



CYNGOR SIR POWYS COUNTY COUNCIL
Domestic Abuse, Violence against Women and Sexual
Violence Policy

This policy applies to all staff and individual schools are strongly encouraged to adopt it

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**Live Fear
Free Helpline**

Providing confidential support
and information on domestic
abuse, sexual violence and
violence against women in Wales

**Llinell Gymorth
Byw Heb Ofn**

Darparu gwybodaeth a chefnogaeth
cyfrinachol ynghylch trais domestig,
trais rhywiol a thrais yn erbyn merched
yng Nghymru

0808 80 10 800



Domestic Abuse, Violence against Women and Sexual Violence Policy

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1. Introduction and Purpose

- 1.1 The School recognises that domestic abuse can reduce an employee’s ability to work and can also have a detrimental effect on employee attendance and service provision. Indirect costs include time off for legal and medical appointments, poor productivity and employee morale. The School also recognises that there will be an additional impact if there is an incident on School premises.
- 1.2 This policy seeks to protect and support our staff through difficult periods in their lives. It provides information on the specialist help that is available within and outside the School. We are committed to regularly reviewing this policy and providing training to staff who have key responsibilities within it.
- 1.3 It is important to note that the School will take the conduct of employees where they themselves are perpetrators of domestic abuse very seriously and will take the necessary preventative and corrective action, where possible, which may include referral to the Police and appropriate, proportionate disciplinary action.
- 1.4 The School is committed to supporting all employees, regardless of gender and the type of abuse, to maintain their employment whilst breaking free from abusive relationships. **This policy applies equally to both male and female employees - the School does NOT tolerate domestic abuse and violence either within or outside of the School.**

2. Scope

- 2.1 This policy applies to all Council employees. It is highly recommended that individual Schools adopt this policy.

3. Definitions

Domestic abuse: means abuse where the victim of it is or has been associated with the abuser (Definition from the Note that a person is associated with another person for the purpose of the definition of “domestic abuse” if:

- They have been married to each other;
- They are or have been civil partners of each other;
- They live or have lived together in an enduring family relationship (whether they are of different sexes or the same sex);
- They live or have lived in the same household; and for this purpose a person is a member of another person’s household if the person normally lives with

the other person as a member of his or her family or the person might reasonably be expected to live with that other person;

- They are relatives;
- They have agreed to marry one another (whether or not that agreement has been terminated);
- They have entered into a civil partnership agreement (whether or not that agreement has been terminated);
- They have or have had an intimate personal relationship with each other;
- In relation to a child, each of them is a parent of the child or has, or has had, parental responsibility for the child.

Violence against women: any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life (UN definition).

Sexual violence: any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work (UN definition).

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(s).

4. Objectives

4.1 The purpose of the policy is to:

- Support employees who are experiencing domestic abuse;
- Enable employees experiencing domestic abuse to remain in and productive at work;
- Outline what action may be taken if a perpetrator of abuse is an employee and to aid managers to assist affected employees;
- Reinforce the Council's corporate social responsibility objectives by demonstrating that the Council values and will support employees affected by domestic abuse.

5. Roles and Responsibilities

5.1 Employees who are experiencing domestic abuse and/or violence are encouraged to:

- 5.1.1 Talk to your Headteacher / line manager (or another person in the school / bear in mind this could be a Governor about your situation and how we might help you;
- 5.1.2 Access the support and guidance available from the Live Fear Free Helpline;
- 5.1.3 Agree with your manager, where appropriate, what to tell colleagues and how they should respond if the abuser telephones or visits the school
- 5.1.4 Ensure your emergency contacts and next of kin details are up to date, should we be unable to contact you for any reason.

5.2 All employees are responsible for:

- 5.2.1 Familiarising themselves with the contents of this policy;
- 5.2.2 Providing appropriate and compassionate support to colleagues within the provisions of this policy; and
- 5.2.3 Maintaining confidentiality.

