

**North West Regional College**

**Policy and Procedures**

**Employee Domestic Abuse Policy**

**Approved by Date**

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 **Principal and Chief Executive**

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**North West Regional College**

**Employee Domestic Abuse**



**Policy**

1 INTRODUCTION

The North West Regional College recognises that domestic abuse is a widespread problem and will develop policies and services to help anyone involved in or experiencing domestic abuse, to make positive choices. Every employee who is experiencing or has experienced domestic abuse will have the opportunity to raise the issue with the College in the knowledge that the matter will be treated sympathetically and confidentially.

On average, there are five people killed each year as a result of domestic abuse in Northern Ireland. The police have been known to responded to a domestic incident every 19 minutes of every day, have attended on average over 400 domestic incidents each week and dealt with over 100 domestic assaults. (PSNI 2016)

With a workforce of approximately 800 staff it is therefore possible that some employees may be affected by domestic abuse. Domestic abuse is prevalent and often lethal. Approximately one in four women have, or currently experience domestic abuse. It is acknowledged that while it is usually women who experience domestic abuse, this policy and guidance applies equally to men who require advice or help for domestic abuse.

In an attempt to further promote equality of opportunity in the workplace, the North West Regional College aims to support staff who have been affected by domestic abuse.

The College will provide this policy in alternative formats on request where reasonably practicable, eg, Braille, Large Print, Computer Disk, Audio formats, etc, and/or alternative language.

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The College is committed to promoting equality of opportunity and good relations in accordance with Section 75 of the Northern Ireland Act 1998. This policy should be interpreted in a manner consistent with the aforementioned legislation.

2 WHAT IS DOMESTIC ABUSE?

Domestic abuse is defined as follows:

'Threatening, controlling, coercive behaviour, violence or abuse (psychological, physical, verbal, sexual, financial or emotional) inflicted on anyone (irrespective of age, ethnicity, religion, gender or sexual orientation) by a current or former intimate partner or family member'

Domestic abuse is essentially a pattern of behaviour which is characterised by the exercise of control and the misuse of power by one person over another within an intimate relationship or a family. It is usually frequent and persistent. It can include abuse by a son, daughter or any other person who has a close or blood relationship with the victim.

Domestic abuse occurs right across society. It knows no boundaries as regards age, gender, race, ethnic or religious group, sexual orientation, wealth, disability or geography, but in the majority of reported cases women are the victims.

Abuse can go beyond actual physical abuse. It can involve emotional abuse, for example: undermining of self-confidence; threats to others including children; controlling behaviour such as isolation from friends and family; control over access to money, personal items, food, transportation or the telephone; the destruction of property and stalking.

Domestic abuse can include abuse inflicted on, or witnessed by, children. The wide adverse effects of living with domestic abuse for children must be recognised as a child protection issue. The effects are linked to poor educational achievement, social exclusion and to juvenile crime, substance misuse, mental health problems and homelessness from running away.

It is acknowledged that domestic abuse can also manifest itself through the actions of immediate and extended family members through the perpetuation of unlawful activities, such as forced marriage, so called ‘honour crimes’ and female genital mutilation. Extended family members may condone or even share in the pattern of abuse.

3 AIM OF THE POLICY

3.1 The aim of this policy is to:

* provide support to staff experiencing domestic abuse; and
* raise awareness of the effects of domestic abuse;
* ensure the North West Regional College provides a safe working environment for all staff.

4 Objectives of the Policy

4.1 The College will:

* provide up to date information to all employees about support available to address domestic abuse;
* provide support to staff experiencing domestic abuse. This will include a named contact who will be able to provide sensitive and confidential help and advice to anyone involved in, or experiencing, domestic abuse. Any members of the Leadership and Management Team will also be in a position to offer support to staff experiencing domestic abuse;
* promote the view that abuse against people is unacceptable and that such abuse will not be condoned or made the subject of jokes or graphics;
* where possible ensure complete confidentiality to the staff member. However in circumstances of child protection or the protection of young people and vulnerable adults from abuse where there are safeguarding concerns, complete confidentiality cannot be guaranteed;
* take all reasonable steps to minimise the risks to safety of its employees whilst at work, if they are known to have experienced domestic abuse.

