



TO COUNCILLOR:

Mrs R H Adams (Mayor)
N Alam
L A Bentley
G A Boulter
J W Boyce
Mrs L M Broadley
F S Broadley
D M Carter
M H Charlesworth

Mrs H E Darling JP
M L Darr
Mrs L Eaton JP
D A Gamble
F S Ghattoraya
Mrs S Z Haq
Miss P V Joshi
J Kaufman (Deputy Mayor)
Mrs L Kaufman

Miss A Kaur
Ms C D Kozlowski
Mrs H E Loydall
K J Loydall
D W Loydall
Mrs S B Morris
R E R Morris
Dr I K Ridley

I summon you to attend the following meeting for the transaction of the business in the agenda below.

Meeting: Full Council
Date and Time: Tuesday, 27 September 2022, 7.00 pm
Venue: Council Offices, Bushloe House, Station Road, Wigston, Leicestershire, LE18 2DR
Contact: Democratic Services
t: (0116) 257 2775
e: democratic.services@oadby-wigston.gov.uk

Yours faithfully

Council Offices
Wigston
21 September 2022

Mrs Anne E Court
Chief Executive



Meeting ID: 2258



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A full cost breakdown for all agenda packs for this meeting is provided further down..

ITEM NO.

AGENDA UPDATE

PAGE NO'S

15. Domestic Abuse Policies (September 2022)

3 - 27

Report of the Housing Manager
Report of the Interim HR Manager

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Full Council

**Tuesday, 27
September 2022**

**Matter for
Information and
Decision**

Report Title: Domestic Abuse Policies (September 2022)

**Report Author(s): Chris Eyre (Housing Manager)
Suzanne Boulton (Interim HR Manager)**

Purpose of Report:	To seek the Full Council approval to implement two new corporate Domestic Abuse Policies.
Report Summary:	This report gives a summary of the policy that the Council is seeking approval to implement.
Recommendation(s):	1. The content of the report and appendices be noted; and 2. The new policies (at Appendix 1 and 3) are approved
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	<p>Tracy Bingham (Strategic Director / Section 151 Officer) (0116) 257 2845 tracy.bingham@oadby-wigston.gov.uk</p> <p>Adrian Thorpe (Head of Build Environment) (0116) 257 2645 adrian.thorpe@oadby-wigston.gov.uk</p> <p>Chris Eyre (Housing Manager) (0116) 257 2726 chris.eyre@oadby-wigston.gov.uk</p> <p>Sunny Basran (Strategy and Performance Officer) (0116) 257 2853 sunny.basran@oadby-wigston.gov.uk</p> <p>Suzanne Boulton (Interim HR Manager) (0116) 257 2835 suzanne.boulton@oadby-wigston.gov.uk</p>
Corporate Objectives:	Providing Excellent Services (CO3)
Vision and Values:	"A Stronger Borough Together" (Vision)
Report Implications:-	
Legal:	There are no implications directly arising from this report.
Financial:	There are no implications arising from this report.
Corporate Risk Management:	No corporate risk(s) identified.
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. Initial EA Screening (See Appendices).
Human Rights:	There are no implications arising from this report.

Health and Safety:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	<ul style="list-style-type: none"> • Senior Leadership Team • List of Consultees (Section 1.1.2)
Background Papers:	None.
Appendices:	<ol style="list-style-type: none"> 1. Draft Corporate Domestic Abuse Policy (September 2022) 2. Domestic Abuse Policy - Equality Assessment Form 3. Draft Staff Domestic Abuse Policy (September 2022)

1. Introduction

- 1.1 The new Domestic Abuse Policy (**Appendix 1**) sets out the approach of the Council when identifying and dealing with incidents of domestic abuse. The policy applies to all tenants, leaseholders and residents of the borough as well as any victims of domestic abuse who are seeking assistance from the Council. The specific objective of the policy is to ensure that we provide a consistent and supportive service to anyone who is experiencing domestic abuse.
- 1.1.1 The new policy also helps the Council to meet the requirements to obtain the Domestic Abuse Housing Alliance (DAHA) accreditation in March 2023.
- 1.1.2 A consultation exercise has been completed between 8th August 2022 and 5th September 2022, this involved the following:

