

Report to: Strategic Policy and Resources Committee
Subject: Policy on Domestic Violence and Abuse in the Workplace.
Date: 24 August 2012
Reporting Officers: Jill Minne , Head of Human Resources
Contact Officers: Catherine Christy, Principal HR Advisor, Ext. 3226

1.0 Purpose

1.1 The purpose of this report is to seek approval for the recently developed Policy on Domestic Violence and Abuse.

2.0 Background

2.1 The council recognises that domestic abuse is a serious issue that affects all sections of society and the lives of many adults and children. It has the potential to affect any employee of the Council, whether as victims, survivors or perpetrators of domestic abuse.

2.2 In response to a request from NIPSA trade union to consider its model Domestic Violence Policy, the Council's Women's Steering Group agreed that, as part of Belfast City Council's Gender Action Plan, a specific policy for our employees should be developed.

3.0 Key Issues

3.1 The attached policy and factsheets for both managers and employees have been developed in conjunction with the trade unions and departments and have been agreed by both management and trade union sides. It is based on the NIPSA model policy but best practice in other organisations and professional guidance has been researched and incorporated into the policy.

3.2 The policy applies to all Council employees (including casual and temporary staff) and its aim is to support and assist employees experiencing domestic violence and abuse as well as provide guidance on managing situations where employees are perpetrators of domestic violence and abuse. The key elements of the policy are:

- A definition of domestic violence and abuse
- How to manage and share relevant information in a confidential way
- Information and support for employees who are experiencing domestic abuse
- Information for managers on how to support employees who are victims of domestic abuse.

Two factsheets, one for managers and one for employees supplement the policy.

3.3 Once approved the policy will be implemented through a comprehensive training and communication exercise in conjunction with the trade unions, Women's Aid and other support organisations.

4.0 Resource Implications
4.1 Financial Any costs associated with the training and communication exercise will be covered by the existing Organisational Development budget.
4.2 Human Resources Departments will be asked to release the relevant staff and trade union representatives for any necessary training.
5.0 Equality and Good Relations Implications
5.1 The policy has been equality screened and there are no adverse equality implications.
6.0 Recommendation
6.1 Strategic Policy and Resources Committee is asked to agree the Policy on Domestic Violence and Abuse.
Documents attached Appendix A – The Policy on Domestic Violence and Abuse, Employee Factsheet and Manager Factsheet

POLICY ON DOMESTIC VIOLENCE AND ABUSE IN THE WORKPLACE

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1. Introduction

- 1.1 Belfast City Council (the Council) recognises that domestic abuse is a serious issue which affects all sections of society, and also the lives of many adults and children. It has the potential to affect any employee of the Council, whether as victims, survivors or perpetrators of domestic abuse. While it is usually women who report experiencing domestic abuse, it is becoming more common that men and partners in same-sex relationships can also be victims.
- 1.2 The Council has a duty to ensure the health, safety and welfare of employees at work, and seeks to support and assist employees experiencing problems, including those who are experiencing domestic abuse and those who carry out domestic abuse.
- 1.3 The Council is committed to the principle that domestic violence and abuse is unacceptable behaviour and all employees have the right to live free from fear and abuse. Domestic abuse can adversely impact on a victim's or perpetrator's work performance and ultimately on service provision. It can affect staff turnover or an employee's punctuality, attendance.
- 1.4 By increasing awareness of the signs of domestic abuse, and providing a safe and supportive working environment, the Council can help an individual experiencing domestic abuse to increase their safety and to make changes in their home or work life to help them to adjust positively to their circumstances and construct lives free from abuse. In addition, the Council can assist perpetrators to address the consequences of their violence on others.
- 1.5 In certain circumstances, the perpetration of domestic abuse may have an effect on contracts of employment eg if the perpetrator of domestic abuse is also a Council employee.
- 1.6 Additionally, we will provide information, support and guidance to employees who approach the Council for help in addressing the problems affecting them as a direct result of domestic abuse, whether as a victim or as a perpetrator.
- 1.7 Any support measures put in place will be monitored to ensure that they are reasonable in relation to their impact on the individual's situation, and to ensure that a balance is maintained between the welfare of the victim, the workloads of others and the continuation of effective service provision.

