1. Policy statement

1.1 The City and County of Swansea’s Corporate Priorities make a clear public commitment to ensuring strong, safe and thriving communities and to reducing inequality. As part of pursuing those Corporate Priorities, the Council in conjunction with the Safer Swansea Partnership is taking action to help eliminate domestic abuse.

1.2 The City and County of Swansea believes that:

- domestic abuse is unacceptable and should not be tolerated;
- abuse in relationships is an abuse of power as well as likely to be a criminal offence;
- domestic abuse occurs in all communities and affects (all genders) but particularly women of all backgrounds;
• domestic abuse affects not only children and families but the whole community;
• domestic abuse may be a workplace issue, because we have a responsibility for the welfare of our employees.

1.3 The Council, both as a service provider and the City's largest employer, will endeavour to take all steps possible to help combat the reality of domestic abuse through provision, protection and prevention.

1.4 Support for employees experiencing domestic abuse is an important element of the Council's commitment to tackling domestic abuse. It promotes an effective, confidential and empathetic response to employees who experience domestic abuse in their personal relationships. The Council will comply with all statutory duties.

1.5 Domestic abuse is a serious problem in Wales and is both a criminal and social policy issue. It impacts on the health and well being of people in our communities and the financial costs of domestic abuse are high. It is commonly a repeat offence, with women reporting 35 incidents before they seek help and support. It is an under reported offence, particularly in BME communities.

1.6 In the UK, two women are murdered every week by their male partner or ex-partner, with one in four women reporting an incident of domestic abuse since the age of 16.

1.7 Swansea has over 4000 calls to the police each year, with over 700 high risk victims being referred to MARAC (Multi Agency Risk Assessment Conference). The refuges and safe houses support hundreds of women and children each year, with outreach services providing support to victims in their own homes.

2. **Scope**

2.1 This policy applies to all employees other than those in educational establishments with delegated powers.

3. **Definition of domestic abuse and violence against women**

3.1 The Home Office’s definition of domestic abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners of family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- physical
- sexual
- financial
• emotional

3.2 Within this definition controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

3.3 Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.

Violence against women

3.4 Violence against women is defined by the United Nations as ‘any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life’

3.5 Accordingly, violence against women encompasses but is not limited to the following:

• Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

• Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

• Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Rape and sexual violence

3.6 Sexual violence and abuse can be defined as any behaviour perceived to be of a sexual nature which is unwanted and takes place without consent or understanding. Sexual assault covers any other sort of sexual contact and behaviour that is unwanted, ranging from touching to any other activity if it is sexual.

3.7 Rape is when someone has penetrative sex with another person against their will. This includes vaginal, anal and oral penetration.

3.8 To ensure that ALL forms of violence against women is tackled in Wales, Welsh Government has developed “The Right to be Safe” Strategy. This Strategy includes sexual harassment, rape, female genital mutilation, forced marriage and crimes committed in the name of ‘honour’. This policy includes tackling these issues and supporting any victims of these crimes.
4. Confidentiality

4.1 Any information obtained in relation to domestic abuse shall be treated in the utmost confidence.

4.2 It is only in very limited circumstances that information may be disclosed to others, this would include:

- where others (e.g. service users, customers or colleagues) could be put at risk, the employee needs to be advised that information could be shared with others, or
- where child or adult protection issues could arise, for instance, if an employee gives information that suggests that their child or another child or a vulnerable adult is at risk from abuse (whether physical, emotional, sexual or neglect).

4.3 In these circumstances, the employee should be informed that the information may be disclosed.

4.4 Information and advice on child or adult protection issues can be obtained from Social Services - see contact numbers at the end of this Policy.

4.5 Any unauthorised breaches could be subject to disciplinary action being taken.

4.6 The consequences of breaching confidentiality could have serious effects for the person experiencing domestic abuse. Statistics have shown that the risk of more serious assaults, permanent injury and murder takes place when an individual decides to leave home or immediately after. It is important, therefore, not to underestimate the danger or assume that the fear of abuse is exaggerated. It is also important to recognise that for a host of reasons a person may return to an abusive partner and the importance of maintaining a commitment to the provisions of the policy and a non-judgemental attitude is paramount.

