



Northern
Ireland
Office



Department of
**Health, Social Services
and Public Safety**

An Roinn
**Sláinte, Seirbhísí Sóisialta
agus Sábháilteachta Poiblí**

www.dhsspsni.gov.uk

Produced by

Department of Health, Social Services & Public Safety
Castle Buildings,
Stormont
BT4 3SQ
Tel: 028 9052 1974
Textphone: 028 9052 7668

www.dhsspsni.gov.uk

May 2006

Ref No: 7/2006

Developing a Workplace Policy on Domestic Violence and Abuse

GUIDANCE FOR EMPLOYERS

Developing a Workplace Policy on Domestic Violence and Abuse

Guidance for Employers

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1. The Purpose of the Guide

- 1.1 This guide for employers has been produced by the Regional Steering Group on Domestic Violence in line with the strategy and action plan “*Tackling Violence at Home*” published in October 2005¹. The Regional Steering Group is a group of about 30 members representing the statutory and voluntary agencies involved in dealing with domestic violence. The guidance provides advice on how employers can develop increased awareness and more effective responses to domestic violence in the workplace for the benefit of all staff. The Regional Steering Group acknowledges that some employers already have good workplace policies in place and it encourages *all* employers across the public, private, voluntary and community sectors to use the guidance to develop a workplace policy on domestic violence.
- 1.2 Domestic violence and abuse is a serious problem in Northern Ireland. It occurs right across our society and it has devastating consequences for the victims and their families. During 2004-2005 the Police Service recorded over 20,000 domestic violence incidents (PSNI Domestic Violence Returns 2004-2005). The Domestic Violence Free-phone Helpline also handles about 20,000 calls each year, yet we know that there are many thousands of silent victims. It is likely that every organisation has employees who have been affected by, or are at risk from domestic violence, or who are perpetrators of domestic violence.
- 1.3 The Regional Steering Group and its member agencies would be glad to assist employers in any way it can in the development of domestic violence workplace policies. Members of the Steering Group or agencies represented may be able to assist in training events for staff. Further advice can be obtained from the Domestic Violence Unit, Telephone: 028 90 521974.
- 1.4 Any employer introducing a domestic violence workplace policy may also wish to consider joining the UK Corporate Alliance Against Domestic Violence. Further details about the Alliance are provided at Annex 1 to this guide.

¹Department of Health, Social Services and Public Safety and the Northern Ireland Office ‘Tackling Violence at Home - A Strategy for Addressing Domestic Violence and Abuse in Northern Ireland’. Ref 102/05

2. What is Domestic Violence and Abuse?

- 2.1 Domestic violence and 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 violence by a son, daughter or any other person who has a close or blood relationship with the victim.
- 2.2 Domestic violence knows no boundaries as regards age, gender, race, religion, sexual orientation, wealth or geography, but in the majority of reported cases women are the victims.
- 2.3 Domestic violence/abuse can go beyond actual physical violence. It can involve emotional abuse - for example: undermining of self-confidence; the 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.
- 2.4 Domestic violence can include violence inflicted on, or witnessed by, children. The wide adverse effects of living with domestic violence for children must be recognised as a child protection issue. They link to poor educational achievement, social exclusion and to juvenile crime, substance misuse, mental health problems and homelessness from running away.
- 2.5 It is acknowledged that domestic violence 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 violence.

Definition

The definition of domestic violence and abuse as set out in the Government's Strategy "Tackling Violence at Home" is: **"threatening behaviour, violence or abuse (psychological, physical, verbal, sexual, financial or emotional) inflicted on one person by another where they are or have been intimate partners or family members, irrespective of gender or sexual orientation"**.

3. The Facts

- Domestic violence accounts for approximately one-fifth of all recorded violent crime in Northern Ireland.²
- It is estimated that one in five women and one in nine men will experience domestic violence in the course of their lifetime.³
- The Police Service attend an average of 60 domestic-related incidents per day, but recognise that there is still a large amount of under-reporting of this type of crime.²
- On average, there are five people killed in Northern Ireland each year as a result of domestic violence.²
- Domestic violence often starts and/or escalates during pregnancy.⁴
- It is estimated that at least 11,000 children in Northern Ireland are living with domestic violence.⁵
- Repeat victimisation is common. No other type of crime has a rate of repeat victimisation as high.⁶
- Victims are at greatest risk of homicide at the point of separation or after leaving a violent partner.⁷

4. The Impact of Domestic Violence on the Workplace

4.1 Home and work issues cannot always be separated and domestic violence can impact greatly on the working life of someone who is being abused. Domestic violence can result in deterioration in an employee's performance, increased absenteeism or poor timekeeping, threatening job prospects and job security. People experiencing domestic violence are especially vulnerable once they attempt to leave abusive partners and may become vulnerable going to or coming from work or while they are at work as the abuser knows where they can be located. This can give rise to health and safety issues and an increased risk of workplace violence.