2. Scope

- 2.1 The Domestic Violence and Abuse Policy applies to all Council employees (including casual and temporary staff). Belfast City Council will take all reasonable steps to support all staff employed through an agency and placed in Belfast City Council.
- 2.2 The key stakeholders who can assist employees affected by domestic abuse include Line Managers, Business Support Officers, Departmental HR, Corporate HR Employee Relations team, Trade Union Coordinators and Trade Union Representatives. Additionally, it is acknowledged that affected employees, as victims or survivors or as perpetrators have

a part to play in acknowledging that they require assistance and in seeking support. There is a wide range of organisations outside of the council that can offer support and BCC staff will provide signposting to these organisations.

3. Definition of Domestic Abuse

3.1 Domestic abuse is defined as:

"any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) inflicted on one person by another where they are or have been intimate partners or family members, irrespective of gender or sexual orientation."

3.2 While it is usually women who report experiencing domestic abuse, this definition acknowledges and includes female violence towards men and violence between partners or ex-partners in close, same-sex relationships.

3.3 It is also acknowledged that perpetrators need not be partners or family members.

3.4 Additionally, it is recognised that an individual can be subject to domestic abuse from more than one perpetrator within their particular personal circumstances.

3.5 Typically the abuse involves a pattern of abusive or controlling behaviour that tends to get worse over time.

3.6 Signs that an individual is experiencing domestic abuse are varied, but can include adverse performance, timekeeping and attendance issues, repeated injuries or unexplained bruising or explanations that do not match the injuries displayed.

4. Confidentiality and Sharing Information

4.1 Domestic abuse is a sensitive issue and people experiencing it are often reluctant to discuss it with managers or colleagues. All records concerning domestic violence and abuse will be kept strictly confidential. Local absence records will not contain detail relating to domestic violence and abuse.

4.2 By maintaining confidentiality, the Council can help an individual experiencing domestic abuse make positive changes and increase their safety. Information will only be disclosed with the express consent of the individual - unless the council is legally obliged to do so. (For example where domestic violence and abuse is linked with child abuse and where a risk to children or to vulnerable adults is identified, then the council may have a duty to inform social services.) Where this arises the employee will be informed.

4.3 The Corporate Human Resources Employee Relations team, i.e. the Principal HR Advisor and Senior HR Advisors, can be contacted directly by employees who do not wish to approach their line manager or departmental business support in the first instance. Corporate HR will also be responsible for the maintenance of records of these cases.

4.4 The council will remind staff of the importance of not divulging personal details of other employees including employees' whereabouts / shift patterns etc. This should be included in the relevant data protection training and communication exercises.

5 Information and Support for Employees who are experiencing Domestic Abuse

- 5.1 Employees who are experiencing domestic abuse can seek advice and support from their Line Manager or from the appropriate Business Support Officer. Advice and support will also be available from trade union representatives or via the Trade Union Coordinators or from employee counselling.
- 5.2 The Council will seek to assist employees to access support programmes and to help themselves out of their abusive circumstances by attempting to make positive changes to increase their safety.
- 5.3 The Council can also help by providing a flexible approach to facilitate access to external agencies and to attend external appointments and meetings for example to attend counselling sessions, visits to a solicitor, appointments with social work and housing agencies and attendance at Court. Management will agree with the individual in conjunction with Corporate HR) how leave can be facilitated based on an individual's circumstances and service delivery. This may include special paid leave, unpaid leave, flexi time (including flexi time outside normal provision if required), or changes to start and finishing times of work or a combination of council leave provisions.
- 5.4 Additionally, Management will implement as appropriate workplace adjustments necessary to increase an employee's safety at work e.g. in the event that a perpetrator attempts to make unwanted contact with an employee experiencing domestic abuse whilst the employee is in their workplace, or in the event that the employee works in the community, and this is known to the perpetrator. A risk assessment must be carried out by an appropriate person. A record of the risk assessment must be placed on the employee's personnel file.