1	Communication team placing the consultation onto our website and referencing this on the news area of the website
2	Communication team pushing out the consultation onto social media
3	Communication team informing members of the consultation via the members bulletin
4	Communication team informing all staff of the consultation via the weekly newsletter
5	Housing Service placing a notice on the consultation within the Community Centre located on Boulter Crescent
6	Housing Service placing a notice on the consultation within our Sheltered Schemes (William Peardon Court, Marriott House, Chartwell House)
7	Housing Service communicating the consultation exercise with: <ul style="list-style-type: none"> • Senior Leadership Team • Housing Teams • Local MP • Helping Hands • Domestic Abuse Services – Women's Aid Leicester, Free from Violence and Abuse (FreeVA), First Step, Zinithya Trust, New Dawn New Day,

	The Jenkins Centre
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1.1.3 A total of three persons participated in the consultation exercise anonymously. All of whom agreed with our approach to; responding to reports of domestic abuse, supporting victims & survivors and taking action against perpetrators.

1.1.4 We received only one comment which was an observation in relation to the types of accommodation offered to victims of domestic abuse temporarily;

'Survivors of DV must be encouraged to go into refuge and not Bed and Breakfast of Hostel as there is not the safety or trained staff available to them they also should not if a survivor within the borough be rehoused in the area as they can easily be located by the perpetrator and this should highlighted within the policy'

1.1.5 This report also seeks Members approval to implement the corporate Domestic Abuse Policy and Staff Domestic Abuse Policy (**Appendix 3**).



Oadby & Wigston
BOROUGH COUNCIL

Domestic Abuse Policy

2022

Date approved by Housing Service Manager	21 st September 2022
Full Council Approval Date	27 th September 2022
Implementation Date	28 th September 2022
Review Date	27 th September 2024
Version	1

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1. Introduction

- 1.1 This policy applies to all tenants, leaseholders and residents of Oadby & Wigston Borough Council (the council) as well as any victims of domestic abuse who are seeking assistance from the council.
- 1.2 The aim of the policy is to set out the approach of Oadby & Wigston Borough Council when identifying and dealing with incidents of domestic abuse.
- 1.3 The specific objectives of the Domestic Abuse Policy is to ensure that we provide a consistent and supportive service to anyone who is experiencing domestic abuse.
- 1.4 In cases of staff experiencing domestic abuse, we will follow our staff domestic abuse policy.

2. Key Principles

- 2.1 At Oadby & Wigston Borough Council we believe that nobody should live in fear of violence, abuse, stalking or harassment so our priority is to provide an accessible and responsive service.
- 2.2 We support the Domestic Abuse Housing Alliance values, and we will align our response to incorporate these values. By working to these values we aim to increase victim safety, housing safety and hold perpetrators to account for their harm.
- 2.3 We will ensure that our frontline staff receive appropriate and on-going training necessary to safely identify, assess, support and manage cases of domestic abuse.
- 2.4 The council will take a harm centred and victim focused approach to deal with the cases of domestic abuse empathetically, sensitively and in accordance with the victims' needs.
- 2.5 We will work in partnership to ensure that survivors of domestic abuse receive the support that they need, when they need it and to ensure that services are joined-up and well sign-posted.
- 2.6 We will raise awareness of domestic abuse to educate, reduce reoccurrences and prevent incidents of domestic abuse occurring.
- 2.7 Whilst women and girls are disproportionately affected by all forms of domestic abuse, we will support any individual experiencing such issues irrespective of age, gender, sexuality, disability, ethnicity, religion, social background or any other protected characteristics identified in the Equality Act 2010.
- 2.8 We recognise that victims with different protected characteristics might face additional barriers to seeking support when experiencing domestic abuse, and we are committed to making the support accessible to all.

