



The Highland
Council
Comhairle na
Gàidhealtachd

Human Resources
Goireasan Daonna

Domestic Abuse Policy

Poileasaidh Droch-dhìol Dachaigheil

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Document Control

A. Version History

Version	Date	Author	Change
1.0	July 2022		Updated Policy
0.1	18th February 2009	Resources Committee	Standard Policy format

B. Document Approval

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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.

Policy Purpose

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 wellbeing 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.

Guidance

For further guidance please refer to the [Domestic Abuse Guidance](#) linked at the bottom of this Policy or on the [HR Website](#).

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. 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 policy purpose 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, HR 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 HR in the first instance
- Review appropriate HR and health and safety policies and guidance, and learning and 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.

Policy Implementation

- 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.

Quick Links

The Hyperlinks listed here will redirect you to the related guidance, letters, information and relevant organisations mentioned in this policy.

Domestic Abuse Guidance	Click Here
Support Services	Click Here
Gender Based Violence Page	Click Here
Highland Violence Against Women Partnership	Click Here
Health, Safety and Wellbeing	Click Here
The National Working Group on Violence Against Women	Click Here
Trade Unions	Click Here
Learning & Development	Click Here
Health and Safety at Work Act 1974	Click Here
Health and Safety Regulation 1999	Click Here