6 Information for Employees who are Perpetrators of Domestic Abuse

- 6.1 Conduct both inside and outside work may lead to disciplinary action against an employee, dependant on the seriousness of the alleged/proven misconduct, caution or offence. Factors that would be considered include the seriousness of the alleged / proven misconduct, caution or offence, its relevance to the work the employee undertakes for the council, and its impact upon the employment relationship between the Council and the employee. In such cases the facts will be considered and a view taken as to whether the allegation /conduct is sufficient to warrant invoking disciplinary procedures. Reference should be made to the Council's Procedure on Criminal Misconduct. It may be the case that such an issue is dealt with through the criminal legal system either as an alternative to or concurrent to the disciplinary procedure.
- 6.2 The Council recognises that perpetrators of domestic abuse may wish to seek help on a voluntary basis in order to address their abusive behaviour. Alternatively, it may be the case that such help may be mandatory, for example as a part of a court sentence.
- 6.3 Requests for time off to attend appropriate intervention appointments would be considered sympathetically, as far as can reasonably be expected. . Management will agree with the individual in conjunction with Corporate HR) how leave can be facilitated based on an individual's circumstances and service delivery. This may include special paid leave, unpaid leave, flexi time (including flexi time outside normal provision if required), or changes to start and finishing times of work or a combination of council leave provisions.

7 If the victim and perpetrator work in the council

7.1 In cases where both the victim and the perpetrator of domestic violence and abuse are employed by the council, the council will take appropriate action.

7.2 In addition to considering disciplinary action against the employee who is perpetrating the abuse, action may need to be taken to:

- ensure that the victim and the perpetrator do not come into contact in the workplace
- minimise the potential for the perpetrator to use their position or work resources to find out details about the whereabouts of the victim

This may include a change of duties for one or both employees or withdrawing the perpetrators access to certain computer programmes or offices.

7.3 However it is also recognised that in certain circumstances, those experiencing and perpetrating domestic abuse in a relationship may want to seek solution jointly and in such situations appropriate support should be given.

8 Information for Managers

8.1 It is unlikely that employees experiencing domestic abuse will tell people at work of their situation or approach their manager with their problems in the first instance.

8.2 It is far more likely that a Manager will become aware of the situation through their awareness of possible signs of domestic abuse. Details of possible signs that someone is experiencing domestic abuse are contained in **Appendix 1**.

8.3 Identifying that an employee is experiencing difficulties at an early stage can lead to appropriate help being offered. This in turn could mean that the employee is able to deal with their situation far more effectively.

8.4 There may be circumstances when it will be appropriate for a manager to encourage an employee to disclose what is happening to them so that appropriate help and support can be provided. However, both employees and managers should recognise that employees experiencing domestic abuse benefit most from the intervention of trained professionals, and that the line management role will be to assist employees to access local domestic abuse programmes, specialist confidential counselling services, and to provide support to the employee.

8.5 This policy will be communicated to managers and employees and will be incorporated into the relevant corporate training. Some key issues for managers to consider when dealing with a victim of domestic abuse are outlined in **Appendix 2**. Details of possible workplace adjustments to help provide support are outlined in **Appendix 3**.

8.6 Additionally, **Appendix 4** outlines key issues for managers to consider when dealing with an employee who is a perpetrator of domestic abuse.

8.7 Further specialist advice can be sought from Departmental HR or the Corporate Human Resources Employee Relations team.

