

<b>Policy and Resources Committee Meeting</b>	
<b>Meeting Date</b>	Wednesday 18 <sup>th</sup> October 2023
<b>Report Title</b>	Swale Staff Domestic Abuse Policy
<b>EMT Lead</b>	Emma Wiggins, Director of Regeneration and Neighbourhoods
<b>Head of Service</b>	Charlotte Hudson, Head of Housing and Communities
<b>Lead Officer</b>	Stephanie Curtis, Community Services Manager
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	1. That the Policy and Resources Committee approves this staff domestic abuse policy

## **1 Purpose of Report and Executive Summary**

- 1.1 This report provides an overview of the Swale Staff Domestic Abuse Policy and asks for adoption by the Policy and Resources Committee.

## **2 Background**

- 2.1 As part of our work to achieve the Domestic Abuse Housing Alliance (DAHA) accreditation, there are a series of standards we must be able to evidence our adherence to. These aim to increase good working practices within organisations and will assist SBC in reviewing and making improvements where necessary in supporting domestic abuse victims both in the community and our own staff.
- 2.2 One such requirement, is for a standalone staff domestic abuse policy. It is recommended that this policy includes: relevant legislative references to our staff, support available to staff, training available for line managers that may need to support staff, safeguarding measures and the recording of information.
- 2.3 Swale Borough Council, through its safeguarding and HR functions are already supporting staff that are domestic abuse victims that may come forward. This staff policy consolidates this work into a specific standalone document that should make it easier for staff to understand the support they can expect. This builds upon information that is also already in the staff wellbeing policy.
- 2.4 This policy will sit alongside existing safeguarding procedures and the wider domestic abuse policy which details our overall domestic abuse response as a Council..
- 2.5 DAHA also recommend that the staff policy considers the Councils response to staff that may disclose they are perpetrators of domestic abuse, with the view that it should be clear that as a council we do not tolerate abuse and that they may be held to account for their actions. A section around response to perpetrators has

been added into the policy, however it is felt to be limited in what action we can take beyond the existing code of conduct/disciplinary measures if appropriate. However, line managers can play a role in encouraging such staff to seek support through whatever tools/measures are available to them.

- 2.6 This policy will need to be cascaded to both staff and managers – there is a role that line managers will be expected to have should one of their staff make a disclosure of domestic abuse. Training will be made available to line managers via a short input at Corporate Leadership Team/Swale Managers Forum.
- 2.7 This policy also references the domestic abuse advocate role that is being created. In a similar way to mental health first aiders, these advocates will be staff that can be a first port of call for a victim should they not wish to speak to HR/Safeguarding team/line manager. They will receive extra training and support and will work alongside the safeguarding team. A separate policy governing their role and support is being created.

### **3 Proposals**

- 3.1 That the Policy and Resources Committee approves this Staff Domestic Abuse Policy

### **4 Alternative Options**

- 4.1 To not approve this staff policy – an overarching domestic abuse policy is in place, but this is aimed more specifically at your response to residents. This is also true for the Safeguarding Policy and this doesn't give clear direction to staff affected by domestic abuse as to what support they can get. This is also a requirement as part of the DAHA assessment process for the Council to have in place.

### **5 Consultation Undertaken**

- 5.1 Consultation has taken place with the HR Manager and also with our national lead for the Domestic Abuse Housing Alliance (DAHA) accreditation from Standing Together. Consultation has taken place with Unison and they are happy with the draft policy.

### **6 Implications**

Issue	Implications
Corporate Plan	This Policy supports the Corporate Plan priority 'tackling deprivation and creating equal opportunities for everyone' and the objective of 'ensuring that the council plays a proactive role in reducing crime and ASB, including through the modernisation of CCTV provision'.

Financial, Resource and Property	There are no additional finance, resource or property implications in implementing this policy. The policy brings together existing processes and formalises into this one document. The domestic abuse advocates being introduced (and for whom there will be a separate policy to ensure appropriate governance and support) will be existing staff members.
Legal, Statutory and Procurement	<p>The Council is required to comply with a variety of legislation in relation to Domestic Abuse including the Domestic Abuse Act 2021. It also have a number of employer responsibilities to the safety and wellbeing of its staff which are documented within the policy.</p> <p>This policy does not introduce any additional activity to meet the requirements of this legislation but consolidates existing action into one place for the purposes of safeguarding our staff affected by domestic abuse.</p>
Crime and Disorder	The policy specifically discusses SBCs response to its staff affected by domestic abuse.
Environment and Climate/ Ecological Emergency	No environment and sustainability implications have been identified at this stage.
Health and Wellbeing	This policy consolidates existing activity into one place for staff affected by domestic abuse, ensuring it is clear what support they can expect.
Safeguarding of Children, Young People and Vulnerable Adults	The creation of this policy will bolster the existing Safeguarding Policy for the Council in its response to staff affected by domestic abuse.
Risk Management and Health and Safety	No specific implications on risk management or health/safety have been identified at this stage.
Equality and Diversity	No specific implications on groups with protected characteristics have been identified.
Privacy and Data Protection	The introduction of this policy does not identify any new privacy or data protection concerns. Any data gathered or shared will continue to be done so in line with existing safeguarding/HR mechanisms.

## 7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Swale Staff Domestic Abuse Policy

## **8 Background Papers**

No background papers.