5 THE LEGAL IMPLICATIONS

Employers have a duty of care under the Health and Safety at Work (NI) Order 1978 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 (NI) 2000 also requires employers to assess the risks of abuse to employees and make arrangements for their health and safety by effective planning, organisation and control.

6 SUPPORT AVAILABLE

The College will assist employees who are experiencing domestic abuse.

The College is committed to the principle that domestic abuse is unacceptable behaviour and that everyone has a right to live free from fear and abuse. Domestic abuse is wholly unacceptable and inexcusable behaviour and responsibility for domestic abuse lies with the perpetrator.

The College will:

* + provide information to existing employees via, email, the HR Portal and other methods on an ongoing basis;
	+ provide training on the implementation of the policy to managers;
	+ ensure that information on this policy and support available is incorporated into the induction of all new employees.

The College will identify a number of staff who will act as Trusted colleagues (See Appendix 1 attached). The role of these trusted colleagues will be as follows:

* listen, reassure and offer support;
* keep information confidential (subject to protection requirements);
* respond in a sensitive, non-judgemental manner;
* ensure that the employee is aware of options available and remain in control of their situation;
* encourage the employee to seek the advice of relevant agencies, e.g. Foyle Women’s Aid, PSNI Domestic Violence Unit, Victim Support or Derry Well Woman. See Appendix 2 for useful contact numbers.

The College may consider a number of supportive measures to help address the difficulties presented by domestic abuse such as:

* health and maternity support;
* Occupational Health;
* Relocation;
* Career Breaks or Flexible Working Solutions.

7 Role of Line Managers

Individual line managers, in consultation with staff in HR Services can play a key role in supporting staff that are being subjected to or have been victims of domestic abuse. Managers should make a managerial commitment rather than a personal commitment to help a member of staff resolve any issue. This reduces the potential for confusion arising about the line manager’s role and can reduce the potential of complications or blurring of responsibilities for both manager and individual. Any blurring of responsibility which arises should be discussed with the Director of HR and Learner Services.

Where a manager is aware of any staff member who may be perpetrating abuse during work-time the matter should be discussed urgently with the Director of HR and Learner Services.

Where domestic abuse is suspected, managers should contact HR Services for advice before any discussion with the employee takes place. 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. Managers should try to be specific during the meeting and make clear what has led them to have the conversation. HR Services staff should provide support to managers as required.

Managers should be aware that there may be additional issues facing employees and additional barriers to seeking help because of their ethnic background, religion, age, sexual orientation or disability which might make them feel more vulnerable when talking about their situation.

Confidentiality

* Once an employee has confided that they are experiencing domestic abuse they should be reassured that this information will be confidential within statutory obligations.
* Managers have a duty to maintain a safe environment for all employees and this will be enhanced if colleagues are aware of risks to an individual. However, it is essential that managers agree with the individual what information may be shared.
* Employees should be reminded that this information is confidential and any unauthorised breaches of this could be subject to disciplinary action. A breach of confidentiality could have serious consequences for the individual at risk.

Ensuring Safety

Incidents may involve violent partners or ex-partners visiting the workplace, abusive phone calls, intimidation or harassment by the alleged perpetrator. These issues could be addressed by the following measures:

