

Domestic Abuse Policy

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1.2	November 2022	Equality section added, amendment to scope, confidentiality section added, updated DA definition, expanded on employee & manager responsibilities, expanded on responding to disclosure section, added section for when both victim and perpetrator work for the council, added appendix on types of abuse.	
1.1	July 2020	Updated to include links to additional guidance	Sarah Darby

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BRACKNELL FOREST COUNCIL'S DOMESTIC ABUSE POLICY

1 INTRODUCTION

Domestic abuse is a serious crime which occurs in all levels of society in all parts of the UK. Bracknell Forest Council recognises the impact that domestic abuse can have on an individual, whether as the person experiencing domestic abuse, witness to abuse or alleged perpetrator. This policy sets out the Council's commitment to the welfare and safety of staff and to taking necessary steps to support individuals experiencing or affected by domestic abuse and challenge the behaviour of alleged perpetrators of such abuse in line with the [Human Rights Act 1998](#) and [Health and Safety laws](#).

Bracknell Forest Council does not condone domestic abuse under any circumstances and requires all staff to behave appropriately and professionally at all times. This policy aims to create a safer workspace and send out a strong message that domestic abuse is unacceptable.

2 EQUALITY

At Bracknell Forest Council we are committed to encouraging equality, diversity, and inclusion among our workforce, and eliminating unlawful discrimination. We want everyone that works for us to feel that their individuality is respected, and their unique contributions are valued.

The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

The organisation - in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

3 PURPOSE

- To raise awareness of domestic abuse and its effects on both individuals and the workplace.
- To create a working environment that allows employees to feel safe in seeking help to address issues arising from domestic abuse either via the Council or other external agencies.
- To ensure that those employees affected by domestic abuse who are seeking assistance are responded to appropriately, quickly, positively and in confidence.
- To ensure that all Council employees understand the important role they can play in tackling domestic abuse and to develop a consistent approach across the Council.
- To provide guidance to assist and support managers in identifying domestic abuse; dealing with disclosures from employees experiencing domestic abuse in a sensitive, fair, and consistent manner; managing employees who are alleged perpetrators of domestic abuse; managing circumstances where both

the person experiencing domestic abuse and the alleged perpetrators of domestic abuse are employed in the same workplace.

- To demonstrate to perpetrators of domestic abuse that their behaviour will not be tolerated by the Council.

4 PRINCIPLES

The Council accepts that:

- Domestic abuse is unacceptable and should not be tolerated.
- Violence and abuse in a relationship is an abuse of power as well as often being a criminal offence.
- Anyone can be affected by domestic abuse. It occurs in all communities and affects people of all backgrounds.
- Domestic abuse can occur at both home and at work; but nevertheless, can be a workplace issue and that the council has a responsibility for the welfare of employees.
- Each situation of domestic abuse is unique and should be dealt with on its own merit and needs.

5 SCOPE

This procedure applies to all employees of Bracknell Forest Council, with the exception of:

- School based staff.

Where there are concerns for agency or contract staff, managers are encouraged to be supportive with advice from HR.

Other Council's procedures linked to this policy could be considered including Whistleblowing, Violence and Abuse at Work and where there is evidence of abusive behaviour by an employee, the Council's Disciplinary procedure.

6 CONFIDENTIALITY

The Council will treat any information disclosed sensitively and in confidence. The Council will encourage employees experiencing domestic abuse to share information with other agencies to ensure that the full range of civil and criminal remedies can be pursued.

Any referrals to other agencies will only be made on behalf of the employee with their consent, except for cases where the safety of a child/children or vulnerable adult is compromised, there is a risk to staff or if there is a high risk of serious harm to anyone. In such cases, the individual will be informed of the reason for disclosure and care will be taken to ensure that this does not put the individual at greater risk.

Please see the recording information section for further guidance.

