



Domestic Abuse Policy Version 1.2

<p>Important: This document can only be considered valid when viewed on the Trust website. If this document has been printed or saved to another location, you must check that the version number on your copy matches that of the document online.</p> <p>Name and Title of Author:</p>	<p>Lisa Longstaff</p>
<p>Name of Responsible Committee/Individual:</p>	<p>Trust Board</p>
<p>Implementation Date:</p>	<p>July 2021</p>
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<p>Monitoring:</p>	<p>This policy will be monitored and reviewed via the Trust’s Trade Union Forum.</p>
<p>Target Audience:</p>	<p>All staff</p>
<p>Related Documents:</p> <p>All Trust policies and procedures referred to are located on the trust website, www.theeducationalliance.org.uk.</p> <p>If English is not your first language, and you require assistance/translation, please contact the HR Department.</p> <p>This policy has been equality impact assessed.</p>	<p>Health and Wellbeing Policy and Procedure Special Leave Policy Expectations and Code of Conduct Bullying and Harassment Policy Grievance Procedure Flexible Working Policy Performance Development Policy Disciplinary Policy and Procedure NASUWT ‘Tackling domestic abuse – policy guidance’ NEU ‘School and College Workplace Domestic Abuse Policy’</p>

Contents

Section	Page
Policy Statement	3
1. Purpose and Scope	3
2. Definition	4
3. Roles and Responsibilities	5
4. Equality and Diversity	5
5. Principles	5
6. Supportive Action	6
7. Supportive Organisations	7
8. Monitoring Compliance with and Effectiveness of this Policy	8
9. Review	8
Appendices	
1. Guide for Supporting Staff Experiencing Domestic Abuse	9

POLICY STATEMENT

We are here to make great schools and happier, stronger communities so that people have better lives. We do this by:

- Always doing what is right
- Trusting in each other and standing shoulder to shoulder
- Doing what we know makes the difference

Doing what is right means always acting with integrity, in the interests of others and being honest, open and transparent.

The health, wellbeing and safety of our staff is important to us, and we recognise that whilst we have a high level of influence at work, we can also provide support to staff who are experiencing difficulties at home. Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socio-economic status, sexuality or background. An estimated 2.3 million adults aged 16 to 74 experienced domestic abuse in the year ending March 2020 in England and Wales. While both men and women suffer domestic abuse, women are considerably more likely to experience it.¹ Between June and November 2020, the Department for Business, Energy, and Industrial Strategy (BEIS) launched a review into the support available in the workplace for individuals suffering from domestic abuse. In developing this policy, we have considered the review's findings, their view of best practice for organisations and the positive role employers can play in supporting employees.

The UK Government currently uses a non-statutory definition of domestic abuse which recognises this and defines domestic abuse as:

Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. It can encompass, but is not limited to, the following types of abuse: psychological; physical; sexual; financial; emotional.²

PURPOSE AND SCOPE

We are committed to ensuring that our staff are provided with a safe working environment and we understand that for some staff, work provides them with a safe haven away from the challenges they may face at home. We want to provide a safe working environment that supports those experiencing domestic abuse and survivors of domestic abuse, and we encourage staff to reach out if they are experiencing domestic abuse, and we also wish to equip managers and staff with the knowledge to enable them to respond to issues relating to domestic abuse with sensitivity, support and care. This policy includes information regarding the potential signs of domestic abuse and supportive mechanisms available to staff.

Acas advises that: "Employers have a legal duty of care to their employees and should: look out for signs of domestic abuse; respond appropriately; support someone who is experiencing domestic abuse; and keep a record of incidents at work and when employees report domestic abuse, and any actions taken." Awareness, knowledge and support from employers is critical, not only in helping to provide a safe space for employees, but also in ensuring they can give their best when working (whether at home or in the office). We aim to ensure that we raise awareness, share supportive information and resources, including contact details for organisations that can offer help and support,

¹ How businesses can support staff affected by domestic abuse

9 Mar 2021 By Katherine McInnes and Abbie Harley

² Managing and supporting employees experiencing domestic abuse by CIPD and the Equality and Human Rights Commission Sept 2020

and provide managers, staff and HR colleagues with the tools and guidance to enable them to effectively support colleagues experiencing domestic abuse.