3. Definition of Domestic Abuse

- 3.1 We use the Domestic Abuse Act 2021 definition of domestic abuse which is defined as;
- ‘Behaviour of a person (“A”) towards another person (“B”) is domestic abuse if-
- (a) A and B are each aged 16 or over and are personally connected to each other, and
- (b) The behaviour is abusive’
- 3.2 Behaviour is abusive if it consists of any of the following:
- physical or sexual abuse
 - violent or threatening behaviour
 - controlling or coercive behaviour
 - economic abuse
 - psychological, emotional or other abuse
- 3.3 Economic abuse means any behaviour that has a substantial adverse effect on B’s ability to:
- acquire, use or maintain money or other property, or
 - obtain goods or services
- 3.3 Controlling behaviour is defined as 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.
- 3.4 Coercive behaviour is defined as an act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.
- 3.5 The definition, which is not a legal definition, includes so called ‘honour’ based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender.
- 3.6 The term Violence Against Women and Girls refers to the following range of serious crime types which are predominately, but not exclusively, experienced by women and girls:
- Domestic violence and abuse
 - Sexual offences
 - Stalking
 - FGM
 - Crimes said to be committed in the name of ‘honour’
 - Forced marriage
 - Prostitution
 - Trafficking for sexual exploitation

- 3.7 Controlling and coercive behaviour is also defined under section 76 of the Serious Crime Act 2015 as causing someone to fear that violence will be used against them on at least two occasions or generating serious alarm or distress that has a substantial effect on their usual day to day activities.

4. Legal and Regulatory Framework

- 4.1 This document makes reference to the legal requirements and policies that must be adhered to. We have had regard to legislation (but not limited to) the following:
- Domestic Abuse Act 2021
 - Crime and Victims Act 2004
 - Protection from Harassment Act 1997
 - The Family Law Act 1996
 - Anti-Social Behaviour Act 2003
 - Human Rights Act 1998
 - The Data Protection Act 2018
 - The Equality Act 2010
- 4.2 Other related documents which are available on our website at www.oadby-wigston.gov.uk that we have had regard to are:
- Anti-Social Behaviour Policy 2018
 - Lone Worker Policy and Procedure 2017
- 4.3 Leicestershire County Council has the overall responsibility for safeguarding concerns. However, Oadby & Wigston Borough Council has Designated Safeguarding Officers (DSO) who will work together with officers both within the Council and Leicestershire County Council where safeguarding or welfare concerns are raised.

5. Equality and Diversity

- 5.1 The Council will treat all customers with fairness and respect. We value diversity and work to promote equality and tackle unlawful discrimination.
- 5.2 We are committed to helping customers to access information about their homes and services in a way that suits individual needs.
- 5.3 We will meet the requirements relating to equality and diversity laid down in the Equality Act 2010 by working to:
- Eliminate discrimination, harassment and victimisation
 - Advance equality of opportunity
 - Foster good relations between all of our residents and service users
- 5.4 The Council is committed to welcoming and valuing diversity, promoting equality of opportunity and tackling unlawful discrimination. We will not discriminate against staff, customers or others based on their sex, sexual orientation, marital status, pregnancy and maternity, gender reassignment, race, religion, belief, disability or age (collectively referred to as protected characteristics in the Equality Act 2010).

- 5.5 We understand that a victim's experiences of domestic abuse could in part be defined by their intersectional needs such as race, gender, sexuality, disability etc. Therefore we will take steps to understand intersectionality, to recognise the discriminatory barriers and create a service accessible to all victims.

6. Reporting Domestic Abuse

- 6.1 The council recognise that reporting domestic abuse or seeking help can be a very frightening experience and is committed to promoting a sensitive and confidential response.
- 6.2 We will offer a range of ways for domestic abuse to be disclosed to us including in person, over the telephone, in writing, by email or online, and referrals from third parties with the victim's consent such as the Police.
- 6.3 We will aim to respond within one working day and will endeavour to make available an officer of the same gender or ethnicity, where requested. We will also provide translation and interpretation services where necessary including British Sign Language (BSL) and Braille.
- 6.4 We operate an out of hours service for reporting emergency repairs and for homelessness advice, should victims of domestic abuse need emergency repairs or accommodation.
- 6.5 We will report incidents to the police on behalf of individuals (with consent) or support them in doing so or where they feel intimidated or frightened to do it themselves.
- 6.6 We will investigate all reports that we receive including those from witnesses or third parties who are concerned that domestic abuse is taking place.