5. All Wales Domestic Abuse and Sexual Violence Helpline

5.1 The All Wales Domestic Abuse and Sexual Violence Helpline is a bilingual information signposting service, to help and guide people with experience of domestic abuse or sexual violence, who are in need of information or access to local and/or national support services.

5.2 It is open 24 hours a day / 7 days a week on the UK freephone number 0808 80 10 800. Further details can be found on their website [http://www.allwaleshelpline.org.uk/](http://www.allwaleshelpline.org.uk/)

5.3 The helpline can be accessed by:

- all people who are experiencing domestic abuse or sexual violence, or
- have experienced domestic abuse or sexual violence,
- or are worried about a friend, relative or colleagues who is experiencing domestic abuse or sexual violence.
5.4 The telephone number does not show on call logs or telephone bills. Likewise, the website address does not show in the internet history.

6. **Informing the Council about domestic abuse**

6.1 The Council encourages any employee experiencing domestic abuse to inform their line manager as soon as possible.

6.2 If the employee does not feel able to speak to their line manager, employees should contact:

- a Human Resources Officer,
- Trade Union
- the Occupational Health Advisor and/or the Employee Stress Counsellor.
- Helping Hands, or
- contact the All Wales Domestic Abuse and Sexual Violence Helpline

The above should all bear in mind the confidentiality provisions in section 4.

6.3 If an employee does not wish to speak to their line manager, they should be advised of the difficulties that may arise if the manager is not aware of the relevant facts and circumstances (for instance if there is a potential health and safety issue or if other action is being taken on capability or absence management).

6.4 No matter who the employee speaks to, the person will listen to and reassure the employee and ensure that the employee is aware of the support options available to them and remains in control of the situation. They will also encourage the employee to seek the advice of other relevant agencies.

7. **Employee’s role**

7.1 Employees must understand the important role they can play in supporting employees experiencing domestic abuse by means of:

- being vigilant
- raising awareness of Domestic Abuse e.g. making leaflets available and visible to all, talking about in a non stigmatised way etc
- supporting those employees experiencing domestic abuse
- respecting confidentiality as per section 4
- dealing with any situation that is brought to their attention appropriately and sensitively i.e. by telling your line manager, talking to the employee experiencing domestic abuse, understanding that what you may think is appropriate and sensitive may not be in their circumstances. It has been shown that if you ask in a sensitive manner the person experiencing domestic abuse is often responsive in a positive manner
- contact the All Wales Domestic Abuse and Sexual Violence Helpline directly or advise the employee experiencing domestic abuse of the telephone number
8. Managers roles and responsibilities

8.1 Managers must:

- Approach employees where there are concerns regarding their wellbeing
- Develop a sensitive and non-judgmental approach when dealing with employees who have experienced or are experiencing domestic abuse.
- Take time to listen to the employee and take seriously what they say
- Ensure that any discussion about the employee’s situation takes place in privacy and that their confidentiality is respected as far as possible.
- Understand that the employee may not wish to approach them directly and may prefer to involve a third party such as a colleague, Human Resources Officer, Occupational Health Advisor, Employee Stress Counsellor, Helping Hands or trade union representative
- Be aware that there may be additional issues faced by the employee.
- Be non-judgmental - the employee may need some time to decide what to do and may try many different options during this process. Research has shown that it can take a long time and be extremely difficult to break free of an abusive relationship. It should not be assumed, therefore, that because an individual returns or stays in an abusive relationship that the abuse was not severe or did not take place. Managers should note that the discussions that take place should be to facilitate rather than impose solutions.
- Be aware of the appropriate support that is available and exploring these options with the employee in conjunction with a Human Resources Officer. However, if the employee does not want other agencies to be contacted, this wish must be followed.
- Contact the All Wales Helpline for advice regarding safety planning
- Respect confidentiality as per section 4
- Provide information contained in this policy to existing employees, via team meetings on an ongoing basis

8.2 Managers must also recognise that they may become aware of domestic abuse situations by absence monitoring or poor performance. Identifying that an employee is experiencing difficulties at an early stage can help ensure appropriate help is provided.