# **Appendix 1: Swale Borough Council Domestic Abuse Staff Policy**

## **Introduction**

Swale Borough Council believes that all forms of domestic abuse are unacceptable, and this policy sets out our approach to supporting employees who are experiencing or have experienced domestic abuse. The policy also covers the approach we'll take if there are concerns that an employee may be the perpetrator of domestic abuse. This policy will be reviewed on a three yearly basis.

## **Policy Purpose**

Swale Borough Council will treat all reports of domestic abuse seriously and that it is wholly unacceptable. This policy sets out how we will support our employees that may be or have in the past, experienced domestic abuse.

## **Policy Scope**

This policy applies to all Swale Borough Council staff and volunteers. We have a separate Domestic Abuse Policy regarding our response to domestic abuse within the community. It stipulates what the Councils response to supporting staff who are victims of domestic abuse will be, along with our approach to staff that may be perpetrators of domestic abuse.

This policy will sit alongside our existing Swale Borough Council policies including:

- Safeguarding Policy
- Compassionate Leave Policy
- Sickness Policy
- Disciplinary Policy

## **Definition of Domestic Abuse**

Domestic Abuse is defined as an incident or pattern of incidents of controlling, coercive, threatening, degrading and violence behaviour. It is between those that are 16 and over and are, or have been in an intimate relationship, family members or have a parental relationship in relation to the same child. For full definition please visit [Domestic Abuse Act 2021 \(legislation.gov.uk\)](#). This Act also now recognises that children are victims/survivors of domestic abuse.

Domestic abuse can include, but is not limited to:

- Coercive control (a pattern of intimidation, degradation, isolation and control)
- Psychological or emotional abuse
- Physical or sexual abuse
- Financial or economical abuse
- Harassment and stalking
- Violent or Threatening Behaviour
- Online or digital abuse

Domestic abuse is also just one element of violence against women and girls (VAWG) – other violence affecting women includes Honour Based Violence, Forced Marriage and Female Genital Mutilation (FGM).

SBC recognises that domestic abuse can be experienced by both women and men, as well as those from the LGBTQ+ community, and we will ensure an appropriate response for all. However, it is acknowledged that domestic abuse is a gendered crime and does disproportionately affect women.

### **Identification of domestic abuse at work**

Swale Borough Council understands that domestic abuse is a serious crime and we will ensure that non-judgemental support and advice is given to any employee who has experienced it.

You can report domestic abuse or seek support from any of the following within the Council, whether it is regarding yourself or concerns for a colleague:

- your line manager.
- Safeguarding Officer.
- Network of Domestic Abuse Advocates, who understand domestic abuse and can offer you support.
- a member of the HR team
- Employee Assistance Provider

### **Support for employees experiencing domestic abuse**

Swale Borough Council understands that reporting domestic abuse can take a lot of courage and we have a number of staff that are specifically trained to support any staff affected. We also understand that domestic abuse is not always a one-off incident, and that ongoing support will be needed. We also recognise that for any victims or survivors with protected characteristics, or from Black or Minority Ethnic groups that they may face additional barriers to reporting which we will seek to try and remove. We will also ensure that this support is available to any victims that may also be on maternity leave.

Those staff supporting you will be able to offer information/signposting to specialist support services as well as the Council's free Employee Assistance programme. We will prioritise your safety if we know you are experiencing domestic abuse. Specialist support agencies have staff trained to an enhanced level and they will be able to undertake a DASH (domestic abuse and stalking risk assessment) and make other onward referrals. With your consent, they will work with you, your manager and any other agencies to identify actions to increase your personal safety.

Your line manager will also work with you to consider any safety planning in the workplace that could be required. This might include:

- Reasonable Adjustments either temporary or permanent
- Agreeing what, if anything, to tell colleagues.

- Contacting you regularly if you work from home.
- Measures to ensure a safe working environment e.g. changing phone number to avoid harassing calls.
- Using other existing policies such as leave from work or flexible working.
- Support with access to occupational health/counselling services.

All reports will be dealt with confidentially and no evidence is needed for us to support you.

### **Your right to privacy**

We respect all our employees' right to privacy and will not ever force you to share any information you do not want. However, if there is a safeguarding risk to children or an adult we have a duty of care to ensure that appropriate agencies are made aware of our concern.

Support agencies may require personal data about our employee as part of their offer of support or case investigation. These would be assessed on a case-by-case basis in line with our data protection policy.

We will record details of the support offered to employees that are experiencing domestic abuse on our safeguarding database My Concern. This is a secure database only accessed by our safeguarding team.

### **Training**

Inline with the Safeguarding Training Policy, all staff are required to complete domestic abuse training. This will give them the knowledge of how to recognise domestic abuse and where to seek support for a colleague or community member. Those staff that have a greater level of engagement with the community will undertake more enhanced training, including the safeguarding team.

The Domestic Abuse Advocates will also receive an enhanced level of training. All line managers will also go through a training programme to ensure that they are able to:

- Identify if an employee is experiencing difficulties because of domestic abuse
- Respond to a disclosure in a sensitive and non-judgemental manner
- Provide initial support
- Be clear about workplace support
- Discuss how the organisation can contribute to safety planning, making reasonable adjustments.

### **Perpetrators of domestic abuse**

Swale Borough Council doesn't condone domestic abuse perpetrated by employees under any circumstances.

We will treat any allegation, disclosure or conviction of a domestic abuse related offences on a case by case basis. We will view the use of violence or abuse by an

employee as a breach of the Code of Conduct and will use the Disciplinary process accordingly. We will also seek to encourage perpetrators to engage with support through any tools available to them.

We will also consider in any action taken the risk to the survivor, working in partnership with other agencies.