9 Communicating the Policy

9.1 The Council will raise awareness of domestic abuse through a variety of methods, including:

- Preparation and distribution of information publicising the Council's policy and to raise awareness of the issues of domestic abuse.
- The provision of information about agencies that can offer advice, information and support. Please see **Appendix 5** for a list of these agencies in Northern Ireland

9.2 Whilst it is acknowledged that these steps will be effective in the short term in raising awareness, the Council is committed to continue to communicate and raise awareness of domestic abuse in the longer term using methods deemed to be the most effective and appropriate.

10. Review of Policy

10.1 The policy will be reviewed as appropriate. If changes are to be made to this policy, it will be done so in consultation with the Trade Unions.

Appendix 1

Identifying Domestic Violence and Abuse

Signs that an individual is experiencing domestic abuse can include:

- poor timekeeping without explanation
- high absenteeism rate without explanation
- uncharacteristic anxiety, depression or problems with concentration
- uncharacteristic deterioration in the quality of work performance
- the receipt of repeated upsetting calls/faxes/e-mails /text messages
- individual being a victim of vandalism or threats
- obsession with time;
- needing regular time off for appointments
- inappropriate or excessive clothing;
- repeated injuries, or unexplained bruising or explanations that do not match the injuries displayed
- increased hours being worked for no apparent reason
- prevented from seeing children or fear of not seeing children
- limited money / access to money
- restricted work / social life

Please note that this is not a checklist - some victims may display no signs of violence or abuse. Individuals experiencing domestic abuse suffer a broad range of physical and emotional consequences. Additionally, it is essential to understand that any of the above may arise from a range of circumstances, of which domestic abuse **may** or **may not** be one.

Appendix 2 - Dealing with a victim of domestic violence and abuse

The following are practical key points to bear in mind when dealing with possible domestic abuse situations, to encourage disclosure and/or discussion of abuse:

- Create an environment where employees feel safe to talk about what they are experiencing. Be a good listener and believe what they are saying. Although total confidentiality might not be possible in all cases, try to respect the confidentiality of the individual concerned.
- Provide a sensitive non judgemental response and reassure the employee that they are not to blame, there is no justification for this treatment of them and that there is help and support available, both through the organisation and links with specialist agencies.
- Be aware that that an individual can be subject to domestic abuse from more than one perpetrator within their particular personal circumstances.
- Be well informed about the support options that are available and discuss these with the employee, including how to contact local domestic abuse support and information services and specialist confidential counselling services. If requested by the employee, assist them to make contact.
- Respect the choices and decisions the employee may make about their situation – often it is difficult for them to leave due to financial, childcare responsibilities and threats of violence. Additionally, fear of loss of contact with their children, and false counter-allegations are factors which affect an individual's decision.
- Be aware that a victim may make many attempts before they finally leave their violent partner.
- If you are a Manager, seek to accommodate, insofar as possible, requests for adjustments to working hours, workloads and time off (within the parameters of other current Council policies and procedures) to make arrangements, for example meetings with solicitors, making financial arrangements, making alternative arrangements for childcare, appointments with schools, social work and housing agencies, and attendance at Court.
- If you are a Manager, consider carrying out a workplace risk assessment for both the victim and other employees.
- Keep in touch with the employee during any period of absence, maintaining confidentiality of their whereabouts at all times.

Appendix 3

Workplace Adjustments

People experiencing domestic abuse are especially vulnerable once they attempt to leave abusive partners and may become vulnerable going to or coming from work or while they are at work as the perpetrator knows where they can be located. This can give rise to health and safety issues and an increased risk of workplace abuse.

The following is a non exhaustive list of adjustments that could be considered to help individuals experiencing domestic abuse:

- If the employee's duties require work outside their place of work, consider how the risks can be minimised.
- Checking that staff have arrangements for safely getting to and from home.
- Consider accommodating requests, if possible, to allow the individual to change work patterns, work locations or workload, and consider allowing flexible or more flexible working or special leave to facilitate any practical arrangements that are required, such as seeking legal advice, attending counselling and support group meetings or to attend court (please refer to handbook on Worklife Balance for further available options).
- Diverting / screening telephone calls/ obtaining new telephone number.
- Providing alternative email addresses.
- If consent is given, alerting reception and security staff if the perpetrator / alleged perpetrator is known to attend or come to the workplace.
- With consent, advising colleagues of the situation on a need-to-know basis and agreeing what the response should be if the perpetrator /alleged perpetrator contacts the office.
- Consider financial assistance by way of a directly paid advance in pay. Any such payment would be agreed by the relevant director and the employee would agree how and when any such payment would be paid back to the council.