² Police Service of Northern Ireland statistics.

³ Experience of Domestic Violence in Northern Ireland: Findings from the 2003/04 Northern Ireland Crime Survey.

⁴ Violence Against Women - Royal College of Obstetricians and Gynaecologists.

⁵ Children in Northern Ireland - Domestic Violence and Professional Awareness (PricewaterhouseCoopers, 2002) page 7.

⁶ British Crime Survey England and Wales 2000. London: Home Office, 2000

⁷ Lees, S. 'Marital rape and marital murder', IN Hanmer, J et al. Home Truths about Domestic Violence: Feminist Influences on Policy and Practice: A Reader. London: Routledge, 2000.

- 4.2 By having a policy in place to assist staff experiencing domestic violence it is possible to create a safe and supportive environment where the workplace can become a place of safety. A policy that supports employees experiencing domestic violence is also of benefit to the employer, helping them to ensure the health and safety and welfare of the workforce and reduce absence-related costs and increase productivity.

5. The Legal Implications

- 5.1 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.
- 5.2 The Management of Health and Safety at Work Regulations (NI) 1992 also requires employers to assess the risks of violence to employees and make arrangements for their health and safety by effective planning, organisation and control.

6. The Role of a Human Resources/ Personnel Branch

- 6.1 A Human Resources/Personnel Branch has a central responsibility in the development of a policy and procedures to advise both employees and managers on domestic violence. Links should also be made with other policy areas, which might be affected by domestic violence, such as health and safety, and performance and attendance management.
- 6.2 Human Resources/Personnel responsibilities should include:
- publishing the policy to staff;
 - advising employees and managers on implementation of the policy for dealing with domestic violence;
 - having some staff specially trained in assisting employees subjected to domestic violence;
 - considering the nomination of members of appropriately trained staff within the wider organisation as people to approach if employees wish to discuss issues of a personal nature with someone other than their line managers;
 - ensuring that the availability of guidance is publicised to all staff members including reference in correspondence provided to staff

- preparing for maternity leave;
- working with managers to respond to domestic violence, including granting leave, allowing flexible or more flexible working, arranging salary advances, making staff aware of sources of financial assistance and, if required, opportunities for redeployment;
- maintaining an up-to-date list of organisations and contacts able to support people suffering abuse (see section 14);
- 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 violence, and appropriate responses including the duty of care to pass on information where a child is thought to be at risk;
- reflecting, in any guidance issued, the role that trade unions can play in supporting their members; and
- regularly reviewing the domestic violence policy to ensure that it meets the organisation's requirements.

7. What Should a Workplace Policy Cover?

7.1 The following should be considered for a workplace policy on domestic violence - the list is not exhaustive:

- a policy statement that has clear aims and states the organisation's commitment to treat domestic violence seriously;
- a clear definition of domestic violence;
- an acknowledgement that the majority of victims are women but that men are also affected as are women and men in same-sex relationships;
- a clear statement that the organisation is committed to the principle that domestic violence and abuse is unacceptable behaviour and that everyone has a right to live free from fear and abuse;
- a statement that, where domestic violence occurs or has the potential to occur in the workplace, the paramount consideration of the employer is to ensure the health and well-being of employees and to ensure that, where appropriate, perpetrators of abuse are challenged and held to account to reduce the potential for re-offending;
- details of the first point of contact for employees who need to discuss issues around domestic violence;
- a commitment to early intervention by identifying ways of creating a

supportive environment and to creating confidential mechanisms for employees experiencing domestic violence to seek help and information;

- a commitment to offering ongoing support to employees experiencing domestic violence including time off, for example, for counselling, visits to a solicitor or support agencies, for re-housing or re-organising childcare;
- the possibility of relocation or redeployment where this would be appropriate and supportive of the employee;
- a commitment to training and educating on domestic violence issues. This might involve some basic awareness training for all staff and more detailed training for certain staff e.g. personnel or welfare staff;
- provision of resources within the workplace, such as posters, leaflets etc to raise awareness about the domestic violence helpline and other support services; and
- mechanisms for monitoring and reviewing the policy's effectiveness and for regularly updating information on help available and how to contact support services.