7. Supporting Victims and Survivors

- 7.1 We provide a named appropriate case worker who will support the victim to complete a safety plan and identify services that would provide them with the support they require.
- 7.2 We will agree a safe place to meet and establish safe communication measures to prevent any further risk to the victim.
- 7.3 We will ensure that a risk assessment using the Domestic Abuse, Stalking and Honour Based Violence (DASH) Risk Identification Checklist is completed. This may be carried out by a trained member of the council or by another agency who is better placed to complete it. Where the DASH assessment meets the local authority threshold for the Multi-Agency Risk Assessment Conference (MARAC), it will be referred.
- 7.4 If safeguarding concerns are identified our Designated Safeguarding Officers will ensure that our safeguarding procedures are followed.
- 7.5 The council will work with our partners to ensure the support is co-ordinated and that those affected by domestic abuse have access to the right services at the right time.

- 7.6 We will have Domestic Abuse Champions in place to support with awareness and signposting.
- 7.7 We will offer advice and support regarding housing options where it is unreasonable for a person to continue to occupy their home if it is possible that this will lead to domestic abuse or other violence taking place. If further risk of harm or abuse is identified, we will liaise with the relevant organisations to provide advice, support, and guidance to establish safe accommodation options.
- 7.8 Where survivors wish to remain in their current home we will offer advice and guidance on how to manage changes to tenancies and can provide security measures such as additional locks, lighting or sanctuary rooms. And we will work with the victim to identify agencies that can support with additional measures such as lock changes and refer to national domestic abuse services to obtain legal advice on non-molestation orders.
- 7.9 We will signpost or refer to more specialist services where appropriate.
- 7.10 We will regularly review action plans and assess risk to ensure that the needs of those experiencing domestic abuse are at the core of our support.
- 7.11 Closure of the case will be agreed with the victim unless we haven't been able to engage the victim. In this instance, any other agencies involved in the case will be notified that the council has closed the case.
- 7.12 In the case of joint tenancies, it should be noted that the perpetrator has the right of access to the tenancy file. Measures such as logging these cases as anonymous to ensure they are not associated with the tenancy and redacting any confidential information about the victim will be taken to ensure that this is not accessible to the perpetrator, or anyone representing the perpetrator.

8. Actions Against Perpetrators

- 8.1 It is a breach of tenancy for abuse to be perpetrated in any form, where the perpetrator is identified as a Oadby & Wigston Borough Council tenant, we will use appropriate tools and powers to sanction perpetrators such as a Notice of Seeking Possession. We will work with the Police on the criminal aspects of abuse.
- 8.2 Where the perpetrator is not a Oadby & Wigston Borough tenant, another agency or service may be best placed to take action such as the police or even the victim themselves.
- 8.3 The council acknowledges that perpetrators may have their own vulnerabilities and will assess the support needs of the perpetrator at the earliest stage. When considering any form of legal action we will endeavour to undertake a proportionality assessment to ensure action is necessary and proportionate and that we have considered the Human Rights Act 1998 and the Equalities Act 2010.
- 8.4 Where support needs are identified we will work with the perpetrator where appropriate or signpost to perpetrator programmes such as Free from Violence & Abuse (FreeVA) or other agencies in an effort to break the cycle of abuse.

8.5 Any action will be taken in accordance with what is in the best interest of the victim.

9. Safeguarding

9.1 We understand that victims of domestic abuse may be vulnerable for a number of reasons and that a person's vulnerability and safety can change during the course of a case.

9.2 We will consider the implications to the victim prior to making referrals to relevant agencies.

9.3 We will ensure timely contact and necessary safeguarding referrals are completed to Social Services at Leicestershire County Council.

9.4 The council will not give details or information to anyone without permission unless there are serious concerns for the safety of any victim, perpetrator or household member. In cases where safeguarding concerns are apparent, we have a legal responsibility to share information.