Further advice should be sought from Departmental HR or the Corporate Human Resources Employee Relations team if you are considering any of the above.

Appendix 4

Dealing with a Perpetrator of Domestic Violence and Abuse

What action may be taken if a Council employee is proven or accepted to have carried out domestic abuse?

Any sanctions against an alleged perpetrator are a matter for the criminal justice system and not the Council, unless a caution or conviction directly impacts on their ability to perform the role for which they were employed, or breaches the disciplinary code of conduct.

Conduct both inside and outside work could lead to disciplinary action in the normal way against an employee, dependent on the seriousness of the alleged misconduct, caution or offence.

Conduct both inside and outside work may lead to disciplinary action against an employee, dependant on the seriousness of the alleged/proven misconduct, caution or offence. Factors that would be considered include the seriousness of the alleged / proven misconduct, caution or offence, its relevance to the work the employee undertakes for the council, and its impact upon the employment relationship between the Council and the employee. In such cases the facts will be considered and a view taken as to whether the allegation /conduct is sufficient to warrant invoking disciplinary procedures. Reference should be made to the Council's Procedure on Criminal Misconduct. It may be the case that such an issue is dealt with through the criminal legal system either as an alternative to or concurrent to the disciplinary procedure.

Conduct Occurring within Work

Perpetrators of domestic abuse might use workplace resources such as telephone, email, normal mail, IT systems and fax to harass, threaten or abuse their current or former partners. They may also involve their colleagues, who may not be aware of their motives, in assisting them to do so.

Such misuse of Council resources may breach the Council's Disciplinary Code, and has the potential to bring the organisation into disrepute.

If a manager becomes aware of an incident in which an employee has misused workplace resources for the purposes outlined above, advice should be sought from Departmental HR or the Corporate Human Resources Employee Relations team so that action, if appropriate, can be agreed.

In all cases where disciplinary action is being contemplated, the matter shall be investigated in line with Council procedures.

Assistance for Perpetrators of Domestic Abuse

When a perpetrator has identified themselves, or is known to the Council, then this must be treated confidentially. The safety of the person experiencing the abuse must be paramount and taken into consideration.

Some perpetrators will want to seek assistance in changing their behaviour and consideration should be given to supporting them in doing so, at a time mutually convenient to the employee and the service. Management will agree with the individual in conjunction with Corporate HR) how leave can be facilitated based on an individual's circumstances and service delivery. This may include special paid leave, unpaid leave, flexi time (including flexi time outside normal provision if

required), or changes to start and finishing times of work or a combination of council leave provisions.

This will allow the perpetrator to attend appropriate counselling sessions or to comply with a court order to attend an abuser programme.

Appendix 5

Non-Traditional Victims of Domestic Violence/Abuse

Whilst women experience and report higher incidences of violence and abusive behaviour within their family and relationships, other people can be affected and hurt by domestic violence and abuse too.

It is important to consider when articulating and promoting your support to victims that non-traditional victims may be present in the work place, for example those who are in a same sex relationship and/or those who are male. It is important to be sensitive and supportive in different ways to help all victims feel comfortable speaking to their colleagues and managers about their relationship in the workplace.

Remember that those who are in a same-sex relationship may face a fear of discrimination or actual discrimination and exclusion on a daily basis because of their sexual orientation. They may be reluctant to come out to colleagues, and if they do you should be sensitive about who is informed of the details of their relationship.