This policy aims to:

- Educate and inform
- Promote understanding
- Raise awareness
- Provide appropriate support and reasonable adjustments for those experiencing domestic abuse
- Create an environment where staff feel confident enough to raise an issue of domestic abuse and seek additional support at work

DEFINITION

The Practice Direction 12J of the Family Procedure Rules defines domestic abuse as including ‘any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, psychological, physical, sexual, financial, or emotional abuse. Domestic abuse also includes culturally specific forms of abuse including, but not limited to, forced marriage, honour-based violence, dowry-related abuse and transnational marriage abandonment;

“abandonment” refers to the practice whereby a husband, in England and Wales, deliberately abandons or “strands” his foreign national wife abroad, usually without financial resources, in order to prevent her from asserting matrimonial and/or residence rights in England and Wales. It may involve children who are either abandoned with, or separated from, their mother;

“coercive behaviour” means an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten the victim;

“controlling behaviour” means an act or pattern 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;

“development” means physical, intellectual, emotional, social or behavioural development;

“harm” means ill-treatment or the impairment of health or development including, for example, impairment suffered from seeing or hearing the ill-treatment of another, by domestic abuse or otherwise;

“health” means physical or mental health;

“ill-treatment” includes sexual abuse and forms of ill-treatment which are not physical.’

Domestic abuse can take many forms, including:

- coercive control (intimidation, degradation, isolation and threats of physical or sexual violence)
- psychological and/or emotional abuse
- physical or sexual abuse (including any form of violence, rape, touching/groping)
- financial or economic abuse (taking control of someone’s finances and denying their independence)
- harassment and stalking (persistent and unwanted attention)
- online or digital abuse (threats of sharing images and unwanted and persistent attention)
- forced marriage
- female genital mutilation

- honour crimes
- verbal abuse (demeaning, belittling, insulting)
- controlling (attempts to restrict who someone sees or talks to)
- gaslighting (persistently undermining/manipulating to the point where someone can doubt their own sanity and believe they are the problem)

ROLES AND RESPONSIBILITIES

The **Trust Board** is responsible for ensuring this policy is reviewed and approved.

The **CEO** is responsible for ensuring that the organisation effectively supports those experiencing domestic abuse, providing them with information, resources, support and space.

The **Local Governing Bodies and Headteachers** are responsible for monitoring the application of this policy within their respective schools. They should ensure information is shared to raise awareness and enable staff to seek support, feel safe in raising concerns and trust their concerns will be responded to quickly, appropriately and discreetly.

The **HR Department** is responsible for overseeing the introduction, implementation, monitoring and review of this policy. The HR Department will provide advice, guidance and support in the implementation of this policy.

Managers must ensure that employees are effectively supported, seeking advice and guidance from the HR Department as appropriate.

EQUALITY AND DIVERSITY

The Education Alliance is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines
- Ensuring staff are protected from unlawful direct or indirect discrimination resulting from a protected characteristic (e.g. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation)
- Delivering high quality teaching and services that meet the diverse needs of its student population and its workforce, ensuring that no individual or group is disadvantaged

Whilst we acknowledge that domestic abuse can affect anyone, we are mindful that it disproportionately affects women and children. Evidence also indicates that domestic abuse can worsen during pregnancy and disabled women are at a higher risk of domestic abuse. We also recognise that men can be victims of domestic abuse, and this policy aims to support all staff affected by issues of domestic abuse.

PRINCIPLES

The trust will ensure employees feel they can seek support by creating a supportive atmosphere and embedding it into our culture and across the organisation through leadership and raising awareness. We understand that employees experiencing domestic abuse may require support outside of work for financial, legal or childcare issues, and the employee assistance programme we have purchased

The Education Alliance Domestic Abuse Policy v1.2

provides staff with 24/7 access to confidential support and helplines which include financial information, legal support and information relating to domestic/family issues. The trust is mindful that staff may require time off during working hours for court appearances, counselling or seeking legal advice. Information for staff will include matters such as how to recognise the signs of domestic abuse and how to support colleagues who make a disclosure, and disclosures will be treated as strictly confidential and, as far as possible, on a need-to-know basis.

Information available to staff will include services and organisations that specialise in this area, particularly locally, and employees will be signposted to these.

SUPPORTIVE ACTION

Employees can seek time off via the Special Leave Policy. Managers can also explore other measures and reasonable adjustments, such as temporary negotiated hours or reduced hours. Time off with pay should be considered if there are circumstances where an employee is attending court and is seeking an injunction or order in cases of violence or harassment.

If the employee has disclosed that their partner has access to their finances or is exerting financial pressure upon them, the individual should contact the HR Department, as they can enable a change to their salary bank account, and the HR Department can also share details of organisations that may be able to provide additional financial information and guidance, such as Salary Finance and the employee assistance programme.

Other supportive measures may include the following:

- Early/late start and finish times
- Temporary or permanent flexible working arrangements
- Time off for counselling/medical appointments
- A safe space for their mental health and wellbeing
- An agreed person the individual can approach for additional support during difficult periods

Managers should seek support from HR colleagues to ensure they have considered the individual's safety and security at work, and considerations may include:

- Site safety
- Classroom/workspace changes
- Messages to other staff where necessary (to ensure colleagues can support the safety of the individual)
- Additional information/training/signposting

Managers should reassure staff that any disclosure made will be treated in the strictest confidence and that every effort will be made to support the employee in the workplace. Where staff work remotely, managers should ensure that risk assessments include any measures necessary to mitigate against the risk of domestic abuse (e.g. checking that the home is a safe and secure working environment for colleagues).

