



Tudor Grange Academies Trust

Domestic Abuse Policy

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1 Introduction

- 1.1 Tudor Grange Academies Trust recognises that its employees may be amongst those affected by domestic abuse for example as a survivor of domestic abuse, an individual who is currently living with domestic abuse, someone who has been impacted by a serious act of domestic abuse or as an individual who perpetrates domestic abuse.
- 1.2 We are committed to developing a workplace culture in which there is zero tolerance for abuse and which recognises that the responsibility for domestic abuse lies with the perpetrator. The Trust is committed to ensuring that any employee who is the victim of domestic abuse has the right to raise the issue with their employer in the knowledge that they will receive appropriate support and assistance. This policy also covers the approach we will take where there are concerns that an employee may be the perpetrator of domestic abuse.
- 1.3 By giving practical advice on domestic abuse and working to reduce the risks, we will be creating a safer workplace and sending out a strong message that domestic abuse is unacceptable. It must also be recognised that in majority of cases, victims will withdraw their complaints and fail to pursue matters. This personal choice must be accepted.

2 Definition of domestic abuse

2.1 Domestic abuse is defined as:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who, or have been, intimate partners or family members regardless of gender or sexual orientation. The abuse can encompass, but is not limited to: psychological, physical, sexual, economic, verbal and emotional forms of abuse”.

“Controlling behaviour is a range 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”.

“Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim”.

2.2 This definition includes so called ‘honour’ based violence, female genital mutilation (FGM) and forced marriage. Victims are not confined to one gender or ethnic group. (Home Office 2013). Further information on “Honour” based violence, forced marriage and female genital mutilation can be found at Annexe A

2.3 Domestic abuse can go beyond actual physical violence. It can also involve emotional abuse, the destruction of a spouse’s or partner’s property, their isolation from friends, family or other potential sources of support, acts of control that regulate their everyday behaviour, deprive them of their means of independence by controlling access to money, personal items, food, transportation, the telephone and internet. It may also involve threats, intimidation, humiliation and stalking and can include abuse inflicted on, witnessed by or threatened against, children.

- Domestic abuse occurs in all social classes, cultures, and age groups whatever the sexual orientation, mental or physical ability.
- Once it has started it often becomes more frequent and more severe.
- It can severely affect children, and other members of the household, emotionally and physically.
- Victims are sometimes beaten or harassed by members of their immediate or extended family.
- Domestic abuse is gendered – the majority of perpetrators are men and between 80-95% of those who experience it are women, although it does also occur against men in heterosexual relationships, in same sex relationships and against bisexual and transgender people.
- Domestic abuse is not a ‘one off’ occurrence but is frequent and persistent, aimed at instilling fear into, and compliance from, the victim. On average a victim of domestic abuse is assaulted 35 times before they report the matter to the police.

3 Identification of the problem at work

3.1 Whilst it is for the individual themselves to recognise they are a victim of domestic abuse, there are signs which may indicate an employee may be a victim. These may include:

- The member of staff may confide in their Principal/ Head of school/colleagues/manager.
- Staff may inform their manager that a colleague is suffering from domestic abuse.
- There may be obvious effects of physical abuse (it is important not to make assumptions).
- It may come to light as a result of enquiries into a drop in performance or a significant change in behaviour.
- It may reveal itself as the background to poor attendance or where victims prefer to be at work rather than at home.

3.2 It is essential to understand that any of the above may arise from a range of circumstances of which domestic abuse may be one. Managers/ Supervisors who support staff in such matters should address the issue positively and sympathetically ensuring that the employee is aware that support and assistance can be provided.

4 Disclosure of abuse

- 4.1 Where staff experiencing domestic abuse choose to disclose, report to or seek support from a line manager or colleague, line managers will not counsel victims, but offer information, workplace support, and signpost to other organisations as highlighted (Appendix C).
- 4.2 The School will respond sympathetically, confidentially to any member of staff who discloses that they are suffering from domestic abuse.
- 4.3 Where an employee does not want to discuss their situation with their immediate line manager, they can discuss this in confidence with the HR Director, their Trade Union Representative or in school counsellor if available.