Often, an abusive same sex partner takes advantage of homophobia to manipulate a partner to keep the abuse a secret and/or threatens to 'out' them to family, friends and work colleagues. Same sex attracted victims may also fear that most support services are designed for heterosexual people. It is important that you have access to appropriate support services for LGB people and can provide this information to all employees to communicate your openness and thoughtfulness in this regard.

For male victims whether heterosexual or same sex attracted, coming forward to talk about abuse in a relationship and ask for help & support is difficult to do. Men access support in very different ways to women and often can be further isolated in an abusive relationship due to the myths about maleness meaning strength and self-sufficiency etc. It is difficult in the workplace to acknowledge you are experiencing abuse, many men worry that they will be mocked or treated with disbelief. There are many support services for heterosexual and same sex attracted men, it is important that you have access to appropriate support services and can provide this information to all employees to communicate your openness and thoughtfulness in this regard.

It is important that all staff who are trained to support victims of domestic violence in the workplace have received appropriate guidance and training in issues pertaining to non-traditional victims of domestic violence and abuse.

BELFAST CITY COUNCIL

**EMPLOYEES EXPERIENCING DOMESTIC VIOLENCE
EMPLOYEE FACTSHEET**

Source:
Corporate Human Resources

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Introduction

How we can help if you experience domestic violence

Who to ask for help

What about confidentiality?

Will I be disciplined?

Belfast City Council contacts list

External support organisations/ services contact list

INTRODUCTION

As your employer Belfast City Council values your health and safety. If you are an employee experiencing domestic violence, as an organisation we understand that your morale, health, well-being and self-confidence can be affected.

This fact sheet is intended to answer questions and concerns you may have about your employment if you are experiencing domestic violence.

HOW CAN WE HELP IF YOU EXPERIENCE DOMESTIC VIOLENCE?

As your employer we can only assist you, if you disclose that you are subject to domestic violence.

WHO TO ASK FOR HELP?

You can approach your Line Manager, Business Support Officer or Trade Union representative , or a colleague with whom you feel able to discuss your circumstances.

Whoever you approach, your situation will be treated with the utmost confidentiality possible.

Whoever you approach you must be prepared to discuss who else may need to be informed eg. Service Head, Occupational Health etc.

If you approach a colleague/s you must understand that they may need to involve a third party like HR because they may not have the knowledge or expertise or access to specialist resources to help you.

WHAT ABOUT CONFIDENTIALITY?

Whatever you disclose will be confidential. Any disclosure about you or your circumstances will only be made with your permission.

The Council will only involve other agencies or share information with your consent unless we are required to do so by law or the information is necessary for the protection of children or vulnerable adults. We will inform you if this is necessary.

WILL I BE DISCIPLINED?

You will not be disciplined **because you have experienced** domestic violence.

However, if you are going through a disciplinary process and your personal circumstances have a bearing on why you are being disciplined it may be in your best interest to disclose your circumstances as soon as possible so that they can be taken into account and the appropriate support provided.

BELFAST CITY COUNCIL CONTACTS LIST

Corporate Human Resources Employee Relations - Senior HR Advisor Ext. 3253, Senior HR Advisors Ext. 3240,6432,3221,4724,3687

Departmental HR/Business Support Officers Representatives

Recognised Trade Union Representatives

Employee Counselling

EXTERNAL SUPPORT ORGANISATIONS/ SERVICES

There are a number of organisations dealing with domestic violence and supporting victims. Details are given below:

Anyone who feels in immediate danger should dial 999

Police Service of Northern Ireland

Domestic Violence Officers are available in all areas 0845 600 8000

Women's Aid

Women's Aid is the lead voluntary organisation responding to domestic violence in Northern Ireland. Its main aim is to create a safe and supportive society for women, children and young people affected by domestic violence.