7.2 Consideration should also be given to:

- routinely reminding all staff never to divulge personal information about employees to callers;
- providing information and leaflets in new employees' handbooks and to all employees;
- publishing articles about domestic violence in the organisation's newsletter and publications; and
- printing helpline numbers on payslips.

7.3 Employers should give serious consideration to operating a policy in partnership with trade unions to help support staff experiencing domestic violence. The existing partnership between South and East Belfast Health and Social Services Trust and the trade union Unison provides a good example of how a partnership approach can work to the benefit of all parties. The Irish Congress of Trade Unions has produced a Guide for Negotiators on Domestic Violence and the Workplace⁸. These guidelines give clear practical steps on how unions and employers can assist and support employees.

⁸www.ictu.ie/html/publications/ictu/domestic_violence.pdf

8 Identifying Domestic Violence

8.1 Possible signs of domestic violence 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/faxes/e-mails, 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.

8.2 It is important to note that this is *not* a checklist. Some victims may display no signs of violence or abuse. Individuals experiencing domestic violence suffer a broad range of physical and emotional consequences. For some, the violence greatly affects their lives over a significant period of time and the process of recovery can be long and hard. Others may be able to recover and start a new life again relatively quickly after leaving an abusive relationship.

9. The Role of Line Managers

9.1 Individual line managers, in consultation with staff in human resources/ personnel (or the staff welfare service if one exists), can play a key role in supporting staff who are being subjected to or have been victims of domestic violence. 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 either with the appropriate personnel manager or welfare officer.

- 9.2 Where a manager is aware of any staff member who may be *perpetrating* abuse during work-time the matter should be discussed urgently with personnel.
- 9.3 Where domestic violence is suspected, managers should contact personnel/staff welfare 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 that what they have seen is leading them to have the conversation. Personnel/staff welfare should provide support to managers as required.
- 9.4 The following are practical steps that might be taken to encourage disclosure and/or discussion of abuse:
- providing information about the policy to staff e.g. on notice-boards, notices in toilets, news-sheets and in canteens/restaurants;
 - creating an environment where employees feel safe and able to talk about issues that are affecting them;
 - prioritising safety. Explore with victims the steps they can take to increase their personal safety;
 - taking time to talk to the employee and ensuring that any discussions take place in private;
 - providing a sensitive, non-judgemental response that includes providing details of the support systems that are available; and
 - respecting the confidentiality of the individual concerned, although total confidentiality might not be possible in all cases, and should not be promised e.g. if there are concerns about the safety of children, or unlawful activity has been disclosed, or it is *essential* to pass on information to others in the organisation such as personnel or welfare.
- 9.5 Signs of violence should not be ignored, but employees should not be pressurised into disclosing any personal information that they do not feel comfortable sharing.

10. Help and Support for Individuals Experiencing Domestic Violence

- 10.1 An individual experiencing domestic violence should be aware that there is help available. If the individual does not feel comfortable talking to a line manager, then there is always personnel branch (or a welfare officer) who can provide information about organisations that can offer advice and support. Personnel should make available details of trained individuals within the organisation to whom victims can talk. Local trade union officials may also be in a position to provide information and support.
- 10.2 If required, changes should be considered within the workplace to make it a safer place for the individual. These changes could include changing work patterns, workload or just providing support (see paragraph 10.3 for suggestions). Persons experiencing domestic violence know their abusers better than anyone else and when it comes to their own safety they should be allowed to decide what goes in the final plan.
- 10.3 The following is a list of possible adjustments that could be considered to help individuals experiencing domestic violence:
- if the individual is absent, a method of communication should be arranged with line managers so that they are aware that the individual is safe;
 - identifying a work contact for support and an emergency contact should the organisation be unable to contact the employee;
 - allowing the individual to change work patterns or workload, and allowing flexible or more flexible working or special leave to facilitate any practical arrangements that are required, such as seeking legal advice, attending counselling, support group meetings or to attend court;
 - diverting telephone calls;
 - diverting e-mails to a separate folder;
 - alerting reception and security staff if the abuser/alleged abuser is known to come to the workplace;
 - alerting workplace nurseries, if there is a fear of child abduction;
 - checking that staff have arrangements for safely getting to and from home;
 - allowing staff to use an assumed name at work;