5 Confidentiality and right to privacy

- 5.1 The School respects employees' right to privacy. Whilst the School strongly encourages victims of domestic abuse to disclose what they may be experiencing for the safety of themselves and all those in the workplace, it does not force them to share this information if they do not want to.
- 5.2 Employees who disclose experiencing abuse can be assured that the information they provide is confidential and will not be shared with other members of staff without their permission. Where consent is not provided but line managers want advice from external HR providers of the HR Director, they can do so without identifying the employee.
- 5.3 There are, however, some circumstances in which confidentiality cannot be assured. These occur when there are concerns about children or adults at risk or where the employer needs to act to protect the safety of employees. In circumstances where the School must breach confidentiality it will seek specialist advice before doing so. If it decides to proceed in breaching confidentiality after having taken advice, it will discuss with the employee why it is doing so and it will seek the employee's agreement where possible. As far as possible, information will only be shared on a need-to-know basis. Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.
- 5.4 All records concerning domestic abuse will be kept strictly confidential. Whilst any periods of absence will need to be recorded, it will not be necessary to record the reason for the absence

if this is related to domestic abuse. Application of any Absence Management Policy will be adjusted as appropriate to prevent detriment.

6 Support for individuals

- 6.1 The School will provide on-going support for employees who disclose abuse by encouraging them to seek advice and support from professional advisory groups specialising in dealing with domestic abuse, including the Police (Appendix C provides a list of useful sources). The School will respond sympathetically, confidentially and effectively to any member of staff who discloses that they are experiencing domestic abuse.
- 6.2 In situations where staff, who have or are currently experiencing domestic abuse, find certain aspects of their work distressing, the concerns should be discussed with the respective manager with a view to exploring ways in which their concerns are addressed and the impact minimised.
- 6.3 Where domestic abuse has been reported, the Principal and line managers will treat unplanned absence and temporary poor timekeeping with empathy and the employee will not be subject to the usual sickness absence management policy triggers, and/or disciplinary procedures. In the event of prolonged, frequent absence or lateness, advice should be sought from HR. It is necessary to consider a range of options and make appropriate decisions with discretion and sensitivity.
- 6.4 Line managers may offer employees experiencing domestic abuse a broad range of support. This may include, but is not limited to:
- Consideration given to paid leave and authorised unpaid leave to attend appointments with relevant support agencies, solicitors, to organise housing or childcare, and for court appointments. This will need to be agreed between the line manager and the HR Advisor. For guidance on paid or unpaid leave, refer to the Leave of Absence policy
 - Consideration given to temporary or permanent changes to working times and patterns.
 - Changes to specific duties, for example to avoid potential contact with an abuser in a customer facing role.
 - Consideration given to redeployment or relocation.
 - Measures to ensure a safe working environment, for example changing a telephone number to avoid harassing phone calls.
 - Using other existing policies, including flexible working.
 - Awareness of the Trust Employee Assistance Programme (EAP) Appendix B, including a counselling service for employees. These services can be accessed by employee self-referral or manager referral to our EAP provider, Health Assured.
 - Support to protect work colleagues who could, by association, become involved in the domestic situation.
- 6.5 Line managers will respect the right of staff to make their own decision on the course of action at every stage and should avoid being judgemental. It must be recognised that the employee may need some time to decide what to do and may try many different options during this process. Questions about domestic abuse from line managers should be asked sensitively so that the employee can feel safe. The employee may feel ashamed, confused, frightened and even blame themselves. It is important not to deter them from seeking the help they need.

- 6.6 It is also important that managers do not advise the employee on what action to take as some (well meaning) advice may lead to increased risk. Continue to offer support even if the employee is not ready to change their situation.