7 DEFINITIONS

7.1 Domestic Abuse Act 2021 definition

In line with the Domestic Abuse Act 2021, and for the purposes of this policy, domestic abuse is defined as:

“Behaviour of a person (“A” – the perpetrator of the abuse) towards another person (“B” – the victim of abuse) is “domestic abuse” if:

- A and B are each aged 16 or over and are “personally connected” to each other,
and
- The behaviour is abusive.

Behaviour is “abusive” if it consists of any of the following:

- Physical or sexual abuse.
- Violent or threatening behaviour.
- Controlling or coercive behaviour.
- Economic abuse.
- Psychological, emotional, or other abuse.

It does not matter whether the behaviour consists of a single incident or a course of conduct.

“Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to:

- Acquire, use, or maintain money or other property, or,
- Obtain goods or services

For the purposes of this policy, A’s behaviour may be behaviour “towards” B, even though it consists of conduct directed at another person (for example, B’s child).

This incorporates harmful traditional practices for example but not limited to ‘honour’ killings, forced marriage and female genital mutilation.

Personally connected means two people who:

- Are, or have been, married to each other.
- Are, or have been, civil partners of each other.
- Have agreed to marry one another (whether or not the agreement has been terminated).

- Have entered into a civil partnership agreement (whether or not the agreement has been terminated).
- Are, or have been, in an intimate personal relationship with each other.
- Have, or there has been a time when they each have had, a parental relationship in relation to the same child.
- Are relatives.

Children as victims of domestic abuse:

For the purposes of this policy a child is a person under the age of 18 years and can be a victim of domestic abuse if they:

- See, hear, or experience the effect of the abuse and are related to either person.
- The person is a parent of or has parental responsibility for the child.
- The child and person are related.

For the full legal definition of domestic abuse please refer to [part one of the Domestic Abuse Act](#).

7.2 Types of domestic abuse

Domestic abuse is not limited to physical violence and can include a range of damaging behaviours. Please see [appendix A](#) for a list of the types of domestic abuse.

8 IMPACT OF DOMESTIC ABUSE

The impact of domestic abuse on an individual can be vast. The following list highlights some of the effects on a person experiencing domestic abuse. It also identifies the impact that the violence can have on their relationships with others and their ability to make and sustain social contact and family and work commitments.

- Fear for life, fear for children's lives.
- Self-doubt, self-blame and loss of confidence and self-esteem, shame, embarrassment, distorted sense of reality.
- Isolation from family and friends, decreasing or no social contacts.
- Frequent absences from work, poor concentration, inability to fulfil work role.
- Lowered ability to relate to their children, increasingly punitive parenting, and perceived neglect of children.
- Use/increasing use of drugs and alcohol.
- Anxiety, panic attacks, depression, post-natal depression, post-traumatic stress disorder, physical effects of stress, self-harm, suicide.
- Physical effects – from bruising to broken bones, chronic pain, irritable bowel syndrome, and death.

Perpetrators may also try to harass the employee experiencing domestic abuse whilst at work, abuse or threaten their colleagues or employer, or control their income.

All these effects can have an impact on an employee's punctuality, attendance, work performance, work development, productivity, and staff turnover.

9 EMPLOYEE RESPONSIBILITIES

The Council believes that every employee who is experiencing, or has experienced, domestic abuse should be able to raise the issue with their employer, in the knowledge that the Council will treat the matter sympathetically, effectively and in confidence.

Individuals experiencing domestic abuse may find it difficult to speak to their line manager or colleagues. They may be concerned about not being believed, being judged by others, how this information will be used, if the information will be disclosed to the perpetrator and/or other agencies.

In cases where an employee who is experiencing domestic abuse does choose to seek advice and support, they may do so via a number of sources, including:

- Their immediate supervisor or another member of direct line management.
- Human Resources.
- The [Employee Assistance Programme](#). This is a confidential service.

If the employee is uncomfortable with approaching one of the above as an initial contact, they may seek advice and support from a colleague or Trade Union representative who may make the initial contact on their behalf.

