



Domestic Abuse in the Workplace

Scope

This policy applies to all employees, contractors and agency workers engaged by the Group.

Purpose

To determine Gentoo's approach to domestic abuse and set out the support available to individuals

Roles and responsibilities

- **Human Resources** - policy owner; ensure this policy is up to date, incorporates best practice and is legally compliant; provide advice and support; oversight of consistency of application.
- **Employee** – understand and adhere to policy; ensure actions are completed in a timely manner; ensure their own behaviour and conduct is appropriate; awareness of escalation of issues; ensure their own health, safety and wellbeing.
- **Line Manager** – responsible for the implementation of the policy; decision making; carrying out the required actions in a timely manner; reporting, maintaining compliance and following the policy; escalation of issues; ensure health, safety and wellbeing of employees; awareness and understanding of issues; ability to deal with issues.

Introduction

General

This policy is issued by way of guidance on the Group's policy and practice. It does not form part of an employee's contract of employment or otherwise have any contractual effect on the Gentoo Agreement on Pay and Terms and Conditions of Employment ("the Orange Book") or the National Agreement on Pay and Conditions of Services ("the Green Book" and "the Red Book").

This policy may be varied, withdrawn or replaced at any time by the organisation at its discretion.

Contribution to organisational goals

The vision and values of the Group effectively set the headline rationale and culture for the Group. This policy operates within the vision and values:

Vision:

Great Homes - Strong Communities - Inspired People

Values:

Do the right thing <ul style="list-style-type: none">• Comply with legal obligations to ensure health and safety at work• Minimise harm to employee health• A supportive and open culture
Make a difference <ul style="list-style-type: none">• Support employees within work to enable them to make a difference• Offer supportive, practical help to employees
Work together <ul style="list-style-type: none">• Ensure measures are in place to manage employee wellbeing• Employees feel supported by one another
Keep learning <ul style="list-style-type: none">• Line managers understand the principles of this policy• Appropriate training and individual support is available• Raise awareness of health issues at work
Give all you've got <ul style="list-style-type: none">• Support employees to maintain their health and wellbeing• Employees feel valued and fairly treated

Monitoring and review

This policy will be reviewed every three years, or in line with legislation or business need.

Overall accountability for this policy lies with the Executive Director (Corporate Services) and responsibility lies with the Head of Human Resources. This policy is grade 3 and changes require the approval of the Executive Director (Corporate Services).

Accessibility

If any aspect of this policy causes you difficulty on account of any disability, or if you need assistance because English is not your first language, you should raise this issue with the HR team, who will make appropriate arrangements.

Regulation and Legislation

- Health and Safety at Work Act 1974
- Employment Rights Act 1996
- Employment Rights Act 1999
- Equalities Act 2010
- Protection from Harassment Act 1997
- Human Rights Act 1998
- The Data Protection Act 2018
- Domestic Violence, Crime and Victims Act 2004
- Police and Justice Act 2006
- The Equality Act 2010
- Anti-social Behaviour Crime and Policing Act 2014
- Serious Crime Act 2015
- Clare's Law, also known as Domestic Violence Disclosure Scheme (DVDS)

Policy

Introduction

Gentoo has a responsibility to provide all staff with a safe and effective working environment. For some staff, the workplace is a safe haven and the only place that offers routes to safety.

Gentoo acknowledges that domestic abuse is a significant problem which has a devastating impact on victims and their families. This procedure represents a commitment to take all reasonable steps possible to combat the reality and impact of domestic abuse on those being abused and to challenge the behaviour of perpetrators.

This procedure ensures that both victims and perpetrators of domestic abuse are aware of the support that is available within the organisation. It also provides guidance to line managers when supporting staff who are affected by domestic abuse. It is important to note however that domestic abuse is not condoned under any circumstance.

Definition

Domestic abuse is defined by the Home Office as:

“Any incident of controlling, coercive or threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 16 and over, who are or have been intimate partners or are family members, regardless of gender and sexuality.”

This definition includes honour-based violence, forced marriage and female genital mutilation.

The impact of domestic abuse can range from loss of esteem to loss of life.

Domestic abuse happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity. When dealing with domestic abuse it is important to recognise differences between all protected characteristics. It follows that different approaches and resources are needed when addressing domestic abuse with different groups.

The impact of domestic abuse in the workplace

It should be noted that there may be incidents which occur in the workplace or specifically affect the work of a member of staff.

Possible signs of domestic abuse include:

- Changes in behaviour including uncharacteristic depression, anxiety, distraction or problems with concentration
- Changes in the quality of work for no apparent reason
- Arriving late or leaving early
- Poor attendance or high presenteeism without an explanation
- Needing regular time off for appointments
- Inappropriate or excessive clothing
- Increased turnover

The impact of domestic abuse on work colleagues

Domestic abuse also affects people close to the victim and this can include work colleagues.