7 Organisational planning

- 7.1 Information about domestic abuse will be included in the School Induction and as part of the mandatory Safeguarding training and include signposting to the Policy.
- 7.2 The Trust will work together with partners to provide information on access to appropriate professional local and national assistance, including specialist services, police, help-lines and emergency accommodation.
- 7.3 Schools will remind staff of the importance of not divulging personal details of other employees, such as addresses, telephone numbers or shift patterns.

8 Training

- 8.1 The School will ensure that all line managers are aware of domestic abuse and its implications in the workplace. Access to training is made available to all staff relevant to their post and role within the school.

9 Safety planning

- 9.1 The School will prioritise the safety of employees in the workplace if they make it known that they are experiencing domestic abuse.
- 9.2 When an employee discloses domestic abuse, the School will encourage its employee to contact a specialist support agency who can undertake a DASH (domestic abuse, stalking and harassment), and honour based violence risk assessment and make appropriate referrals where necessary.
- 9.3 The School will work with the employee and a specialist agency (with the employee's consent) to identify what actions can be taken to increase their personal safety as well as address any risks there may be to colleagues, taking into account the duty of care for all employees.

10 Perpetrators of domestic abuse

- 10.1 Domestic abuse perpetrated by employees will not be condoned under any circumstances.
- 10.2 The Trust recognises that it has a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds. If an employee approaches a School revealing that they are a perpetrator of abusive behaviour, the School will provide information about the services and support available to them, and will encourage the perpetrator to seek support and help from an appropriate source. Where there is a disclosure, confidentiality will be maintained unless there are issues of safeguarding or to protect the safety of others.
- 10.3 The School will treat any allegation, disclosure or conviction of a domestic violence related offence on a case-by-case basis with the aim of reducing risk and supporting change.
- 10.4 An individual cautioned or convicted of a criminal offence may be subject to an investigation in accordance with the School's disciplinary procedure. The School also reserves the right to take appropriate action should an employee's activities outside of work have an impact on their ability to perform the role for which they are employed and/or be considered to bring the organisation into disrepute.

10.5 Violence and abusive behaviour, wherever this occurs, is a breach of the Employee Code of Conduct and will be investigated, which could result in disciplinary action being taken.

10.6 The School is committed to ensuring that:

- allegations are dealt with fairly and in a way that provides support for the person who is the subject of the allegation or disclosure
- where both victim and alleged perpetrator are school employees, priority will be given to ensuring the safety of the parties
- all employees will receive guidance and support
- confidentiality will be maintained and information restricted only to those who have need-to-know
- all cases will be dealt with quickly avoiding unnecessary delays

10.7 This procedure is intended to be safety focussed and supportive rather than punitive. The alleged perpetrator will be:

- treated fairly and honestly
- helped to understand the concerns expressed and processes involved.
- kept informed of the progress and outcome of any investigation and the implications for any disciplinary process
- allowed the opportunity to respond to allegations made against them
- advised of any communication that may have to be made to a professional organisation
- advised to contact their trade union or professional organisation

10.8 If a colleague is found to be knowingly assisting an abuser in perpetrating the abuse, for example by giving them access to facilities such as telephones or email then they will be seen as having been party to committing an offence and could therefore be subject to disciplinary action.

10.9 If it becomes evident that an employee has made a malicious allegation that another employee is perpetrating abuse, then this will be treated as a serious matter and investigated with a view to disciplinary action being taken.

11 When the victim and the perpetrator work in the same organisation

11.1 In cases where both the victim and the perpetrator of abuse work in the organisation, the School will take appropriate action.

11.2 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 perpetrator do not come into contact in the workplace.

11.3 Action may also need to be taken to minimise the potential for the alleged perpetrator to use their position or work resources to find out details about the whereabouts of the victim. In these situations, disciplinary action could be taken.

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

11.5 In all cases, both the alleged victim and alleged perpetrator will be encouraged to seek professional help whether by reporting matters to the relevant authorities or seeking advice and counselling from those who are trained to deal with such matters.