10. Working in Partnership

10.1 The council recognises that we cannot assist those experiencing domestic abuse in isolation and that a co-ordinated response is essential to ensure that survivors and their families receive the correct support.

10.2 We will maintain effective partnership working with the appropriate supportive agencies such as Women's Aid.

10.3 Oadby & Wigston Borough Council is an active partner of Multi-Agency Risk Assessment Conference (MARAC) which facilitates, monitors and evaluates effective information sharing to enable appropriate actions to be taken to increase the safety of victims. MARAC combines up to date risk assessments and links them to a risk management plan and the provision of services appropriate to those involved in domestic abuse; victim, children and perpetrator.

10.4 We will support and promote the engagement of multiple agencies to identify, prevent, intervene and reduce the impact of domestic abuse as well as raising the profile of available services.

10.5 We will work collaboratively with specialist organisations to break down harmful gender and cultural barriers that make it difficult for some victims to report domestic abuse and engage with services.

11. Information Sharing and Confidentiality

11.1 Details on the collection, use of personal data and how we protect an individual's privacy is contained within our Privacy Notice, which is available on our website.

11.2 The council will maintain confidentiality when dealing with cases of domestic abuse and will always seek consent from those reporting domestic abuse before disclosing information to any other agency.

- 11.3 However, where cases meet the MARAC threshold, where there are safeguarding concerns or it is believed a crime has taken place, we have a legal basis for sharing information irrespective of whether consent has been gained.
- 11.4 When we share information, we will ensure that we transfer it safely and store it appropriately.
- 11.5 Should we receive a Freedom of Information Request, Subject Access Request, Serious Case Review (SCR) Request or Domestic Homicide Review (DHR) Request we will deal with these lawfully and within guidance from the Information Commissioners Office.

12. Complaints

- 12.1 Any person who is not satisfied with how Oadby & Wigston Borough Council or its contractor(s) has delivered the service they have received, then a complaint should be made through the Council's Compliment, Comment and Complaints Procedure. The person can make a complaint in the following ways:
- Online - www.oadby-wigston.gov.uk
 - Telephone - 0116 288 8961
 - Email - csc@oadby-wigston.gov.uk
 - Letter – Council Offices, Station Road, Wigston, Leicestershire, LE18 2DR

13. Monitoring

- 13.1 This policy will be publicised and promoted on our website and through a variety of media.
- 13.2 This policy will be reviewed every three years unless legislation, statutory guidance or business developments require otherwise. This is to ensure we continue to meet our key principles and deliver good practice.
- 13.3 We will monitor how many domestic abuse cases are reported to us, our response time and how many survivors approach us with a housing need and are assessed under homelessness legislation.
- 13.4 We will undertake, where appropriate, a satisfaction survey with each person that we open a domestic abuse case for to ensure that we can continue to improve our service and that it meets the needs of those accessing it.

Appendix 1 - Useful Contact Information

Leicestershire Police

Website: www.leics.police.uk

Telephone: 101 (non-emergency), 999 (emergency)

National Domestic Abuse Helpline

Website: www.nationaldahelpline.org.uk

Helpline: 0808 2000 247

United Against Violence & Abuse (UAVA)

Website: www.uava.org.uk

Helpline: 0808 80 200 28

Respect

Website: www.respect.uk.net

Free from Violence & Abuse (FreeVA)

Website: www.freeva.org.uk

Telephone: 0808 802 0028

Rise freedom from abuse & violence

Website: www.riseuk.org.uk

Telephone: 01273 622 822

Galop

Website: www.galop.org.uk

Telephone: 0800 999 5428

Helping Hands Advice Service – Wigston and Oadby

Website: www.helpinghandsadvice.co.uk

Telephone: 0116 278 2001

Shelter Housing Advice and Research Project (SHARP)

Website: www.leicestershelter.org.uk

Telephone: 0116 254 6064



EQUALITY ASSESSMENT

PART 1 - INITIAL SCREENING

Name of Policy/Function: Domestic Abuse Policy	X	This is new
		This is a change to an existing policy
		This is an existing policy, Function, not previously assessed
		This is an existing policy/function for review

Date of screening	5 th September 2022
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1. Briefly describe its aims & objectives

The Domestic Abuse Policy applies to all tenants, leaseholders and residents of Oadby & Wigston Borough Council as well as any victims of domestic abuse who are seeking assistance from the Council.