Some effects may include:

- Being followed to or from work
- Being subject to questioning about the victim's contact details or locations
- Covering for other workers during absence from work
- Trying to deal with the abuse and fear for their own safety
- Being unaware of the abuse or not knowing how to help

The impact of domestic abuse on the employer

Some effects may include:

- Negative impact on productivity, performance and morale
- Staff turnover, as employees may have to leave work or move away to escape abuse

Gentoo expects all staff to report their concerns if they suspect a colleague is experiencing or perpetrating abuse. A member of staff should speak to their line manager about their concerns in confidence. Alternatively a confidential reporting line is now available through Crime Stoppers 0800 111 4444. This is a 24 hour hotline that allows any

member of staff to report any concern they may have about a colleague or practices in the workplace. The hotline can be used anonymously.

Our Business Manager – Domestic Abuse and the trained Domestic Violence Champions who are all member of the Northumbria Domestic Violence Champions Network will also be available to provide advice, support and guidance to both members of staff and line managers. You will find details of Gentoo’s Domestic Violence Champions on the intranet or you can contact Kelly Henderson, Business Manager Domestic Abuse for details.

Confidentiality and right to privacy

Staff who disclose that they are a victim of domestic abuse can be assured that the information they provide is confidential and will not be shared with other colleagues without their permission.

There are however, some circumstances in which confidentiality cannot be assured. This may occur when there are concerns regarding children, vulnerable adults or where the organisation is required to protect the safety of their staff. In these circumstances, the member of staff will be informed as to the reasons why confidentiality cannot be maintained. As far as possible, information will only be shared on a need to know basis.

Confidentiality cannot always be assured for staff who disclose that they are a perpetrator of domestic abuse.

Support for staff

There are a number of ways in which staff experiencing domestic abuse can be supported by Gentoo:

- Through offering practical support
- Raising awareness generally of the issues and in particular amongst managers
- Providing training opportunities to line managers
- Signpost to an appropriate counselling service if appropriate
- Taking a clear anti-abuse stance against perpetrators

It is essential staff feel able to disclose this personal information and are encouraged to discuss this with their line manager. However if they feel unable to raise this with their line manager, support is available from the Domestic and Sexual Violence Champions (see intranet).

Support for line managers

Victims - identifying domestic abuse

Domestic abuse is unlikely to be disclosed easily by victims or perpetrators. There are a number of steps that can be taken to address the workplace effects of domestic abuse including how to recognise the problem, respond, provide support and refer to the appropriate help.

If a line managers require further advice or assistance before speaking to a member of staff, further support is available from Human Resources (HR) Advisers/ managers/ Business Manager – Domestic Abuse or the DSV Champions.

Support available

Line managers may consider offering a broad range of support to staff experiencing domestic abuse including:

- Annual leave, flexi-time or lieu time for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments.
- Special leave provisions (e.g. compassionate leave or unpaid leave) where the officer or member of staff's annual leave entitlement has been exhausted.
- Temporary or permanent changes to working times and patterns using existing procedures i.e. flexible working.
- Changes to specific duties, for example to avoid potential contact with the perpetrator in a customer facing role.
- Measures to ensure a safe working environment, for example blocking emails / screening telephone calls; alerting reception / security if the perpetrator is known to come to the workplace; and ensuring arrangements are in place for safely travelling to and from work
- Re-deployment or relocation.
- With the member of staff's consent:
 - advise colleagues on a need-to-know basis and agree a response if the perpetrator contacts the workplace
 - provide a photograph of the perpetrator to line management, security staff and reception
- Review the security of personal information held, such as temporary or new address and bank details.

The right of staff to make their own decision about the course of action at every stage will be respected. It is recognised that a member of staff may need some time to decide what to do and may try different options during this process.

Perpetrators

Domestic abuse perpetrated by staff will not be condoned nor will it be treated as a purely private matter. Staff should be aware that domestic abuse is a serious matter which can lead to criminal convictions. Conduct outside of work may lead to disciplinary action being taken against a member of staff; as such conduct may undermine the confidence and trust the organisation has in them. However, Gentoo recognises that it has a role in encouraging and supporting perpetrators to address violent and abusive behaviour of all kinds.

If a member of staff discloses perpetrating domestic abuse, the police should be informed as well as the HR Advisor so that the disciplinary or other internal procedures can be considered. However, the member of staff will be provided with information about the services and support available to them (see contact details for Respect and Perpetrator Programmes at the end of the document).

This procedure can be applicable in cases where a member of staff has:

- Behaved in a way that has harmed or threatened their partner
- Possibly committed a criminal offence against their partner
- Had an allegation of domestic abuse made against them
- Presented concerns about their behaviour within an intimate relationship

Gentoo will ensure:

- Allegations will be dealt with fairly and in way that provides support for the person who is the subject of the allegation or disclosure
- All staff will receive guidance and support
- Investigations will be sufficiently independent

The accused member of staff 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

Victims and perpetrators working for Gentoo

In cases where both the victim and perpetrator of domestic abuse work for Gentoo; appropriate action will be taken.

In addition to considering disciplinary action against the perpetrator, action may need to be taken to ensure that the victim and perpetrator do not come into contact in the workplace.

Action may also need to be taken to 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 or withdrawing the perpetrators access to certain computer programs. Further advice can be sought from the HR Advisers/ Manager.