5.3 Line managers/Headteachers are responsible for:

- 5.3.1 Familiarising themselves with the contents of this policy;
- 5.3.2 Being aware of physical, behavioural changes and/or performance changes that may be the result of domestic abuse and/or violence;
- 5.3.3 Discussing issues confidentially with the employee and advising on any support that may be available to the employee both inside and outside the workplace as outlined in this policy;
- 5.3.4 Arranging any support measures that have been agreed with the employee;
- 5.3.5 Working with the employee to develop a personalised workplace safety plan to minimise risk to the employee and colleagues, if appropriate;
- 5.3.6 Being aware of any additional issue which may be relevant to the employee, e.g. age, disability, ethnicity, sexual orientation;
- 5.3.7 Liaising with their HR Business Partner on appropriate action where an employee is suspected of perpetrating domestic abuse and/or violence in the workplace.

5.4 HR Business Partners are responsible for:

- 5.4.1 Being aware of the support and information available in this policy;
- 5.4.2 Working with Headteachers and other School staff, where necessary, to arrange any support measures, e.g. leave, adjusting work schedules/ working hours or working at another location;

- 5.4.3 Advising Headteachers and other School staff on the sensitive use of performance/ attendance/ disciplinary measures where necessary; and
- 5.4.4 Working with Headteachers and other School staff to implement the disciplinary process if an employee is alleged to be the perpetrator of domestic abuse and/or violence in the workplace.

6. Confidentiality

- 6.1 Confidentiality must be maintained by any member of staff who is involved with a case of an employee experiencing domestic abuse and/or violence.
- 6.2 Maintaining confidentiality is not about keeping secrets, it is about limiting discussion and information to those involved in managing and supporting an employee who may be affected – information should only be shared on a need to know basis in order to achieve the best outcome for the employee.
- 6.3 The employee can be assured that sharing of information will be restricted to the small group of managers and professionals who may be required to help and support them. This small group will normally be limited to the line manager, the HR Business Partner, the trade union representative and Occupational Health.
- 6.4 Where it is decided that there is a need to share information to safeguard the employee and/or others from a serious risk, information may be shared more widely internally and externally where necessary. Such circumstances include:
- There is a serious risk to workplace and/or public safety; or
 - The risk to the victim of the abuse and violence are assessed to be high that there is a significant possibility of very serious harm or that their life is at risk; or
 - There is reason to suspect that children, young people or vulnerable adults may be at risk.

7. Equality and Diversity Considerations

- 7.1 It is important that everyone involved in a case of domestic abuse/violence recognises that employees' experiences may be very different. Whilst the experience bears many similarities between groups, there are also some specific issues that may affect different groups. For example:
- Disabled women are twice as likely to experience domestic abuse as non-disabled women;
 - Older women are less likely to report their experiences;
 - Men often reach crisis point before they show any signs that they are experiencing abuse or violence and will only seek help at this point. Often the first help they seek will be professional support outside the workplace;

- Women prefer to talk about their experiences to females who offer professional advice and support;
- Men feel equally comfortable talking about their experiences to men or women who offer professional support;
- Ethnic minority women face additional barriers in accessing support;
- Black minority ethnic women and men may be reluctant to discuss family abuse or violence for fear of bringing shame on the family and ostracism from the community;
- Lesbian and bisexual women in particular can be vulnerable to abusers who undermine their sexuality and threaten to “out” them to colleagues, employers and family members; and
- Transgender women may have fewer services available to them.