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- ensuring communication is maintained with the employee during any absence, whilst maintaining the confidentiality of their whereabouts;
- reviewing security of personnel information held, such as temporary or new addresses, bank or healthcare details;
- if appropriate, facilitating a transfer to another post;
- with consent, advising 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; and
- with consent, providing a copy of any existing non-molestation order or occupation order and/or a photograph of the abuser to the supervisor, reception area, security staff and childcare providers.

10.4 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.

10.5 Although managers should try to provide as much support as possible to the individual experiencing domestic violence, the employee should have a clear understanding of what is expected with regard to performance and attendance. Whilst dealing sympathetically with the issue, managers should also be aware of their organisation's policies for dealing with unsatisfactory performance and ensure that a proper record is kept of discussions.

11. What Can Other Employees do?

- 11.1 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 either to their line manager or to a contact in personnel office or staff welfare if they have concerns about the safety of a colleague.
- 11.2 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 violence. 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 violence. Acknowledging that it takes strength to trust someone enough to talk to them about experiencing abuse;
 - with the victim's consent, helping to report incidents to managers, staff welfare or personnel branch; and
 - helping the individual to seek support via the 24-Hour Domestic Violence Free-Phone Helpline or other support agencies.
- 11.3 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.

12. Perpetrators of Domestic Violence in the Workplace

- 12.1 Perpetrators of domestic violence/abuse might use workplace resources such as telephone, fax or e-mail to threaten, harass or abuse their current or former partners, and may involve other colleagues, who may or not be aware of their motives, in assisting them.
- 12.2 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 organisation into disrepute if the abuse is allowed to continue.
- 12.3 If employees are abusive to partners who are also employees of the organisation, disciplinary action should be considered. Suitability for continued employment generally or within a specific post should be considered under the organisation's disciplinary procedures. Employers should consider action against any domestic violence perpetrator - on conviction for a criminal offence; on the granting of a protection order under the Family Homes and Domestic Violence (Northern Ireland) Order 1998; or other proof.
- 12.4 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 the whereabouts of their partners. This may include a change of duties or withdrawing access to certain computer programmes.

13. Further Information

- 13.1 For further information about these guidelines please contact the Domestic Violence Unit on 028 90 521974.

14. Support Services

There are a number of organisations dealing with domestic violence and supporting victims. Details are given below.

Anyone who feels in immediate danger should dial 999

Police Service of Northern Ireland

Domestic Violence Officers are available in all areas (ask to speak to the local Domestic Violence Officer) 0845 600 8000

Women's Aid

Women's Aid is the lead voluntary organisation responding to domestic violence in Northern Ireland. Its main aim is to create a safe and supportive society for women, children and young people affected by domestic violence.

Women's Aid Federation Northern Ireland 028 9024 9041

National Domestic Violence Helplines

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| Northern Ireland 24-hour Free-phone Helpline | 0800 917 1414 |
| Republic of Ireland Helpline | 1800 341900 |
| Scottish 24-hour Helpline | 0800 027 1234 |
| English 24-hour Helpline | 0808 200 0247 |
| Welsh 24-hour Helpline | 08457 023 468 |

Local Women's Aid Advice Centres

| | |
|-------------------------|---------------|
| Ballymena | 028 2563 2136 |
| Belfast | 028 9066 6049 |
| Coleraine | 028 7035 6573 |
| Cookstown and Dungannon | 028 8676 9300 |
| Craigavon | 028 3834 3256 |
| Fermanagh | 028 6632 8898 |
| Foyle | 028 7128 0060 |
| Newry | 028 3025 0765 |
| North Down and Ards | 028 9127 3196 |
| Omagh | 028 8224 1414 |

