**DOMESTIC VIOLENCE POLICY**

**INTRODUCTION:**

The Royal Borough of Kensington and Chelsea is committed to supporting any employee who is experiencing domestic violence. Sometimes it can be difficult to separate home and work issues and domestic violence can affect morale, health, wellbeing and confidence which in turn can impact on work performance. In responding to domestic violence the Council will maintain appropriate confidentiality and respect for the rights of the employee involved.

**DEFINITION:**

For purposes of this policy, domestic violence is defined as:

“Any incident or patterns of incidents of controlling, coercive or threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality. It is acknowledged that whilst it is more commonly women who experience domestic violence, this policy and guidance applies equally to men who require advice or help.”

**POLICY:**

**1. Domestic violence and the workplace:**

Domestic violence is wholly unacceptable and inexcusable behaviour, and responsibility for domestic violence lies with the perpetrator. Under the Employee Disciplinary Code, acts of harassment or bullying of fellow employees, clients or members of the public or violent or abusive behaviour are considered to be gross misconduct and can lead to dismissal from the Council. Employees should also be aware that conduct outside of work could lead to disciplinary action being taken where the conduct calls into question the employee’s suitability for employment.

**2. Confidentiality:**

The Council respects an employee’s right to confidentiality. The Council recognises that employees experiencing domestic violence normally have the right to complete confidentiality. However, in circumstances of child protection or the protection of vulnerable adults from abuse, the child protection and adult protection services may need to be involved. Complete confidentiality cannot be guaranteed in these situations.

A decision will need to be agreed with the employee concerned about whether work colleagues should be informed of the situation. This is because colleagues might be asked to ensure that under no circumstances any information should be given about the employee. This will include ensuring that their address, telephone number, hours of work, place of work or anything that might help the perpetrator trace the employee should not be revealed under any circumstances.

**3. Right to privacy:**

The Council respects an employee’s right to privacy in the event they do not wish to inform the Council that they have experienced domestic violence.

**4. Anti-discrimination:**

The Council will not discriminate against anyone who has been subjected to domestic violence, in terms of his or her existing employment or career development.

The Council is aware that domestic violence victims may have performance problems such as absenteeism or lower productivity as a result of domestic violence. When addressing performance and safety issues, the Council will make reasonable efforts to consider all aspects of the employee’s situation and / or safety problems.

**5. Absence from work:**

The Council will make every effort to assist an employee experiencing domestic violence. If an employee needs to be absent from work due to domestic violence, the length of the absence will be determined by the individual's situation through agreement between the employee and their line manager.

Managers are encouraged to first explore paid leave options that can be arranged to help the employee cope with the situation without having to take unpaid leave where possible. Depending on circumstances it may be possible to arrange flexible working hours so that the employee can attend appointments with the police, solicitors, social workers or counsellors or to seek new accommodation, arrange childcare, look for new housing, etc.

**6. Safety at work:**

The Council undertakes to ensure the safety of its employees. The Council will actively provide support to employees to minimise the risk to their safety while at work, if they make it known that they are experiencing domestic violence. Managers may need to consider temporarily transferring or relocating the employee to another office or working at home or making changes to working hours/patterns. Sometimes changes to specific duties may need to be considered such as answering telephones, working in isolated situations or reception areas or any other duties that put the employee at a higher risk of injury.

Where possible employees may be given Council mobile phones whilst working off site.

**7. Providing support for employees:**

In the first instance an employee can reveal to their line manager that they are experiencing domestic violence but support may be provided through others such asHuman Resources, trade unions, Occupational Health Service and Counselling in Companies*.*

The role of these people is to:

* be available and approachable to employees experiencing domestic violence
* listen, reassure and support individuals
* keep information confidential (subject to the requirements of child and adult protection)
* respond in a sensitive and non-judgemental manner
* discuss the specific steps that can be taken to help this person stay safe in the workplace
* ensure the employee is aware of the options available to them
* encourage the employee to seek the advice of relevant agencies or to contact the police
* **the Freephone National Domestic Violence** **Helpline**, run in partnership between [Women’s Aid and Refuge](http://www.nationaldomesticviolencehelpline.org.uk/)  **0808 2000 0247,**
* The Men’s Advice Line [www.mensadviceline.org.uk](http://www.mensadviceline.org.uk) on 0808 801 0327

Responding sensitively includes:

* Ensuring privacy for any conversations about the issues –using an office or room where interruptions can be avoided
* Respecting confidentiality
* Being non-judgmental
* Understanding that the employee is not to blame for the violence they are subjected to
* Exploring with the employee what support can be offered. Do not dictate courses of action or make assumptions about what will be in their best interests.

Managers and others who may be involved should not set themselves up as negotiators between the employee and the perpetrator of the violence.