* improve security by keypad numbers for access to specific rooms;
* remind reception/switchboard personnel of the data protection regulation to ensure confidentiality of information about employees, especially personal details such as addresses, telephone numbers or hours of work;
* offer temporary/permanent changes in the workplace, work times and patterns to minimise risk to/from and at work. This may include office layout to reduce employee visibility;
* offer changes in specific duties, such as answering phones/reception duties;
* agree with colleagues how they should respond if the abuser rings or calls at the workplace;
* make sure that systems for recording employees’ whereabouts during the day are adequate, and when work requires visits outside of the office consider how to minimise risks;
* if the employee is absent, a method of communication should be arranged with line managers so that they are aware that the individual is safe;
* identify a work contact for support and an emergency contact should the College be unable to contact the employee;
* diverting emails to a separate folder;
* alerting security staff if the abuser/alleged abuser is known to come to the workplace;
* with consent ensure that communication is maintained with the employee during any absence, whilst maintaining the confidentiality of their whereabouts;
* with consent, advise colleagues of the situation on a need-to-know basis and agreeing what the response should be if the abuser/alleged abuser contacts the office;
* with consent, provide a copy of any existing non-molestation order or occupation order and if appropriate, a photograph of the abuser to the supervisor, reception area, security staff and childcare providers;
* record any incidents of abuse in the workplace including persistent phone calls, e-mails, visits to an employee by their partner/ex-partner. Details of any witnesses to these incidents should be noted. These records may be used if the employee wishes to apply for an injunction against the perpetrator. (The College could also apply for an injunction if the actions of an alleged perpetrator could impinge on the health and safety of employees).

NB: Managers may have to take into account the appropriateness of these measures but employee safety should always be paramount.

Assistance and Support

* Leave and time off work - special leave policies have provision for leave (paid and unpaid) in situations of domestic difficulty. Managers should look sympathetically at requests for reasonable time off, within policy arrangements, for employees who are experiencing domestic abuse.
* Managers may receive requests for time off from employees who are experiencing domestic abuse to arrange appointments during the normal working day. These appointments could include appointments with support agencies – Women’s Aid, Housing, Social Services, Solicitor and arranging childcare.
* Managers should explore supportive measures such as temporary adjustments to working hours.
* Employees may be entitled to special leave with pay to attend court hearings. The absence or application should be recorded as normal but kept in a sealed envelope for manager’s attention only.
* Staff will be able to access support from Inspire.

Financial Issues

* Individuals leaving a violent partner may be experiencing financial hardship or have housing needs and may need support from a trusted colleague or expert advice/support from relevant agencies.
* If the employee discloses that their partner has access to their finances or is exerting economic pressure on them the trusted colleague should arrange, with the individual’s approval, to have a temporary change in payment arrangements, e.g. changing the bank into which the person’s salary is paid.

Health Effects

* Employees experiencing domestic abuse may be more vulnerable to stress at work and reference should be made to relevant College policies i.e. Mental Health Policy, Flexible Working Policy etc.
* If appropriate, referral to Occupational Health is advised.

8 A COLLEGE employee who is a perpetrator of Domestic ABUSE

Perpetrators of domestic abuse might use workplace resources such as telephone, fax or email to threaten, harass or abuse their current or former partners, and may involve other colleagues, who may or may not be aware of their motives, in assisting them.

Such abuse requires an effective employer response because it could be damaging and potentially dangerous for those being abused, as well as possibly bringing the College into disrepute if the abuse is allowed to continue.

If employees are abusive to partners who are also employees of the College, disciplinary action should be considered. Suitability for continued employment generally or within a specific post should be considered under the College’s disciplinary procedures. The College will consider action against any domestic abuse perpetrator: on conviction for a criminal offence; on the granting of a protection order under the Family Homes and Domestic violence (NI) Order 1998; or other proof.

Where appropriate, action may need to be taken to minimise the potential for perpetrators to use their position or work resources to find out details or whereabouts of their partners. This may include a change of duties or withdrawing access to certain computer programmes.

Equality and Human Rights issues are addressed in accordance with the College’s Equality Scheme.

9 ROLE OF HR SERVICES

HR Services has a central responsibility in the development of a policy and procedures to advise both employees and managers on domestic abuse. Links should also be made with other policy areas, which might be affected by domestic abuse, such as health and safety, and performance and attendance management. HR Services’ responsibilities should include:

* publishing the policy to staff;
* advising employees and managers on implementation of the policy for dealing with domestic abuse;
* having some staff specially trained in assisting employees affected by abuse;
* considering the nomination of members of appropriately trained staff as trusted colleagues;
* ensuring that the availability of guidance is publicised to all staff members and the inclusion of guidance on domestic abuse in information for staff preparing for maternity leave;
* working with managers to respond to domestic abuse, including: granting leave; allowing flexible working; opportunities for redeployment or other forms of assistance;
* maintaining an up-to-date list of organisations and contacts able to support employees affected by abuse;
* advising managers on the sensitive use of performance/attendance procedures;
* providing, as part of management training, sessions that include the recognition of signs of domestic abuse, and appropriate responses including the duty of care to pass on information where there is a safeguarding concern reflecting, in any guidance issued, the role that trade unions can play in supporting their members; and
* regularly reviewing the employee domestic abuse policy to ensure that it meets the College’s requirements.