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Men's Organisations

Men's Advisory Project (MAP) 028 9024 1929

Men to Men 028 9023 7779

Gay/Lesbian/Bisexual/Transgender Helplines

Cara Friend - Gay helpline 028 9032 2023

- Lesbian helpline (Thursday evenings) 028 9023 8668

Rainbow Project 028 9031 9030

Other useful numbers

Rape Crisis and Sexual Abuse Centre 028 9032 9002

Nexus 028 9032 6803

Victim Support 028 9024 4039

Disability Action 028 9029 7880

Northern Ireland Council for Ethnic Minorities 028 9023 8645

Citizen's Advice Bureau 028 9023 1120

Law Society (Legal and Local Solicitor Advice) 028 9023 1614

Opportunity Now 029 2043 6912

Relate 028 9032 3454

Samaritans 08457 90 90 90

Parents Advice Centre 028 9023 8800

Northern Ireland Legal Services Commission 028 9024 6441

Age Concern Northern Ireland 028 9032 5055

Help the Aged (Freephone) 0808 8087575

Children In Northern Ireland 028 9040 1290

Irish Congress of Trade Unions 028 9024 7940

Annex 1

What is the Corporate Alliance Against Domestic Violence?

The Corporate Alliance Against Domestic Violence is a group of progressive companies and organisations working individually and collectively to address the impact of domestic violence in the workplace.

Recent research has shown that domestic violence costs UK business approximately £3 billion pounds per year. Typically, these costs are incurred through lower productivity, increased absenteeism and higher stress levels as a result of employees experiencing domestic violence.

We believe action must be taken to increase staff security and well-being whilst reducing the economic impact of domestic violence in the work place. By raising awareness and taking action, companies can play a key role in reducing the cost to their business and inspire change in the community and society at large.

Mission

The Corporate Alliance Against Domestic Violence aims to raise awareness of and take action to reduce the human and economic impact of domestic violence through taking action in the workplace.

Vision

Working together with the government and voluntary sector, we aim to create a work environment where employees can seek practical support and advice and, ultimately, take positive action to end domestic violence.

By raising awareness and taking action, business can play an important role in reducing domestic violence.

Through increasing employee well-being, business will also benefit from reducing the economic impact associated with domestic violence.

What does it mean to be a member?

Create a workplace policy

Members of the Corporate Alliance Against Domestic Violence are required to commit towards fulfilling the Alliance's mission and vision in their own work environment. We would recommend this include an awareness raising communications programme and a workplace policy.

The Alliance will organise an Annual Training Day to support Member companies in implementing a responsible workplace policy. The Alliance can provide advice, and a policy pack with guidelines on how to use it and how to communicate to your staff.

Create better communications

Members are asked to contribute to creating more effective communications to promote action against domestic violence through the workplace. Producing communications that are relevant to your business and employees is important. The Alliance can help facilitate this, and also produces a communications tool kit to help you produce an internal campaign.

Contribute to the Corporate Alliance website

A website is in operation to help promote the Alliance and to act as a central resource of information. Each member is asked to contribute to this by sharing their initiatives, ideas and advice on best practice - www.corporateallianceuk.com

Attend Events

Members are asked to commit to attending one meeting a year and to working towards fulfilling the Alliance's Mission and Vision in their own work environment.

Who can be a member?

Membership is open to any employer in the UK, large or small.

Our History

The Corporate Alliance to End Partner Violence, founded in the United States in 1995, inspired the formation of the UK organisation.

The US Alliance has already brought together dozens of progressive companies who exchange information, collaborate on projects, and use their influence to instigate change.

The UK and US have signed a Memorandum of Understanding, committing one another to work together as partners, to share best practice and experiences. Through working together we can make a bigger difference.

Who are we?

The Alliance Chair is Baroness Scotland QC, who is also Chair of the Inter-Ministerial Group on Domestic Violence. Representatives from The Body Shop International help and advise in the process and development of the Alliance.

In addition to the Chair and her Advisers, the strategic direction of the Alliance is managed by a 5 person Executive Team who are appointed on an annual basis. Currently the Executive Team comprises representatives from KPMG, BBC, AOL / Time Warner, The Body Shop International and the NHS/Department of Health (England).

To ensure the UK Alliance fulfils its mission and vision, it is important your company becomes a member. If you are interested in joining or getting further information about how you and your company can become involved with the Corporate Alliance, please visit the Corporate Alliance Against Domestic Violence website at: www.corporateallianceuk.com



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