The aim of the policy is to set out the approach of Oadby & Wigston Borough Council when identifying and dealing with incidents of domestic abuse. The specific objectives of the policy is to ensure that we provide a consistent and supportive service to anyone who is experiencing domestic abuse.

The Domestic Abuse Policy aims & objectives are to:

- Support the DAHA values, and align our response to incorporate these values
- To increase victim safety, housing safety and hold perpetrators to account for their harm
- To take a harm centred and victim focussed approach to deal with the cases of domestic abuse empathetically, sensitively and in accordance with the victims needs
- To work in partnership to ensure victims of domestic abuse receive the support that they need, when they need it and ensure that services are joined-up and well sign-posted

2. Are there external considerations?

e.g. Legislation/government directive etc

Domestic Abuse Act 2021

Crime and Victims Act 2004

Protection from Harassment Act 1997

The Family Law Act 1996

Anti-Social Behaviour Act 2003

Human Rights Act 1998

The Data Protection Act 1998

The Equality Act 2010

Anti-Social Behaviour Policy 2018

Lone Worker Policy and Procedure 2017

3. Who are the stakeholders and what are their interests?

The Council;

- to provide a consistent and supportive service to anyone who is experiencing domestic abuse
- to ensure that all Legal and Regulatory Framework is adhered to when responding to a report of domestic abuse
- to support the Domestic Abuse Housing Alliance (DAHA) values & framework and align our response to these
- to recognise that victims with different protected characteristics & intersectionality needs may face additional barrier to seeking support and commit to making the support accessible to all
- to identify associated risks to victims and ensure appropriate referrals to relevant agencies are made i.e. MARAC, Social Services, specialist domestic abuse services
- to take enforcement against our tenants that have been identified as perpetrators of domestic abuse

Tenants, Leaseholders, Residents & Victims;

- to have the right level of support, advice and guidance when reporting incidents of domestic abuse
- to be provided with advice & support regarding housing options where it is unreasonable for the victim to continue to occupy their home

- to be provided with relevant advice & guidance on how to manage tenancies and how to obtain security measures such as additional locks, lighting or sanctuary rooms
- to be signposted to more specialist services where appropriate

4. What outcomes do we want to achieve and for whom?

The Council will want:

- to ensure that a consistent and supportive is provided to anyone who is experiencing domestic abuse
- to support the DAHA values, and align our response to these
- to ensure the victims needs and wishes are the key drivers in our response
- to increase the victim's safety and housing safety
- to take necessary and proportionate enforcement action against perpetrators who are OBWC tenants
- to work in partnership with relevant agencies to ensure a coordinated approach is taken
- to deal with the cases of domestic abuse empathetically, sensitively and in accordance with the victims needs
- to signpost victims to services where necessary

5. Has any consultation/research been carried out?

Yes

- research into Domestic Abuse Policies adopted by other local authorities has been completed
- research into the Domestic Abuse Housing Alliance (DAHA) Framework has been completed
- a consultation exercise has been completed

6. Are there any concerns at this stage which indicate the possibility of Inequalities/negative impacts?

Consider and identify any evidence you have -equality data relating to usage and satisfaction levels, complaints, comments, research, outcomes of review, issues raised at previous consultations, known inequalities) If so please provide details.

No

7. Could a particular group be affected differently in either a negative or positive way?

Positive – *It could benefit*

Negative – *It could disadvantage*

Neutral – *Neither positive nor negative impact or not sure.*

	Type of impact, reason & any evidence
Disability	Neutral
Race (including Gypsy & Traveller)	Neutral
Age	Neutral
Gender Reassignment	Neutral
Sex	Neutral
Sexual Orientation	Neutral
Religion/Belief	Neutral
Marriage and Civil Partnership	Neutral
Pregnancy and Maternity	Neutral

8. Could other socio-economic groups be affected?

e.g. carers, ex-offenders, low incomes, homeless?

