 7.7 Employees experiencing domestic abuse may receive harassing or repeated phone calls, texts or emails, unwelcome notes on their cars or unplanned and unannounced visits at work. They may also be stalked, physically assaulted or murdered either travelling to and from, or at work
- 7.8 Children using educational childcare facilities may also be in danger of abuse or abduction whilst on the premises. Colleagues may also be followed to or from work or subjected to questioning about how to contact the victim or where he or she can be found.
- 7.9 Perpetrators may also be using workplace resources – phones, email or other means to threaten, harass or abuse their current or former partners.
- 7.10 An employee may intentionally misuse their position or encourage others to do so, to negatively impact on abused women, perhaps by assisting perpetrators to locate their partners, carry out acts of domestic violence or by protecting the abuser.

8. Employees who are perpetrators.

- 8.1 Employees should be aware that domestic abuse is a serious matter that can lead to criminal conviction.
- 8.2 Conduct outside of work (whether or not it involves police action/criminal conviction) can also lead to disciplinary action against an employee because of its employment implications and because it undermines the confidence the Council (as an employer) has in the employee. There should be an investigation of the facts as far as is possible, a view taken and consideration given as to whether the conduct is sufficiently serious to warrant instigating disciplinary procedures.
- 8.3 Factors which would determine what action is considered will include:

The nature of the alleged or proven conduct

Any knowledge of historically similar conduct
The nature of the work undertaken by the employee
The extent to which it involves contact with other employees, the general public,
or vulnerable client groups

- 8.4 In addition, such conduct may make certain duties inappropriate and justify consideration for redeployment. It may not be appropriate for a perpetrator of domestic abuse to be providing services to vulnerable adults and children, or to remain within relatively easy access of their victim, and a change of duties or a transfer may need to be considered.
- 8.5 Similarly, any proven harassment, intimidation or violence of Council employees by their partner or ex partner who also works for the Council will be viewed seriously and may lead to disciplinary action being taken.
- 8.6 If any of the above circumstances are brought to a manager's attention, advice from Personnel **must** be sought in the first instance.
- 8.7 It may also be the case that perpetrators could bring the Council into disrepute by the misuse of workplace resources, information and authority in enabling the abuse to continue.
- 8.8 There must be no collusion with employees who are perpetrators of domestic abuse. Consideration would also need to be given as to whether a perpetrators conviction for domestic abuse brings the Council into disrepute, in some cases, depending on their post within the Council it could be regarded as gross misconduct. This may include cases where there is no clear conviction, e.g. cases diverted from prosecution, those cases where reduced charges are agreed which may not, at first presentation, reflect specific domestic abuse. Advice from Social Services Criminal Justice Team must be sought in these circumstances.

9. **Special Leave and other supportive measures.**

- 9.1 The Council has provision to allow paid and unpaid leave at the discretion of the Service Director and Assistant Chief Executive. Managers should look sympathetically at requests for reasonable time off for employees who have disclosed that they are experiencing domestic abuse.
- 9.2 Managers may receive requests for time off from employees who are experiencing domestic abuse to attend appointments during the normal working day. These requests should be treated sympathetically and consideration given under the flexible working scheme where appropriate. These appointments could include:
- appointments with support agencies such as Women's Aid, Social Services or counsellors

- arranging rehousing
- meetings with solicitors
- making alternative childcare arrangements, including meetings with schools.

9.3 Employees are entitled to special leave with pay to attend hearings as a witness in either civil or criminal courts if they have been called under a subpoena or a witness summons. Additionally, if there are circumstances where an employee is attending court and is seeking an injunction or order in cases of domestic abuse or harassment, time off with pay should be considered.

9.4 Managers should record absences or application for special leave in accordance with normal council procedures. However where these incidents relate to domestic abuse Personnel should be informed and a confidential monitoring system will be instigated which will enable the council to monitor the frequency of absences across the whole council relating to domestic abuse

9.5 There may be access to other facilities such as welfare services via the staff members Trade Union

9.6 Information on alternative accommodation can be made available through Housing Service

10. **Domestic Abuse Link Staff.**

10.1 Because of the sensitivity of the situation, the normal points of contact for staff may not be sufficient or adequate. The Highland Council recognises that staff may not wish to go through normal line management or personnel advisers to discuss issues relating to domestic abuse.

10.2 To acknowledge this the Highland Council has identified four individuals, (three women and one man to reflect the statistical evidence which shows 91% of victims of Domestic Abuse in Highland are women). Each area has a women link person with the male link person being based at HQ but available to all male staff in the Council. These people can be approached in confidence by staff, to discuss issues relating to domestic abuse. The contacts will not see themselves as counsellors but are given specific training for the role and have clear responsibilities.

10.3 Their responsibilities will be to:

- listen to employees, stressing that anyone who seeks help will be believed
- treat the information given in confidence and with discretion
- stress that support will be given without any judgements

- being made or conditions attached
- advise staff of the provisions of the policy and procedures to assist in securing the most appropriate support available; providing contacts to ensure that employees seeking assistance have immediate access to appropriate professional assistance
- be supportive and sympathetic
- keep lines of communication open between manager and employee, and act as intermediary if appropriate and necessary.

10.4 It is often very difficult for a person experiencing domestic abuse to admit the reality of their situation to themselves let alone to others. It can also take a very long time for people to break free of abusive relationships, but at all times it must be acknowledge that it is for the employee to decide their course of action at every stage.

11. Further Information.

11.1 For further information about this guidance, please contact Kateryna Zoryk, Senior Personnel Adviser, Organisational Development Unit, on Inverness 702055, or Personnel HQ on Inverness 702060.

12. Support Services

There are a number of organisations dealing with Domestic Abuse. Details are given below.

Local Women's Aid Advice Centres	
Inverness	01463 220719
Ross-shire	01349 863568
Lochaber	01397 705734
Caithness & Sutherland	0845 408 0151
Community Violence and Abuse Support Service (Nairn, Badenoch and Strathspey)	01479 812144
Rape and Abuse Line	0808 800 0123 (7pm – 10pm) (answered by women most evenings) 0808 800 0122 (7pm – 10pm) (answered by men on selected evenings)
Housing Service	01463 715555
(Emergency out of hours)	0845 700 2005

Social Services (Emergency out of hours)	01463 702888 0845 769 7284
Advocacy Highland	01463 233460
Amina Muslim Women's Helpline	0808 801 0301
Hemat Gryffe Women's Aid Glasgow Asian, black minority ethnic women and children	0141 353 0859
Shakti Women's Aid Edinburgh Black and Minority ethnic women and children	0131 475 3299
Victim Support	01463 710806
Useful Websites	www.scottishwomensaid.co.uk www.scotland.gov.uk www.zerotolerance.org.uk www.amnesty.org.uk www.un.org