

Healthwatch North Tyneside policies and procedures

Dealing with domestic abuse policy

March 2024

1. Policy statement

Healthwatch North Tyneside (HWNT) recognises that domestic abuse is cruel and complex and can affect anyone, leaving physical and emotional scars that can last a lifetime. HWNT also recognises that domestic abuse can negatively affect those being abused while they are at work, as well as workplace colleagues around them. For example:

- An employee can experience domestic abuse while they are at work through threatening phone calls and emails.
- An employee may experience abuse when travelling to and from work.
- Domestic abuse can affect an employee's performance, attendance, career prospects and job security.
- Colleagues can experience threatening or intimidating behaviour from the perpetrator.

It is recognised that men are more likely to be perpetrators, and the majority of domestic homicide victims are most often women, killed by men. Men also experience domestic abuse and domestic abuse also occurs in same-sex relationships. Disabled women are almost twice as likely as non-disabled women to be affected by domestic abuse, and some ethnic minority groups are also more at risk. Furthermore, evidence suggests that transgender people may be at particularly high risk of domestic abuse.

However, importantly, the workplace can also be one of the few places that a person experiencing abuse can be separate from their abuser. Therefore, it can be the place where someone can ask for support and access information.

HWNT is committed to our duty of care for the health, safety and wellbeing of our staff and we will aim to create a safe and supportive workplace environment.

2. Definition

Domestic abuse is about the misuse of power and exercise of control by one adult over another adult within the context of an intimate or close family relationship.

For the purposes of this policy, domestic abuse is defined using the cross-government definition of domestic violence and abuse. This 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 or family members regardless of gender or sexuality.

The abuse can encompass, but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional

All employees who experience abuse will be supported, regardless of sex and the type of abuse.

3. Scope

Under the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1992), HWNT recognises its legal responsibilities in promoting the welfare and safety of all staff. Therefore this policy applies to all HWNT employees including agency and contract staff. HWNT also reminds its staff that we have a zero-tolerance policy in relation to domestic abuse by them. Abusive behaviour is the responsibility of the perpetrator and employees should be aware that misconduct inside and outside of work is viewed extremely seriously and can lead to disciplinary action being taken and potential dismissals.

4. Support and confidentiality

HWNT recognises that domestic abuse is an equalities issue and undertakes not to discriminate against anyone who has been subject to domestic abuse in terms of current employment or career development.

As a responsible employer HWNT believes it is important to promote the understanding that everyone has the right to a life free from abuse in any form and that domestic abuse is wholly unacceptable and inexcusable.

HWNT are aware that the challenges that domestic abuse survivors face can manifest themselves in problems such as chronic absenteeism or lower productivity. When addressing performance and safety issues, HWNT will make reasonable efforts to consider all aspects of the employee's situation or safety problems to support them through a challenging time. We will use the guide for

employers published by The Chartered Institute of Personnel and Development in partnership with The Equalities and Human Rights Commission [Managing and supporting employees experiencing domestic abuse: a guide for employers \(cipd.co.uk\)](https://www.cipd.co.uk/knowledge/health-and-safety/employees-experiencing-domestic-abuse/a-guide-for-employers) This ensures that employees can raise the issue in the knowledge that the matter will be taken seriously.

All records concerning domestic abuse will be kept strictly confidential. Improper disclosure of information, that is breaches of confidentiality by any member of staff, will be taken seriously and may be subject to disciplinary action. There are some circumstances in which confidentiality cannot be assured. These occur when there are concerns about children or vulnerable adults or where an employer needs to act to protect the safety of employees. In these circumstances the employer will discuss with the employee the reason for disclosing any information to a third party and will seek the employee's agreement where possible.

5. Perpetrators of domestic abuse

Employees are expected at all times to conduct themselves in a way that will not adversely reflect on the charity and its reputation. Domestic abuse perpetrated by employees will not be condoned under any circumstances nor will it be treated as a purely private matter. Perpetrating domestic abuse whilst in the workplace may breach any code of conduct. If a colleague is found to be assisting an abuser in perpetrating the abuse by giving them access to facilities such as telephones or email then they will be seen as committing a disciplinary offence.

HWNT will treat any allegation, disclosure or conviction of a domestic abuse related offence on a case-by-case basis. The aim is to reduce risk and support change recognising their role in encouraging and supporting employees to address violent and abusive behaviour of all kinds. If an employee approaches HWNT about their abusive behaviour, information about services and support available will be provided.

Confidentiality will be maintained and information restricted only to those who have a need-to-know. There are some circumstances in which confidentiality cannot be assured. These occur when there are concerns about children or vulnerable adults or where an employer needs to act to protect the safety of employees.

6. If the survivor and perpetrator work for the same employer

HWNT is a small charity with a small staff team. It is unlikely that both the survivor and perpetrator of domestic abuse would work for HWNT at the same time.

However, if this were to be the case HWNT will take appropriate action including:

- Consider utilising different working hours, days etc.
- Minimising the potential for the perpetrator to use their position or work resources to find out details about the whereabouts of the survivor.
- Offer impartial support and where possible ensure both the survivor and perpetrator have different sources of support, for example from the Director and a Trustee who are able to provide appropriate information to each party.

7. Raising awareness

HWNT will raise awareness of domestic abuse by publicising external resources for survivors and perpetrators of abuse through our communications channels.

8. Review

This policy will be reviewed every three years unless there are changes in legislation, best practice, or other organisation policies impact on its effectiveness.

9. Compliance with this policy

HWNT expects all employees to ensure that the policy and its procedures are strictly observed at all times.

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