If an employee is at risk of domestic abuse, managers should work with HR colleagues to consider whether regular checks should be made on the employee by a specific member of staff, and they may agree with the employee a safe word that the employee can use to communicate impending risk or danger. Managers, HR colleagues and staff should also agree a safety plan to avoid dangerous situations (e.g. escape routes for staff working at home and communication plans to reduce the risk of perpetrators accessing staff at work).

It is essential that staff feel able to disclose experiences of domestic abuse and support will be available, and access to support will be employee-led. The right of the employee to make their own decisions about the course of action they wish to take will be respected. The employee may need some time and space to consider their options and decide on a way forward, and the role of the trust is not to deal with the abuse, but to support staff and help them to access the help, advice and guidance they may need. Safety plans will include consideration of how the trust can help staff attend work. Supportive actions may include:

- Offering confidential, non-judgemental, easily accessible meetings with a support person
- Ensuring the employee can safely travel to and from work
- Provision of a secure entry system and secure car parking
- Alerting reception to the issue and providing them with a photo/details of the perpetrator
- Reviewing the security of the employee's personal information, reminding others not to share information
- Agreeing and sharing a response in readiness for potential contact from the perpetrator
- Screening calls and blocking emails from the perpetrator
- Considering the potential to temporarily, or permanently changing the employee's workplace
- Reasonable adjustments such as changes to some duties
- Approval of requests for special leave for house moves, legal appointments and other related appointments
- Advising colleagues on an agreed need-to-know basis
- Signposting to supportive organisations, including the employee assistance programme

If the abuse takes place on a school site, the Headteacher will take all reasonable steps to protect staff and students, including calling 999 and informing other appropriate agencies. If there is a risk of the perpetrator coming on site, the Headteacher should ensure there is a safety plan in place, which is effectively communicated.

SUPPORTIVE ORGANISATIONS

There are several specialist organisations who can offer support to victims of domestic abuse, including the following:

- Domestic Violence and Abuse Partnership (DVAP) Confidential Helpline - (01482) 396330
- National Domestic Abuse Helpline (Freephone, 24 hour) – 0808 2000 247. The helpline is run by Refuge and a live online chat is also available.
- Women's Aid is the national charity working to end domestic abuse against women and children. They provide local support services, training for organisations and information if you are worried about someone else. They also have a live chat facility.
- Rape Crisis have a network of independent Rape Crisis centres that provide specialist support and services for victims and survivors of sexual violence. They have a National Rape Crisis Helpline – 0808 802 9999 and a live chat.
- Rights of Women provides advice to women on family, criminal and immigration law issues. Victim Support – (01482) 502505
- Victim Support Line (National) – 0845 303 0900
- Fightback (help and support for women who have suffered abuse by men) – (01482) 822936
- Hull Women's Aid Centre – (01482) 446099
- Hull Women's Aid Centre (Emergency Duty Team) – (01482) 788080 (out of hours)
- Women's Aid National Helpline – 0808 200 0247
- Hull DAP (for those who live in the Hull area) - (01482) 318 759

Any disclosures relating to employees who are alleged perpetrators of domestic abuse will be treated in the strictest confidence, on a case-by-case basis. The trust does not condone any form of domestic abuse and support will be available to staff to assist them in addressing their behaviours. Perpetrators of domestic abuse can access the Respect phone line: 0808 802 4040, which is an anonymous and confidential helpline for men and women who are harming their partners and families. Concerned friends or family members and front-line workers assisting abusers can also call for information and support.

For domestic abuse against men there are the following support organisations:

- ManKind Initiative: 01823 334 244. This is a national charity that provides help and support for male survivors of domestic abuse and domestic violence.
- Respect Men's Advice Line: 0808 801 0327; a webchat is available at certain times
- The Men's Advice Line is a confidential helpline for male victims of domestic abuse and those supporting them.

Support and information can be provided by the HR Department, Occupational Health Service and Trade Unions.

Where it is alleged that a member of staff is a perpetrator of domestic abuse, such allegations will be treated with care, on a 'need-to-know' basis, and may result in further disclosures, depending on the information disclosed and any evidence presented. There may be occasions where the trust is required to inform external bodies, such as the police or the Local Authority Designated Officer (LADO).

Allegations of harassment or intimidation against an employee will be viewed seriously and whilst support will be offered to staff who are perpetrators of domestic abuse, there may be occasions where disclosures result in the use of the trust's Disciplinary Policy and Procedure. Should any manager become aware of child protection concerns when informed that of a domestic abuse allegation against an employee, there is a duty to make a child protection referral or a vulnerable adult's referral. The manager should seek advice from Designated Safeguarding Lead in school, and they may contact the LADO, who can advise on the process required to make a referral, should it be appropriate.