8. Training

8.1 Training to address domestic abuse and violence will be delivered to raise awareness, change attitudes and improve the nature and quality of the support provided to employees and perpetrators of abuse. The Council will train employees with key responsibilities in this procedure to a standard that is proportionate and relevant to their role. Equality and diversity issues will be a key element of this training and:

- All staff will receive awareness-raising training via e-learning;
- Line managers will receive training to equip them to identify and manage individuals experiencing domestic abuse and violence;

9. Record Keeping and Data Protection

9.1 Any records kept under this policy must be held securely and accordance with the General Data Protection Regulation 2018 (GDPR)

9.2 Further advice on record keeping may be obtained from the Information Compliance Team.

Procedure and Guidance: Domestic Abuse, Violence against Women and Sexual Violence

10. Who to Contact?

10.1 If you experience domestic abuse and/or violence, in the first instance you are encouraged to speak to your line manager or another manager in your line management chain. If this seems daunting, you may wish to contact your trade union representative or a member of the HR team.

10.2 All of the abovementioned persons will offer support and will encourage you to ring the All Wales Domestic Abuse and Sexual Violence (Live Fear Free) Helpline (the Helpline) on **0808 80 10 800**. Text **07860077333**. Alternatively,

you can e-mail them at info@livefearfreehelpline.wales or make use of their live chat service at www.livefearfree.gov.wales

- 10.3 If you do not want to speak to anyone internally about your situation, you can get the professional support and advice you need by ringing the Helpline.
- 10.4 If you feel that you require counselling or other support, you can arrange this through your GP or you can contact the Council's Employee Assistance Programme (EAP) at Vivup on 0800 023 9387 or www.vivup.yourcareeap.co.uk/.

11. Headteacher / Line Manager's Role in Supporting Employees

- 11.1 The Headteacher / line manager's role is to create a supportive environment so that employees who are victims of domestic abuse and/or violence know they have the right to raise this issue in the knowledge that it will be treated seriously, effectively and confidentially. The Headteacher / line manager should not aim to deal with the matter alone but signpost and support the individual to seek help from the specialist sources of support and guidance available by ringing the Helpline.
- 11.2 The Headteacher / line manager should also seek help on how to best support the victim and on how to handle issues that arise. These situations can be very complex and managers should not try to handle them alone. Such support can be accessed by ringing the Helpline or talking to your line manager or HR Business Partner. Seeking this support is not a breach of confidentiality and is in the best interests of the employee.
- 11.3 Headteachers / line managers must never attempt to mediate between an employee and a perpetrator of domestic abuse and/or violence or suggest that they access professional mediation services. If the perpetrator becomes aware that someone knows about the abuse and/or violence, this could compromise the employee's safety or make a difficult situation even worse.
- 11.4 If at any time the Headteacher / line manager is concerned that a serious risk may be present for example to the employee, other work colleagues or to the public, they must not try to assess the risk but must contact their HR Business Partner or the Local Authority designated Safeguarding Officer who in turn may contact the Helpline. If a serious risk occurs when these internal contacts are not available e.g. working late in the office, weekend or out of hours working, the Helpline is a 24-hour, 365 days a year service which gives you access to professional specialist advice and guidance which will signpost you to any other agencies you need to contact to ensure risks are managed effectively. The Police can be contacted if required.
- 11.5 Headteachers / line managers must keep a record of any incidents of abuse or violence at the workplace, including persistent telephone calls, e-mails or visits to the employee by their partner/ex-partner or close relative. These records will form part of the evidence needed to support any action against the perpetrator

and ensures that the appropriate help is given to the employee. Records must be factual and not contain any inflammatory, subjective comments or opinions. Records must be held centrally and securely and in accordance with the GDPR 2018.

12. Recognising the Signs of Domestic Abuse

12.1 As part of normal day to day management, Headteachers / line managers should be alert to changes in behaviour that may signal that an employee may be experiencing difficulties at home or at work. There is no simple way to know whether or not an employee is experiencing domestic abuse and / or violence but there are signs that you can look out for. They may be small at first but over time they may become more obvious. Such signs include:

- Uncharacteristic or reduced self-confidence and self-esteem;
- Uncharacteristic or reduced concentration, anxiety or low mood;
- Apparent social withdrawal or change of routine;
- Obsession with time or avoiding lunch breaks or socialising outside work;
- Unwillingness or refusal to undertake business trips;
- Needing regular time off for appointments;
- Frequent or sudden medical problems;
- Sleeping or eating disorder;
- Reluctance to turn off mobile phone whilst at work;
- Repeated injuries, ill health or unexplained bruising or bruising with dubious explanations;
- Inappropriate or excessive clothing;
- Frequent changes in hairstyle;
- Changes in the quality of work performance for no apparent reason;
- Receiving upsetting phone calls, texts and e-mails;
- Being secretive about home life;
- Preference to be at work and work long hours and a reluctance to take holidays;
- Early or late arrivals or departures without proper explanation; and
- High absence rate.

13. Managing and Supporting the Employee

13.1 The above is not an exhaustive list but it shows the key types of behavioural changes that **could** indicate there is a problem. It is equally important not to make assumptions and to talk to the employee about any concerns. Often victims feel too emotionally vulnerable to raise the issue themselves and research shows that the majority of victims say: ***“I just wanted someone to ask me what was going on”*** (source: Welsh Government).

- 13.2 It is recognised that Headteachers / line managers may be hesitant about raising this issue with an employee. The guidance at appendix 1 provides some examples of questions Headteachers / line managers can ask to enquire whether someone is experiencing domestic abuse and/or violence.
- 13.3 Where possible, issues under policies and procedures such as the Sickness Absence Management policy and/or the Performance Capability policy should be raised at the earliest opportunity using the informal process, unless the issue demands a more formal approach.
- 13.4 Remember that it is the employee's decision whether or not to disclose that they are experiencing domestic abuse and/or violence.
- 13.5 Where an employee does not disclose domestic abuse and/or violence but the Headteacher / manager remains concerned that this may be a factor, they should explain that if the employee ever has any issues they wish to raise confidentially that they would always be available.

14. Handling Disclosure

- 14.1 Where an employee discloses that they are experiencing domestic abuse and violence, Headteachers / managers should recognise that these matters can be very complex and that they will not be in a position to give specific advice. The role of the Headteacher / manager is to be understanding and to provide the employee with information on protection whilst at work and the sources of help that may be accessed via the Helpline. When carrying out discussions, the Headteacher / manager should:
 - Explain the confidentiality provisions outlined in this policy;
 - Not ask for proof of abuse or violence;
 - Listen, reassure and take seriously what is being disclosed and to respond in a sensitive, non-judgemental and supportive manner;
 - Ask the employee how you can best support them but manage expectations by explaining that the School may not be able to assist with all of their needs;
 - Advise the employee of the specialist support that is available to them through the Helpline, Vivup or Occupational Health;
 - Raise awareness of help that may be available through other policies, e.g. flexible working, etc.
 - Respect the need for privacy as the employee may not feel able, particularly at the initial discussion, to disclose some personal details;
 - Explain the options that may be available to the employee while respecting their right to determine what is best for them;
 - Undertake the Council's Stress Risk Assessment / health and safety risk assessment to identify whether any measures are needed to protect the employee's safety and well-being and that of their colleagues;
 - Action the risk assessment to ensure safe choices which may include offering to assist with arranging crisis or workplace safety planning if appropriate;

- Advise the employee that domestic abuse and/or violence is a criminal offence and advise them that the Helpline can provide contact details of support agencies and the local police for them to discuss options in confidence; and
- Mention that all of the Welsh police forces operate a positive action policy in relation to domestic abuse and violence. This means they investigate any incident and will take action against the perpetrator if there is sufficient evidence and work closely with other agencies to secure the victim's and their family's safety and provide practical help.

15. Ongoing Support for Victims

- 15.1 Cases of domestic abuse and/or violence can be complex and are not easily or speedily resolved. Often the employee may continue living with the perpetrator or come into contact with them through access to children or other situations. Even if there is no contact with the perpetrator, it may take a period of time before the employee's health and well-being returns to normal levels.
- 15.2 Headteachers / managers may need to give ongoing support to employees and meet with them regularly to assess any further support needed to retain them in work. Advice can be obtained from HR, Occupational Health and the Helpline.