Women's Aid Federation Northern Ireland	028 90249041
National Domestic Violence Helplines	
Northern Ireland 24-hour Free-phone Helpline	0800 917 1414
Republic of Ireland Helpline	1800 341 900
Scottish 24-hour Helpline	0800 027 1234
English 24-hour Helpline	0808 200 0247
Welsh 24-hour Helpline	08457 023 468

Local Women's Aid Advice Centres

Ballymena	028 25632136
Belfast	028 9066 6049
Coleraine	028 7035 6573
Cookstown and Dungannon	028 8676 9300
Craigavon	028 3834 3256
Fermanagh	028 6632 8898
Foyle	028 7128 0060
Newry	028 3025 0765
North Down and Ards	028 9127 3196
Omagh	028 8224 1414

Men's Organisations

Men's Advisory Project (MAP)	028 9024 1929
Men to Men	028 9023 7779

Gay/Lesbian/Bisexual/Transgender Helplines

Cara Friend - Gay Helpline	028 9032 2023
- Lesbian Helpline (Thursday evenings)	028 9023 8668
Rainbow Project	028 9031 9030

Other Useful Numbers and websites

Rape Crisis and Sexual Abuse Centre	028 9032 9002	To be inserted
Nexus	028 9032 6803	www.nexusinstitute.org
Victim Support	028 9024 4039	www.victimsupportni.co.uk
Disability Action	028 9029 7880	www.disabilityaction.org
Northern Ireland Council for Ethnic Minorities	028 9023 8645	www.nicem.org.uk
Citizens Advice Bureau	028 9023 1120	www.citizensadvice.co.uk
Law Society (Legal and Solicitor Advice)	028 9023 1614	www.lawsociety.org.uk/choosingandusing/findasolicitor.law
Opportunity Now	028 2043 6912	www.bitcdiversity.org.uk
Relate	028 9032 3454	www.relateni.org
Samaritans	08457 90 90 90	www.samaritans.org
Parents Advice Centre	028 9023 8800	www.parentingni.org
Northern Ireland Legal	028 9023 8800	www.niisc.org.uk

Services Commission		
Age NI		www.ageuk.org.uk/northern-ireland
Children in Northern Ireland	028 9040 1290	www.ci-ni.org.uk
Irish Congress of Trade Unions	028 9024 7940	www.ictuni.org

You might also consider contacting your own GP

BELFAST CITY COUNCIL

**GUIDANCE NOTES
EMPLOYEES EXPERIENCING DOMESTIC VIOLENCE
MANAGERS FACTSHEET**

Source:
Corporate Human Resources

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Introduction

What is Domestic Violence?

Who Practical Support Can Managers Give?

Safety at Work

Confidentiality

Attendance Policy

What if an Employee of Belfast City Council is a
Perpetrator of Domestic Violence?

INTRODUCTION

These guidance notes are intended to assist managers and employees when dealing with this very sensitive and personal issue.

Human Resource Teams will be able to help and advise managers and employees if that is what the individual wants. It is also recognised that managers and employees may feel a sensitive issue such as domestic violence is best dealt with at a local level within existing Belfast City Council Policies and Procedures.

This is an information-sharing document and is produced in support of the Belfast City Council Policy on Domestic Abuse and Violence in the Workplace.

WHAT IS DOMESTIC VIOLENCE?

The term “domestic violence” shall be understood to mean “ *any incident of threatening behaviour , violence or abuse (psychological, physical, verbal, sexual, financial or emotional) inflicted on one person by another where they are or have been intimate partners or family members, irrespective of gender or sexual orientation.*” **(Belfast City Council Policy Statement on Domestic Violence)**

Research shows that the majority of those who experience domestic violence are women, with the majority of perpetrators being men. However it is important to note that domestic violence is not limited to this group and is an issue for all within our society.

We do not currently record incidents of domestic violence experienced by our own employees. However, BCC is committed to raising awareness about domestic violence and providing services to support those who experience it.

Managers should understand that domestic violence is an issue that can impact on the workplace. Domestic violence can affect the morale, health, well being and self-confidence of an employee, which in turn can impact on their performance at work.

WHAT PRACTICAL SUPPORT CAN MANAGERS GIVE?