10 ROLE OF OTHER EMPLOYEES

Co-workers and colleagues may recognise that a fellow employee is in an abusive situation at home. Employees should be able to speak in confidence to their line manager, a Trusted colleague or to a contact in HR Services if they have concerns about the safety of a colleague.

It might be difficult for the individual being abused to acknowledge the problem directly to work colleagues, but all employees can take basic steps to assist friends and colleagues experiencing domestic abuse. For example:

* talking to the individual and explaining their concern and asking if there is any way they can help;
* offering the opportunity to talk without applying pressure to reveal more details than the individual is prepared to give;
* offering support and being a good listener but not making assumptions about the relationship, whilst being clear that the abuse is wrong;
* trying to be supportive, but not making the individual feel judged;
* explaining that they are not alone and that there are many others experiencing domestic abuse. Acknowledging that it takes strength to trust someone enough to talk to them about experiencing abuse;
* helping to report incidents to managers and/or HR Services with the victim’s consent; and
* helping the individuals to seek support via the domestic violence helpline or other support agencies. See Appendix 2.

Employees, as with line managers, should recognise that they are not counsellors. It is important that they do not promise more than they are able to provide in the way of support and are aware of their own well-being, particularly as they may be putting themselves into a dangerous situation if the abuser becomes aware of their support.

11 Raising Awareness

The College will raise awareness in the following ways:

* preparation and distribution of the College’s policy on domestic abuse;
* information and training to appropriate managers;
* in-service briefing on domestic abuse to all staff;
* publicising the role of trusted employees and the support available to the College’s employees.

12 MONITORING ARRANGEMENTS

HR Services will monitor the policy every three years to assess effectiveness and give consideration to the equality implications.

**Trusted Colleagues Appendix 1**

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| **Name** | **Title** | **Contact details** |
| Danny Laverty | Head of Department, Science, Technology and Creative Industries | 02871 27**6344** |
| Geraldine Lavery | Head of Department, Health and Sport | 02171 27**6529** |
| Dorothy McElwee | Head of Department, Quality Enhancement | 02871 27**6444** |
| Michael Melaugh | Deputy Head of Department, Science, Technology and Creative Industries | 02871 27**6200** |

 **Appendix 2**

#### Useful Contact Numbers

###### Police

Emergencies 999

Main Exchange, Strand Road, Derry, Strabane and

Limavady 02871 367337

Domestic Violence Unit, Derry 02871 210723

###### Women’s Refuge

Foyle Women’s Aid Refuge 02871 344499

(24hr Admission/Information available)

###### Helplines

N.I. 24hr Regional Domestic Violence free-phone 08088021414

Foyle Women’s Aid 02871 416800

Men’s Action Network 02871 277777

Samaritans 08457909090

 02871 265511

Childline (Children and Young People) 0800 1111

 (Adults) 0808 800 5000

Northern Ireland Housing Executive:

Waterside

City Side (Waterloo Place / Collon Lane) 03448 920900

Social Security Office:

Asylum Road 02871 319587

Lisnagelvin 02871 319300

Citizens Advice Bureau 02871 362444

FWA/Support and Information 02871 329364

Social Services 02871 266111

Out of Hours 02871 345171

###### Websites

Foyle Women's Aid - [www.foylewomensaid.org](http://www.foylewomensaid.org/)

Northern Ireland Women’s Aid Federation – [www.womensaidni.org](http://www.womensaidni.org)

Rainbow Project [www.rainbow-project.org](http://www.rainbow-project.org)