8.3 Managers must recognise that the signs of domestic abuse may also vary. Signs can include, but are not limited to;

- Bruises or physical injuries,
- Inappropriate clothes for the weather (to cover any injuries),
- Coming in to work early/late,
- Leaving work early/late,
- Not answering phone calls,
- Moving seat to sit in different part of office,
- A change in personality and/or appearance,
- Decrease in work productivity etc.

8.4 Managers should look sympathetically at requests for reasonable time-off within these arrangements for employees who have disclosed that they are experiencing domestic abuse.
9. **HR responsibilities**

9.1 HR have responsibility to:

- remain vigilant
- raise awareness of Domestic Abuse e.g. making leaflets available and visible to all, talking about it in a non stigmatised way etc
- Provide support in the first instance, including specific advice on the options available, but also recognise the limitations of his/her role (managers are not professional counsellors or experts)
- Protect confidentiality in all instances (excepting the requirements of child protection)
- Discuss and, where possible, agree the specific steps that can be taken to help the employee stay safe in the workplace
- Refer the individual to the appropriate internal or external source of help and support
- Ensure that the safety of all employees in the team is protected
- Enable the affected employee to remain productive and at work during a difficult period in his/her domestic life, or if this is not safe to do so by for example by using the organisation's special leave policies and procedures

10. **Ensuring safety in work**

10.1 The responsibilities of employers, employees and others for the health and safety of persons at work are defined by the Health and Safety at Work Act 1974. The Council has developed guidance for managers to deal with incidents where an employee is verbally abused or threatened or physically assaulted in the course of their duties.

10.2 The strategies outlined in the Violence at Work Policy will apply to most situations of abuse in the workplace. However, managers may have to consider additional factors if these incidents involve domestic abuse. These incidents may involve violent partners or ex-partners visiting the workplace, abusive phone calls, or intimidation or harassment of an employee by the alleged perpetrator. These issues could be addressed by the following measures:

- Improving security measures, such as changing key pad numbers or ensuring that access to buildings is open to authorised employees only.
- Reception or switchboard staff will not divulge information about employees, especially personal details such as addresses, telephone numbers or shift patterns.
- Offering temporary or permanent changes in workplace, work-times and patterns, helping to make the employee less at risk at work and on their journeys to and from work. This could include changes to the office layout to ensure that the employee is not visible from reception points or from ground floor windows.
- Offering changes in specific duties, such as answering phones or working in reception area, or, in exceptional circumstances, redeployment to another post if an alternative is not easily found.
- Agreeing what to tell colleagues and how they should respond if the abuser rings or calls at the workplace.
• Making sure that the systems for recording employees’ whereabouts during the day are adequate and if the work requires visits outside the office, considering how risks can be minimised (e.g. changing duties or allowing another colleague to accompany them on certain journeys).

• Recording any incidents of abuse in the workplace, including persistent phone calls, e-mails or visits, to an employee by their abuser. Details of any witnesses to these incidents should also be noted. These records could be used if the employee wants to press charges or apply for an injunction against the alleged perpetrator. The employer could also apply for an injunction if the actions of an alleged perpetrator impinge on the health and safety of employees.

10.3 Managers may have to take into account whether the above measures are operationally appropriate. However, ensuring that employees are safe should be of primary consideration throughout this process and employees should not be made to feel guilty about any of these changes being made.

11. Council employees who are perpetrators of abuse

11.1 Any employee who is found to be a perpetrator of abuse will be subject to both the criminal law and the Council’s disciplinary procedures.