16. What to do if a colleague tells you that they are experiencing domestic abuse and/or violence

- 16.1 If a colleague tells you that they are experiencing domestic abuse and/or violence, you should strongly encourage and support them to inform their line manager and ring the Helpline.
- 16.2 If they feel they cannot speak to their line manager, encourage them to tell someone else in the school, HR Business Partner or a trade union representative. If they feel they would benefit from speaking to Occupational Health, tell them to ask their line manager or another Manager in the school if appropriate or their HR Business Partner to refer them.
- 16.3 If they choose not to talk to anyone else in the School, you must respect their decision. Your role is to support and encourage your colleague to seek expert help and guidance by ringing the Helpline and suggesting they read this policy.
- 16.4 You must maintain confidentiality in accordance with this policy but if at any time you feel that there might be a serious risk to the victim, yourself, learners, (including vulnerable adults or children) or colleagues, you should immediately speak to your Headteachers / line manager or someone else in the school about your concerns – such a discussion will not be a breach of confidentiality.
- 16.5 If you suspect that there is a serious risk and it occurs when internal contacts are not available, you should ring the Helpline. It is a 24-hour, 365 days a year service which gives you access to professional specialist advice and guidance

which will also signpost you to any other agencies you need to contact to ensure risks are managed effectively.

17. What to do if you suspect an employee is a perpetrator of domestic abuse and/or violence

- 17.1 The School does not tolerate any form of abuse or violence within the workplace. It aims to create a safe working environment which promotes personal health and well-being and is free from harassment.
- 17.2 Employees who are perpetrators of domestic abuse and/or violence can avail themselves of the support offered by Occupational Health – they can request that their Headteacher / line manager refer them. However, there are also external sources of support which can be accessed by contacting Respect – the support service for perpetrators of domestic abuse and violence. **Respect can be contacted at 0808 802 4040 or at www.respect.uk.net. Respect also have a Men's Advice Line for men experiencing domestic violence and abuse – 0808 801 0327 or email info@mensadvice.org.uk**
- 17.3 If you suspect that an employee is a perpetrator of domestic abuse and/or violence, you should discuss this with your Headteacher / line manager who will contact their HR Business Partner for further advice. If you are aware of the person that the perpetrator is committing these acts against, you should also make this known to your Headteacher / line manager so that appropriate action in liaison with the HR Business Partner can be taken to safeguard the victim, as far as legally and responsibly the School can, taking into account data protection considerations.
- 17.4 If there are allegations that an employee is the perpetrator of domestic abuse/ violence and they have used the workplace to commit such acts, the School will take action under the Disciplinary Policy. Such action may be considered as gross misconduct which may lead to dismissal and in some circumstances, criminal proceedings.
- 17.5 Before implementing disciplinary proceedings, the HR Business Partner, in consultation with the employee's Headteacher / line manager and the Live Fear Free Helpline, will consider the impact of proceedings upon the victim and will take any action that can reasonably be taken provided that it is legal, safe and appropriate to do so, to safeguard and minimise the impact on the victim, whether they are employed by the School or not.
- 17.6 Where an alleged perpetrator of domestic abuse and/or violence is subject to disciplinary proceedings, the Headteacher / line manager, in discussion with the HR Business Partner, should decide whether immediate action should be taken to minimise the potential for the perpetrator to use their position or any internal resources to find out information on the whereabouts of the victim, be they their partner, ex-partner or other person. This may include a change of duties or role, or the withdrawal of access to certain systems and other resources.

17.7 Employees are required to advise their Headteacher / line manager if they are arrested, given a police caution, charged to appear before a criminal court (including injunctions in family proceedings) or convicted of a criminal offence. Failure to do so in itself may give rise to disciplinary proceedings being taken against the employee, in line with the Disclosure and Barring Service Policy and the employee’s contract of employment.