MONITORING COMPLIANCE WITH AND EFFECTIVENESS OF THE POLICY

The HR Department, Designated Safeguarding Leads, Local Governing Bodies and Headteachers will monitor effectiveness and compliance of this policy and procedure.

REVIEW

This Policy and Procedure will be reviewed within two years of the date of implementation via the trust's JCNC.

Guide for Supporting Staff Experiencing Domestic Abuse

This guide is based on the CIPD guide, 'Managing and supporting employees experiencing domestic abuse: a guide for employers', published in September 2020, and domestic abuse information on the Women's Aid website. They advise that research shows that 75% of those enduring domestic abuse are targeted at work, and examples include harassing phone calls, abusive partners arriving at the office unannounced and physical assaults. Research by the TUC has highlighted that of those who had experienced domestic abuse, over 40% were prevented from getting to work by their abuser, most commonly through physical abuse or restraint (72%) followed by threats (68%).

We aim to help staff recognise the signs that domestic abuse may be taking place and to respond appropriately to concerns.

We encourage staff to:

- Recognise the problem
- Respond appropriately to disclosure
- Provide support
- Refer to the appropriate help

Recognise the problem

- Notice changes in behaviour, performance and/or appearance
- Ask open and empathetic questions, such as:
 - How are you doing at the moment?
 - How are things at home?
 - Are there any issues you'd like to discuss with me?
 - I have noticed recently that you are not yourself. Is anything the matter?
- Treat everyone as an individual as everyone's situation will be different. It's important not to make assumptions about what someone is experiencing or what they need.
- Be careful when raising things with people working from home, as the abuser might be monitoring the employee's email or other methods of communication

Respond appropriately to disclosure

- Show empathy and compassion and that you believe them, providing a non-judgemental, supportive environment
- Don't make assumptions about what someone is experiencing or what they need
- Reassure the employee that the organisation understands how domestic abuse may affect their work performance and outline the support that can be offered.
- If the survivor and perpetrator work in the same business, the perpetrator could have access to personal information, depending on their role
- Listen, try to understand and acknowledge that it takes strength to trust someone enough to talk to them about experiencing abuse. Give your colleague time to talk.
- Acknowledge that your colleague is in a frightening and very difficult situation and advise them that no one deserves to be threatened or beaten, despite what their abuser has told them.
- Ask if your colleague has suffered physical harm. Your colleague may need support to seek medical advice and your colleague may also need support to report the assault to the police if they choose to do so.
- Look after yourself while you are supporting someone through such a difficult and emotional time. Ensure that you do not put yourself into a dangerous situation; for example, do not offer to talk to the abuser about your colleague or let yourself be seen by the abuser as a threat to their relationship.

Provide support

- Regularly check in with staff/colleagues
- Ask the individual about what support they need and regularly check in with that question, as the support they need may change over time as the individual's circumstances change. Let the individual take the lead in what they want to talk about and what they think the problem is.
- Ask the individual about the best way to keep in contact with them, for example which communication methods are private and which they have easy access to.
- We may be able to offer flexibility in working hours/paid leave to enable an employee to sort out financial, housing, legal and childcare issues. The flexibility required may differ in the short and longer term.
- Divert phone calls and email messages and look to change a phone extension if an employee is receiving harassing calls.
- Look at how non-employees access the building to ensure people can't just walk in.
- Agree with the employee what to tell colleagues and how they should respond if their ex/partner telephones or visits the workplace or is present during a virtual meeting.
- Ensure the employee does not work alone or in an isolated area and check that staff have arrangements for getting safely to and from home.
- Support an individual's request to get advice on where and how to obtain a protection/barring order that covers the workplace.
- Think about specific areas of the work environment where the survivor's physical safety may be at risk, for example the workplace car park.
- With the consent of the employee, you could agree code words, or hand signals in video calls, so if they don't come into the office, or if they are in a threatening situation while working at home, there are set phrases both parties can say to enable them to flag if they are in danger. Also agree what action a signal requires, for example if to call the police, or if to provide information about available support.
- Keep a record of any incidents of abuse in the workplace, including persistent telephone calls, emails or visits to the workplace or any concerns that the employee reports, as well as anything that occurs around the workplace, such as during travel to and from work or to meetings not held in the usual place of work. Also record the support offered.
- Provide your colleague with information regarding the employee assistance programme and Salary Finance

Refer to the appropriate help

- Managers, colleagues and HR should not adopt the role of counsellor, but rather they should signpost employees to specialist help, and this policy includes a list of support services we can signpost colleagues to.