No

9. Are there any human rights implications?

Yes/No (If yes, please explain)

No

10. Is there an opportunity to promote equality and/or good community relations?

Yes/No (If yes, how will this be done?)

Yes

- the consultation exercise the Council will ensure tenants, local residents, members and relevant agencies are aware of the Domestic Abuse Policy
- through creating an awareness of the introduction of a new Domestic Abuse Policy the Council anticipates it will naturally promote equality and good community relations

11. If you have indicated a negative impact for any group is that impact legal?

i.e. not discriminatory under anti-discrimination legislation

N/A

12. Is any part of this policy/service to be carried out wholly or partly by contractors?

No

13. Is a Part 2 full Equality Assessment required?

No

14. Date by which a Part 2 full Equality Assessment is to be completed with actions.

N/A

Please note that you should proceed to a Part 2, the full Equality Impact Assessment if you have identified actual, or the potential to cause, adverse impact or discrimination against different groups in the community.

We are satisfied that an initial screening has been carried out and a full equality assessment **is not required*** (please delete as appropriate).

Completed by: Sunny Basran Date: 5th September 2022
(Policy/Function/Report written)

Screened by:.....Date:.....

Equality Assessments shall be published on the Council website with the relevant and appropriate document upon which the equality assessment has been undertaken.

OADBY & WIGSTON BOROUGH COUNCIL

DOMESTIC ABUSE POLICY



Policy Version Number:

Policy Author:

Authorisation:

Date of Next Review:



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1.0 Introduction

Domestic abuse includes, but is not limited to, controlling, coercive, threatening behaviour, violence or abuse. It can be physical, emotional and/or psychological abuse, as well as financial, and can take place in person or through digital means. The abuse is usually between adults who are, or have been, in an intimate relationship or family members. Domestic abuse is usually a pattern of behaviour although it can be a one-off event. We recognise that any member of our workforce could be subject to domestic abuse, and in some cases, the victim may not realise that the behaviour displayed towards them is abuse. Research shows that those who are experiencing domestic abuse are targeted at work.

It can occur at any time in a person's life, though may be triggered by specific events or become more extreme or frequent as a result of those events.

The purpose of this policy is to set out that the Authority will treat domestic abuse seriously and how the Authority aims to provide a safe and supportive workplace environment to employees who are experiencing domestic abuse.

It applies to the Authority's employees (permanent and temporary), workers, agency workers and self-employed contractors.

2.0 Impact of Domestic Abuse at Work

The Authority is aware that the challenges that domestic abuse victims face can manifest themselves in problems such as chronic absenteeism or lower productivity.

We recognise that domestic abuse does not occur only within the home and an employee can experience domestic abuse:

- through threatening visits, phone calls and emails from the perpetrator while they are at work or
- when travelling to and from work.

Colleagues can experience threatening or intimidating behaviour from the perpetrator of the abuse.

3.0 Management Support

If an employee confides in a manager that they are being subjected to domestic abuse, that manager must treat all conversations as confidential. However, the manager should not get involved in the situation themselves by, for example, confronting someone accused of being

abusive. The manager's role is primarily to help the employee find expert help and be supportive of the employee.

The manager should encourage the employee to seek expert help. This could include reporting incidences to the police or seeking help from a specialised organisation. The manager should encourage the employee to make contact personally with such organisations instead of making contact themselves. A list of organisations can be found at the end of this policy.

Employees should be reminded of their access to the Employee Assistance Programme, a confidential telephone counselling service offered by the Authority where they can talk to a trained counsellor about their circumstances.

If employees do not feel comfortable raising their circumstances with their manager, they are also able to speak to a designated domestic abuse champion.

The manager, or chosen contact, should also be supportive of the employee and should not ask for proof of abuse.