12 Role of colleagues

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

Appendix A

The (WHO) World Health Organisation defines **female genital mutilation (FGM)** as 'all procedures involving partial or total removal of external female genitalia or other injury to the female genital organs for non-medical reasons". The practice is medically unnecessary, extremely painful and has serious health consequences, both at the time when the mutilation is carried out and in later life. The practice of FGM derives from complex belief systems, including the beliefs that it is a religious requirement or a necessary rite of passage to womanhood; that it ensures cleanliness or better marriage prospects. The age of mutilation may range from a few days old to adolescence, but the most common age is between 4 and 10. This is a safeguarding issue for those aged, under 18 years old.

Forced marriage constitutes domestic violence and, where it affects children and young people, child abuse. Forced marriage is distinct from an arranged marriage because in arranged marriages, although families may take a leading role in choosing the partners, the choice of whether or not to consent to the marriage remains with the potential spouses. In contrast forced marriage is when one or both spouses do not, or in the case of some adults with learning or physical disabilities, cannot, consent to the marriage and duress is involved, which can include physical, psychological, financial, sexual and emotional pressure. Forced marriage affects people from many communities and cultures, - for example, people from black, minority ethnic and refuge communities; lesbian, gay, bisexual and transgender people; and disabled people.

So-called '**honour-based violence**' or 'honour-crimes' are terms used to describe different forms of violence, mainly but not exclusively against women, including assault, imprisonment and murder, which is used to control behaviour within families and communities to protect perceived cultural and religious beliefs and/or 'honour'. Victims are punished for actually or allegedly, undermining what the family or community believes to be the correct code of behaviour. The transgression of the code of behaviour is seen as a weakness which brings shame or dishonour on the family.

Appendix B

Employee Assistance Programme

The Trust Employee Assistance Programme (EAP) is available to help employees to deal with personal and professional problems which could be affecting their home or work life, health or general wellbeing. The programme is run by an organisation called Health Assured.

This is a confidential facility that will provide information, expert advice and structured counselling by telephone 24 hours a day, 7 days a week. The service gives employees a place to turn for support any time of day or night, 365 days a year on whatever issues you might be facing.

To use the confidential service, you can contact the freephone number 0800 030 5182, the email facility on their website or via the instant web chat facility via the website **www.healthassuredeap.co.uk**

Appendix C

Other sources of support:

The Police

In an emergency always call 999

For non-emergency you can call 101 or report online

Services for female victims:

- Freephone 24 hour National Domestic Abuse Helpline 0808 2000 247 or
- [online](#)
- Rape and Sexual abuse – [RSVP](#) 0121 643 0301
- If you are pregnant you can talk to your midwife
- Talk to your health visitor or other health professional

Children’s Services: If you are concerned or know that a child is witnessing domestic abuse you can:

- Ring your health visitor or other health professional.
- Discuss your concerns with the child’s school
- [Childline](#) 0800 1111
- NSPCC Helpline 0808 800 5000 or email help@nspcc.org.uk

Adult Safeguarding

If you or the person you are worried about is over 18 years and need community care services, or find it difficult to protect themselves against harm as there are additional needs such as being elderly, physically or mentally ill, disabled, have learning difficulties, or face other challenges, alongside experiencing domestic abuse. You can talk in confidence to your doctor, nurse, police or service that provides care or support.

Action on Elder Abuse – enquiries@elderabuse.org.uk or www.elderabuse.org.uk Helpline 0808 808 8141 / 0208 835 9280

Other sources of support for men:

- If you are a man who is experiencing domestic abuse the Men’s Advice Line is a confidential and anonymous helpline. The number is 0808 801 0327. This is free from landlines and most mobiles. Online: [Men’s Advice Line](#).
- ManKind helps and advises male victims of domestic violence. Helpline: 0870 794 4124, www.mankind.org.uk

Respect - Help for domestic abuse perpetrators Tel: 0808 82 4040