18. Dealing with External Perpetrators

18.1 If you suspect that an external person is a perpetrator of domestic abuse and/or violence and is using any Council workplace to commit such acts against any employee or person who works directly for the School, including contractors and secondees, it should be reported to your Headteacher / line manager or the Professional Lead for Human Resources and Development. The Council will take action to protect the employee (including contractors and secondees) including reporting the perpetrator to the police, where appropriate.

19. “Safe Leave”

19.1 The Council realises that victims of domestic abuse and violence may need time off for a variety of reasons. With this being the case, victims may be afforded 5 days of paid leave, extendable to 10 days of paid leave in cases of aggravating circumstances.

20. Policy History

Policy Date	Summary of change	Contact	Version/ Implementation Date	Review Date
Oct 2023	Powys County Council’s policy adapted for Schools	HR	1	Spring Term 2028

Asking Difficult Questions

This guidance will help Headteachers / line managers to begin a conversation with an employee where they suspect that they are experiencing domestic abuse and violence.

It is important to normalise the process of “asking the question”. The best way to encourage the individual to open up to you is to adopt a considerate questioning approach.

Try to avoid “shutting down” disclosure through you adopting a self-conscious or apologetic approach.

If your approach is too forthright, you risk your questions being perceived as a threatening intrusion into the employee’s personal life.

Talking about domestic abuse/ violence is an emotionally charged event for both the person being abused and you as the Headteacher / line manager – it needs to be handled sensitively.

Begin by letting the employee know that you are concerned, that they are not alone and that they do not deserve the abuse/violence and that help is available. These things can begin to bridge their isolation and open-up other possibilities.

Let the employee know what you have observed.

Be careful that there isn’t an over-focus on physical violence to the detriment of emotional, psychological, financial and other aspects of domestic abuse.

Believe an employee if they disclose that they are experiencing domestic abuse/ violence – do not ask for proof.

Reassure the employee that the School has an understanding of how domestic abuse and violence may affect them at work and the support that can be offered.

Once you have used the question examples below to begin and discuss the situation – use validating messages such as:

“I am concerned about your safety and well-being”.

“I understand how difficult it is for you to make the needed changes”.

“You are not alone”.

“The abuse/violence is not your fault only your abuser can stop their abusive behaviour”.

“No-one deserves to be abused. There is no excuse for violence, and you deserve better”.

“There are options and resources available to you”.

Indirect questions

If you as the Headteacher / line manager suspect that an employee is experiencing domestic abuse, you should ask the employee indirect questions, to help establish a relationship with the employee and to develop empathy. For example:

“Are there any issues you would like to discuss with me?”

“I have noticed recently that you are not yourself, is anything the matter?”

“Is everything all right at work?”

“Are there any problems or reason that may be contributing to your frequent sickness absence/ under-performance at work?”

“Is everything alright at home?”

“Are you being looked after properly?”

“Is your partner taking care of you?”

“Are you getting on alright with your partner/ family at the moment?”

Direct questions

As the Headteacher / line manager, you should ask direct questions to prompt the employee to discuss any possible experiences of domestic abuse, if they are displaying signs of physical assault or injury.

The following question must be asked with great sensitivity and care:

“Quite often, one of the reasons people are not themselves at work is that things are not right at home. I know that many people experience domestic abuse in the home, can you tell me how you got your injuries?”

The following are some examples of follow-up direct questions, which it might be useful to ask the employee, once it has been established that there may be or is a problem related to domestic abuse:

“Does your partner/ family member lose their temper with you? If so, what happens to you as a result?”

“Has your partner/family member threatened to hurt you or your children? In what way?”

“Do you feel frightened of your partner or someone else at home?”

“Are you currently in a relationship where you experienced abuse?”

“Have you ever been slapped/kicked/punched etc. by your partner/family member?”

“Does your partner/family member blame alcohol or drugs for their behaviour towards you?”