Support could include, but is not limited to:

- regularly checking in with the employee
- permitting use of Authority equipment to search for online assistance or to speak to an expert who can help
- ensuring websites of organisations who can offer assistance are accessible from work equipment i.e. are not blocked under an internet usage policy
- allowing the employee time off to visit one of the advice organisations, the police or a doctor or to address concerns, such legal, financial or housing
- adjusting targets to reduce any undue pressure on the employee
- diverting phone calls if the perpetrator is attempting to call the employee at work
- ensuring there is no public access to the workplace where possible
- agreeing code words or hand signals to be used during a telephone or video call to signal that the employee is in a threatening situation, and what action needs to be taken when one is used
- a salary advance to a bank account other than that which is normally used.

4.0 If a Manager Suspects an Employee is a Victim of Domestic Abuse

Managers will receive training in how to recognise the signs that an employee may be experiencing domestic abuse, including silent signals that can be used during a video conference with employees working remotely, and also ways to support the employee.

Signs could include:

- Sudden changes in behaviour or quality of work
- Changes in the way an employee dresses e.g. excessive clothing on a hot day or changes in the amount of make-up worn

If a manager suspects that an employee is being subjected to domestic abuse, but has no evidence, then great care must be taken. The manager should give the employee an opportunity to confide but should not question the employee or put any undue pressure on the employee to discuss the situation.

Great care should be taken when the employee in question works at home because the perpetrator of the abuse may be monitoring communication or be in earshot of video or telephone calls.

If an employee is clearly distressed but will not confide in the manager then the manager should suggest that the employee contacts the Employee Assistance Programme, the HR department or some other suitable person.

On some occasions a colleague or friend of an employee might confide in a manager that an employee is being subjected to domestic abuse. It must be realised that this information might be incorrect, hence care should be taken. The manager should give the employee an opportunity to confide but should not question the employee or put any undue pressure on the employee to discuss the situation.

5.0 If Both the Victim and Perpetrator are Employed by the Authority

In cases where both the victim and perpetrator of domestic abuse work for the Authority, we will take appropriate action including:

- considering utilising different work locations both within the building at which the employees work, or another of our work locations, working hours, shift patterns etc.
- minimising the potential for the perpetrator to use their position or work resources to find out details about the whereabouts of the victim.
- offering impartial support and where possible ensure both the victim and perpetrator have different supervisors who are able to provide appropriate information to each party.

6.0 Impact on Performance

If an employee is underperforming it is important to make that employee aware of the concerns about performance.

The Authority will make reasonable efforts to consider all aspects of the employee's situation to support them through a challenging time. The manager should agree reasonable targets with the employee and provide any necessary support. If the poor performance continues and the employee does not appear to be able to improve their performance at work notwithstanding the support given, further discussions will be held with the employee.

Although the use of formal procedures e.g. disciplinary or capability is not prohibited, this should be a last resort.

7.0 Confidentiality

There are some circumstances in which confidentiality cannot be assured. These occur when there are concerns about children or vulnerable adults or where the Authority needs to act to protect the safety of employees. In these circumstances the manager will discuss with the employee the reason for disclosing any information to a third party and will seek the employee's agreement where possible.

All records concerning domestic abuse will be kept strictly confidential and in line with our obligations under the Data Protection Act 2018. Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and maybe subject to disciplinary action.

8.0 Organisations that can Provide Advice and Assistance

General

National Domestic Abuse Helpline – 0808 2000 247 (Freephone and 24 hour) / www.nationaldahelpline.org.uk

Citizens advice bureau – www.adviceguide.org.uk

National centre for domestic violence – 0800 970 2070 / www.ncdv.org.uk

Galop – 0800 999 5428 / www.galop.org.uk

Women's Aid – www.womensaid.org.uk

Refuge – 0800 2000 247 / www.refuge.org.uk

Muslim Women's Helpline – 020 8904 8193 or 020 8908 6715 / www.mwnhelpline.co.uk

IKWRO – Women's rights organisation for Middle Eastern and Afghan women - 020 7920 6460 / www.ikwro.org.uk

ManKind Initiative – 01823 334 244 / www.mankind.org.uk

Respect Men's Advice Line – 0808 801 0327 / www.respect.uk.net

For Perpetrators

Respect – 0808 802 4040 / www.respect.uk.net