The Council encourages all employees to report if they suspect a colleague is experiencing or perpetrating domestic abuse. Employees should speak to their line manager about their concerns in confidence. In dealing with a disclosure from a colleague, managers should ensure the person with concerns is made aware of the existence of this policy.

There may be the case where the employee's manager is directly involved with the domestic abuse incidents in which case the employees can report the case to the manager's manager or to a member of the HR Team.

10 GUIDELINES FOR MANAGERS

Disclosure is unlikely to be given easily by employee's experiencing domestic abuse or by the alleged perpetrators, therefore managers should take the following approach in addressing the situation:

- Recognise the problem.
- Respond appropriately.
- Refer on to appropriate help.

- Record the details.

The manager is advised to contact HR at the earliest opportunity to ensure advice is sought to deal with the matter.

10.1 Recognising domestic abuse

Recognising domestic abuse may not always be obvious. It is important that managers have an awareness of the possibility of domestic abuse, and of the signs which might suggest this is taking place as it may present itself as another work issue, for example, frequent absences from work. Employee's experiencing domestic abuse may all react very differently and exhibit different signs. These could include but are not limited to:

- Changes to behaviour including uncharacteristic withdrawal, appearing depressed, anxious, agitated, or angry. They may also appear distracted or have difficulty concentrating.
- Changes in the quality of their work for no apparent reason.
- Changes to normal working pattern or hours, such as arriving late or leaving early/late.
- Reduced attendance or increased sick leave or alternatively high presenteeism without an explanation
- Needing regular time off for appointments.
- Taking frequent or excessive calls during work time from a partner or family member.
- Repeated injuries or unexplained bruising or explanations that are inconsistent to the injuries.
- Substance use/dependence.
- Inappropriate or excessive clothing (may be hiding injuries or bruising).

Similarly, perpetrators of domestic abuse will not necessarily fit stereotypes. While some will be overtly aggressive and domineering, others may appear concerned, attentive, and charming. The perpetrator may manipulate those around them to hide or normalize abusive behaviours and to minimize allegations. Further behaviours may also include:

- Disguised compliance, missing or cancelling appointments, non-attendance, playing different professionals off against one another.
- Making false or vexatious allegations against the person experiencing domestic abuse.
- Convincing professionals that their controlling tactics are for the person experiencing domestic abuse own safety and/or the safety of their children.
- Using children as a form of control.
- Use of others to indirectly communicate with or threaten the person experiencing domestic abuse.
- Use of false profiles on social media or other platforms.

The most important factor in managers identifying that an employee is suffering domestic abuse is simply having the awareness that it may occur and acknowledging the impact that it will have on that individual. If there are signs of

domestic abuse the line manager should consider asking sensitive, non-threatening questions within one-to-one meetings in a private setting.

Training is available is available for managers for recognising signs and types of abuse. Should managers feel uncomfortable about raising matters with their staff or wish to seek support and what approaches to take, support is available through HR,

10.2 What employees can expect

When an employee is considering making a disclosure of domestic abuse, or when they make a disclosure either as the person experiencing domestic abuse or the alleged perpetrator, they have the right to:

- Have discussions in private, with issues around confidentiality (and its limits) explained fully to them.
- Be believed and supported in a sensitive way.
- Be given information on their options, including signposting and offers of referrals to other support agencies.
- Be listened to, not judged or pressurised, and respected on their decisions.
- Be given continued support and communication.
- Where appropriate, positive action should be taken (see section on “how to respond to disclosure” below).

10.3 How to respond to disclosure

In the case of disclosure to the manager, it should be ensured that the individual is taken seriously, without judgement and that respect is given to their thoughts and ideas on the right way forward. Information and tools on dealing with disclosures can be provided by HR. Records of the disclosure should be taken as per [section 10.5](#) of this policy.

Managers should provide employees with both direct support and offer to support referrals to local agencies, details of which can be accessed [here](#). Consideration should be given to providing the individual with a nominated contact within the organisation that the individual can speak to should they wish to discuss any matters that may be affecting them. This could be the line manager or any other appropriate employee.