- If approached managers need to be prepared to listen and should ensure they are approachable and available.
- Do not directly confront an employee. It is for the employee to raise the matter.
- Managers will need to establish “ground rules” for example confidentiality, consent for who else is to be involved, eg. Business Support Advisor, colleague etc.
- Managers will need to be able to explain to an employee how we as an employer can support them, including the possibility of the following:

Leave

The current special leave scheme provides unpaid time off for employees for domestic reasons, family emergencies or urgent private reasons. For more advice and information please contact

your Business Support Officer, the Employee Relations Team, Corporate Human Resources, TU representative.

Managers may receive requests for time off from employees who are experiencing domestic violence to arrange appointments during the normal working day. These requests should be treated sympathetically. These appointments may typically include:

- Appointments with support agencies
- Arranging re-housing
- Meeting with solicitors, police etc
- Making alternative childcare arrangements, including schooling.
- Attending court in relation to seeking an injunction or order in cases of violence or harassment.

Management will agree with the individual (in conjunction with Corporate HR) how leave can be facilitated based on an individual's circumstances and service delivery. This may include special paid leave, unpaid leave, flexi time (including flexi time outside normal provision if required), or changes to start and finishing times of work or a combination of council leave provisions.

Additionally, Management will implement as appropriate workplace adjustments necessary to increase an employee's safety at work e.g. in the event that a perpetrator attempts to make unwanted contact with an employee experiencing domestic abuse whilst the employee is in their workplace, or in the event that the employee works in the community, and this is known to the perpetrator. Managers may consider a change in working pattern or hours if necessary or a change of duties or reallocation of duties.

Referral to Occupational Health

The Occupational Health Team can assist with counselling as well as absences and medical advice relating to specific injuries. You can choose to refer an employee to an agency or counsellor without the support of Occupational Health. Departments will consider on recommendation from Occupational Health the provision of additional specialist counselling or support services.

Both male and female employees can also be referred to a Women's Aid Advisor who can provide specialist advice and guidance. This is a free service.

Police Involvement –Any consideration of involving the police must be discussed with the employee.

SAFETY AT WORK?

Managers have a duty to ensure that all employees have a safe working environment. Ensuring an employee's, who is experiencing domestic abuse, safety at work can be difficult and in some cases may involve obtaining the consent of the employee to inform colleagues to avoid disclosure of the employee's whereabouts to alleged perpetrators, other family members or their representatives. However, the need for confidentiality is paramount and a Manager should not divulge information of a private nature without the express permission of the employee, unless required to do so by law.

Managers may also need to assess the "risk" to other employees from the perpetrator.

CONFIDENTIALITY?

Once an employee has confided to their Manager that they are experiencing domestic violence, the Manager should assure the employee that they will keep this information confidential and within the boundaries they have already agreed. An exception to this is where child protection issues could arise. In these circumstances the manager must advise the employee that they will be seeking further advice from an appropriate agency.

ATTENDANCE POLICY

An employee's circumstances or disclosure of being subject to domestic violence may come to the attention of a manager through the application of the absence procedure.

The attendance policy still needs to be followed and allows for the possibility of discretion being allowed. However, information relating only to the specific illness or injury needs to be recorded. The issue of domestic violence should not be recorded locally and the issue should be dealt with separately if the employee wishes.

Depending on the circumstances and what course of action the employee wishes to take will depend on how much we as an employer need to support an employee.

WHAT IF AN EMPLOYEE OF BELFAST CITY COUNCIL IS A PERPETRATOR OF DOMESTIC VIOLENCE?

We all must be aware that domestic violence is a serious matter that can lead to criminal convictions.

Conduct of an employee outside of work can lead to disciplinary action (refer to Code of Conduct).

A manager will need to assess each case on its merits and consider the implications carefully.

If you are made aware that an employee is a perpetrator of domestic violence contact your Business Support Officer or the Corporate HR Employee Relations team for advice and support.