11.2 Employees should be aware that domestic abuse is a serious matter that can lead to criminal convictions.

11.3 Conduct outside work (whether or not it leads to a criminal conviction) can also lead to disciplinary action against an employee because of its employment implications. This is because such conduct undermines the confidence the Council (as employer) has in the employee and may also bring the Council into disrepute. There should be an investigation of the facts as far as possible, a view taken and consideration given as to whether the conduct is sufficiently serious to warrant instituting the disciplinary procedures.

11.4 Factors to consider will be:

• the nature of the conduct; the nature of the work to be done
• the extent to which it involves contact with other employees, service users and children and vulnerable adults.
• the status of the employee.

11.5 In addition such conduct may make certain job duties inappropriate and justify dismissal or redeployment. It will not be appropriate for a perpetrator of domestic abuse to be providing services to vulnerable adults and/or children. Disciplinary action could result in the employee being dismissed or a change of duties or a transfer may need to be considered in such circumstances.

11.6 Similarly, proven harassment and intimidation 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.

11.7 If any of these circumstances are brought to a manager’s attention, advice from Human Resources should be sought in the first instance.
12. **Protection – support**

12.1 The Council has a mechanism of support in place which includes:

- The availability of Occupational Health Advisor and/or Employee Stress Counsellor if the employee is suffering with stress or has any health problems
- Obtaining free advice and support from the Council's Welfare Rights Unit and also the Housing Benefit/Council Tax Benefit Sections if the employee has any financial concerns. These sections can advise on the schemes available to reduce housing costs
- Temporarily changing the way they are paid if the employee has disclosed that their partner has access to their finances or is exerting economic pressure upon them e.g. temporarily being paid by cheque whilst a new bank account is being opened.
- Ability to request unpaid leave within the provisions of the Special Leave Policy to arrange appointments during the normal working day. These requests should be treated sympathetically. These appointments could include: -
  - Appointments with support agencies such as Women's Aid, Social Services or Counsellors;
  - Arranging re-housing;
  - Meetings with solicitors;
  - Making alternative childcare arrangements, including meetings with schools.

12.2 Managers should also explore other measures supportively, such as temporary negotiated hours, where requested by employees experiencing domestic abuse.

12.3 Employees will also be informed of the following helpful contact numbers:

**POLICE**

Emergencies 999
Non-Emergency - Swansea (01792) 456999 / 101
Swansea Police Domestic Abuse Unit (01792) 323232

**Support Services**

The All Wales Domestic Abuse & Sexual Violence Helpline (Every Day 24 hours) 0808 80 10 800
Swansea Women’s Aid (Support & Refuge Accommodation) (01792) 644683
Dyn Wales (Listening and Advice Line for Men in Wales experiencing domestic abuse) 0808 801 0321
BAWSO (Black Minority Ethnic support) (01792) 642003
Minority Ethnic Women’s Network (01792) 467722
Victim Support (01792) 543653
Respect (Help for Perpetrators) 0808 802 4040
Citizens’ Advice Bureau 08444 77 20 20

National Victim Support Helpline 0845 3030 900
13. Prevention

13.1 In order to maintain its commitment to ensuring strong, safe and thriving communities and to reducing inequality the Council will ensure that information on this policy, and support available, is incorporated into the induction of all new employees and given to managers.

13.2 Information will also be provided to existing employees, via team meetings, intranet and other methods on an ongoing basis.

13.3 The Council will aim to raise awareness through the following measures:

- Preparation and distribution of information about the Council's policy and The All Wales Domestic Abuse & Sexual Violence Helpline.
- Information to managers including human resources staff.
- Inclusion of issues relating to domestic abuse in relevant in-house training sessions and as part of induction
- Publicising the counselling help that is available.
- Equipping managers to identify & respond appropriately

14. Policy monitoring

14.1 The Council will monitor the application of this policy and has discretion to review it at any time through the appropriate consultation mechanisms.

14.2 Responsibility for the implementation, monitoring and development of this policy lies with the Head of Human Resources. Day to day operation of the policy is the responsibility of nominated officers who will ensure that this policy is adhered to.

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<th>Details of Change</th>
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<tr>
<td>1.0</td>
<td>Introduction of Single Status</td>
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