If the individual expresses that they wish to report the abuse, then the police should be called. The police may wish to take witness statements from the employee experiencing domestic abuse/alleged perpetrator and any colleagues to whom they first disclosed the abuse.

Managers should reassure the individual that the information will be treated sensitively and remain confidential where possible, in accordance with [section six](#) of the policy.

On occasions there may be times when threats and acts of domestic abuse take place at the workplace. Managers should draw up a safety plan for when the employee is at work. Safety for the employee experiencing domestic abuse,

children (if any), and any other family members involved is paramount both in and out of the workplace, whether they are staying or leaving the abusive relationship. Particular consideration should be given to the work location where the alleged perpetrator has access to the building or service area to ensure the employee is safeguarded. The arrangements to allow for this should be discussed and agreed with the employee.

Matters relating to welfare of any children in the household should follow the [Child Safeguarding Policy](#).

When safety planning, the following should be considered:

- Increased security at work.
- Agreeing on safe lines of communication between the line manager and the individual.
- Temporary changes to workplace or work schedule, including possible relocation (including car park location). This can be done in conjunction with the councils [agile working policy](#).
- Obtaining the employee experiencing domestic abuse's consent to share information with work colleagues on a strict 'need to know' basis.
- Obtaining the employee experiencing domestic abuse's consent to alert reception if there are any protection orders/injunctions or the alleged perpetrator is likely to come to Council premises.
- Planning for what to do if the abuser contacts or attends the workplace.
- Agreeing code words or hand signals to alert others if the individual is in danger.

In addition to any immediate support, assistance and counselling provided by the Council, the Authority will give sympathetic consideration to authorising reasonable time off where it is necessary to arrange appointments in normal working hours for the following purposes:

- Appointments with support agencies, welfare agencies and legal advisors.
- Arranging re-housing.
- Making arrangements for children and any other dependents where necessary, including schools.
- Attending relevant police investigations/court hearings.

If you feel you need additional guidance and support on how to deal with a case of domestic abuse, please refer to the [Respond to Abuse Advice Line](#) (a resource for any business or organisation who would like free guidance and information regarding how to support employees affected by domestic abuse in the workplace).

Managers should ensure they are cooperating with any police investigation or legal action, including allowing reasonable time for staff to provide witness statements and attend court hearings.

In situations where staff are required to attend court as a witness, they must not discuss the case with anyone, including other witnesses or the person experiencing domestic abuse/alleged perpetrator. Every effort should be made wherever

reasonably possible to restrict the contact between the individuals involved until after the court proceedings. The individual should be provided with support with the process via signposting to the advice lines detailed in this policy and to the councils Employee Assistance Programme.

10.4 Where both the person experiencing domestic abuse and alleged perpetrator work for the Council

In cases where both the person experiencing domestic abuse and alleged perpetrator of domestic abuse are employed by the organisation, appropriate action will be taken in accordance with this policy. In addition, action should be taken to avert contact in the workplace between the person experiencing domestic abuse and alleged perpetrator where appropriate. This may include the temporary suspension or redeployment of the alleged perpetrator whilst the investigation is pending. HR can provide further advice and support on this.

10.4 Recording information

Any records of employees who experience domestic abuse will be treated as strictly personal and confidential in line with the Data Protection Act 2018 and the General Data Protection Regulations. This will include any referrals to other professional support agencies. Information in respect of their work location or home address should not be divulged without the express consent of the employee.

Where there has been a disclosure of abuse by either party, the information should be written down as accurately as possible with the time and date recorded and be kept in a safe and secure place. This may form part of any police investigation; therefore, it is fundamental that the record is as close to verbatim as possible.

11 MANAGING ALLEGED PERPETRATORS

Employees of the Council are expected to behave in an acceptable and appropriate manner at work. Failure to adhere to this may be considered a serious matter and could result in disciplinary action, including potential dismissal. Alleged perpetrators of domestic abuse may use work resources as part of the abuse, using telephones, email systems, or abusing their own position to find out information about their partner or family member. They may also be harassing their partner or family member during working hours and neglecting their own duties. This too would be a disciplinary matter.

Upon hearing an allegation that an employee has perpetrated domestic abuse, consideration should also be given to the following questions:

- Is there an impact at the workplace – for example is the individual behaving inappropriately?
- What is the potential impact on other team members if the allegation becomes known?
- What is the impact on delivery of services by the alleged perpetrator, for example if they are allegedly violent and are dealing with vulnerable clients?
- Is there potential damage to the council's reputation?

Action taken against the alleged perpetrator will depend on individual circumstances which will be investigated as appropriate. An allegation is not itself grounds for discipline/dismissal.

The Council recognises that it has a role in encouraging and supporting employees to address violent and abusive behaviour. The manager should ensure that the alleged perpetrator is treated fairly and honestly, and that appropriate information about support is provided for them. The manager should encourage the alleged perpetrator to seek support and help from an appropriate source. They should explain the concerns around the allegation and the necessary steps needed. They should also ensure the individual is kept informed of any progress or outcomes and the potential implications to them.

In cases where there is a police investigation, reasonable time off should be given for matters related to this and subsequent court hearings. The manager and colleagues may also be asked to provide witness statements and should be supported in doing so. Please see section [10.3](#) for more information on this.

Separate from any potential disciplinary actions, the Council has access to and knowledge of various programmes which look to address offending behaviours; these will be made available as necessary.

APPENDIX A – TYPES OF DOMESTIC ABUSE

Domestic abuse is not limited to physical violence; it includes a range of damaging behaviours which include but are not limited to:

- **Verbal Abuse:** belittling, insulting, or demeaning someone with words – alone or in front of others.
- **Physical violence:** any type of violence against someone such as pushing, hitting, punching, kicking, choking, or using weapons.
- **Emotional or psychological abuse:** hostile behaviours, silent treatment, preventing them from sleeping, manipulating a person’s anxieties or abusing a position of trust.
- **Controlling behaviour:** attempting to restrict who someone sees or talks to. Preventing them socializing with friends or family.
- **Gaslighting:** persistently undermining or manipulating someone, so they doubt their own sanity or become convinced that they are the problem.
- **Economic abuse:** taking control of someone’s finances to deny them money and limit their independence.
- **Sexual abuse:** rape, touching or groping, making someone watch pornography.
- **Technology facilitated abuse:** Insulting or threatening someone via social media, messaging, or email; sharing or threatening to share intimate photos.
- **Harassment or stalking:** a pattern of persistent and unwanted attention that makes someone feel pestered, scared, anxious or harassed. For example, making unwanted communication, using threats, or repeatedly following a person or spying on them.
- **Coercive control:** an act or a pattern of acts of assault, threats, humiliation and intimidating or other abuse that is used to harm, punish, or frighten an individual.
- **Female Genital Mutilation (FGM):** all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reason.
- **Forced marriage:** when a marriage in which one or both spouses do not consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual, and emotional pressure.
- **Religious marriage and divorce:** where an individual is coerced to enter a marriage through the use of faith or within the context of values held within a religious community. Withholding of a religious divorce.
- **Honour crimes or honour-based abuse:** when a crime or incident has been committed ostensibly to protect or defend the honour of the family and/or community. This can involve emotional abuse, physical abuse, family disownment and in some cases, murder. In most cases there are multiple perpetrators from the immediate family, sometimes the extended family and occasionally the community at large.
- **Abuse relating to faith:** manipulation and exploitation through the influence of religion, requirements for secrecy and silence or the requirement of obedience to the perpetrator of domestic abuse, owing to religion or faith, or their “divine” position.

For more information on the types of domestic abuse please [see Domestic Abuse Statutory Guidance](#).