Domestic Abuse, Violence against Women and Sexual Violence Policy

CONTENTS

● Message from the Permanent Secretary

● Definition of Domestic Abuse, Violence against Women and Sexual Violence

● Roles and Responsibilities

● The Policy

1. Policy Statement
2. Confidentiality
3. Support for anyone involved in a case
4. Equality and Diversity
5. Training
6. Record Keeping
7. Review

● The Procedure

8. Who to contact if you are experiencing domestic abuse and/or violence
9. Line manager’s role in supporting employees
10. What to do if a colleague tells you they are experiencing domestic abuse and/or violence
11. What to do if you suspect that an employee / external person is a perpetrator

● Annexes:

Annex 1 Asking Difficult Questions
Annex 2 Examples of practical support in the workplace
Annex 3 Help and Support

Links to Related policies

● Flexible Working
● Lone Working
● Mental Health Guidance
● Special Leave
● Attendance Management
● Underperformance
Message from the Permanent Secretary

Domestic abuse and violence can affect women and men from all walks of life, and from all cultural, social and ethnic backgrounds. It can affect those in work and those out of work, the young and the old, in any part of Wales.

As an employer, we have the potential to reach and help a significant number of victims of domestic abuse and violence. Particularly when evidence suggests that these issues can have a detrimental impact on an individual’s working life, over and above the devastating effects on their personal life.

At the Welsh Government, we are committed to supporting all employees, regardless of gender and the type of abuse, to maintain their employment whilst breaking free from abusive relationships. Both men and women can be victims but in Wales, as in the rest of the world, women are disproportionately affected by all forms of intimate violence. Violence against women constitutes a serious violation of the human rights of women and girls and is a major obstacle to the achievement of equality between women and men.

Statistics show that 75% of women that experience domestic abuse and violence are targeted at work – from harassing phone calls and abusive partners arriving at the office unannounced, to physical assaults. In the UK every year, 20% of employed women take time off work because of domestic violence and 2% lose their jobs as a direct result of abuse. 53% of abused workers (male and female) miss at least 3 days from work per month.

As an employer, we can take small steps to dramatically change lives. For example, taking action to safeguard individuals at work, adopting zero tolerance of workplace perpetrators or facilitating a transfer to another office location can all help staff who are victims of abuse and violence.

This policy will 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 organisation. We are committed to regularly reviewing this policy and providing training to staff who have key responsibilities within it.

It spells out a clear message that domestic abuse and violence will not be tolerated within or outside the workplace and a clear commitment to take action against perpetrators.

Derek Jones
Definition of domestic abuse, violence against women and sexual violence

The definition of domestic abuse, violence against women and sexual violence which informs this policy and procedure is set out in the Home Office definition of Domestic Abuse and Violence and the United Nations definition of Violence against Women and Sexual Violence. We have adopted these definitions because in Wales, as in the rest of the world, women are disproportionately affected by all forms of domestic abuse and violence.

- **Domestic Abuse and Violence – Home Office**

  The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

  - psychological
  - physical
  - sexual
  - financial
  - emotional

  **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.

- **Violence against women – United Nations**

  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.

- **Sexual Violence – United Nations**

  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.
Roles and Responsibilities

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

- talk to your line manager about your situation and how we might help you;
- access the support and guidance available from the All Wales Domestic Abuse and Sexual Violence Helpline and the Employee Assistance programme;
- agree with your manager, where appropriate, what to tell colleagues and how they should respond if the abuser telephones or visits the office; and,
- ensure your emergency contacts and next of kin details are up to date, should we be unable to contact you for any reason.

**All Employees are responsible for:**

- familiarising themselves with the contents of this policy and procedure; providing appropriate support to colleagues within the provisions of this policy and procedure; and,
- maintaining confidentiality.

**HR Case Advisers are responsible for:**

- being aware of the support and information available in this policy and procedure;
- working with managers, where necessary, to arrange any support measures e.g. leave, adjusting work schedules/working hours or working at another office location;
- advising managers on the sensitive use of performance/attendance/discipline management procedures where necessary; and,
- working with managers to implement the discipline procedure if an employee is alleged to perpetrate domestic abuse and/or violence in the workplace.

**Line Managers are responsible for:**

- familiarising themselves with the policy and procedure;
- being aware of physical, behavioural changes and/or performance changes that may be the result of domestic abuse and/or violence;
- 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 procedure;
- arranging any support measures that have been agreed with the employee;
• working with the Security team to develop a personalised workplace safety plan to minimise risk to the employee and colleagues, where appropriate;
• agreeing a method of communication with the employee if they are in difficulty;
• being aware of any additional issue which may be relevant to the employee e.g. age, disability, ethnicity, sexuality, and the relevant help available as outlined in this policy;
• working with the HR Case Adviser to clarify what is expected of the employee and what additional support can be provided, where the employee’s performance or absence is a cause for concern; and,
• liaising with the HR Case Adviser on appropriate action where an employee is suspected of perpetrating domestic abuse and/or violence in the workplace.

Occupational Health are responsible for:

• providing confidential support to employees experiencing domestic abuse and/or violence; and,
• providing support to managers on dealing with the work issues and associated support.

Trade Union Representatives are responsible for:

• familiarising themselves with the provisions of this Policy and procedure; and,
• assisting members who are experiencing domestic abuse and/or violence to seek support as outlined in this procedure.

Welsh Government Security Adviser is responsible for:

• advising managers and the HR Case Advisory team on risk assessment and practical measures that can be taken to safeguard victims, employees and others in relation to individual cases; and,
• advising on police involvement and, where appropriate, undertaking liaison with the police in specific cases.
1. **Policy Statement**

1.1 The Welsh Government does **not** tolerate domestic abuse and violence within or outside the workplace. It has a legal obligation and commitment to:

- provide a safe and supportive working environment for employees;
- help employees who are experiencing domestic abuse and/or violence to be confident enough to seek help in the workplace;
- protect and maintain the confidentiality of individuals experiencing domestic abuse and/or violence for as long as it is legal and safe to do so;
- develop an increased awareness of domestic abuse and/or violence issues by employees and managers throughout the organisation;
- ensure that employees and managers are trained to provide a supportive and professional response to dealing with domestic abuse and/or violence issues;
- ensure that employees and external people who use the Welsh Government’s workplace to perpetrate domestic abuse and/or violence are dealt with appropriately; and,
- develop an understanding of equality and diversity issues when dealing with cases.

1.2 Our aim is that this policy and procedure will support staff experiencing domestic abuse and/or violence to remain in employment, contributing to the retention of valued, skilled and motivated employees. This may lead to increased performance and commitment and reductions in turnover, absence and training costs.

1.3 This Policy provides information and guidance for employees who are experiencing domestic abuse and/or violence and a procedure for managers and employees to follow in supporting these colleagues. It also details the action to be taken if an employee is alleged to be a perpetrator of domestic abuse and/or violence in the workplace.

1.4 We strongly encourage staff who are experiencing domestic abuse and/or violence to talk about their situation to their manager or another manager in their line management chain so that they can be fully supported by the provisions of this policy and procedure. Alternatively if an employee wants to talk to someone outside the line management chain, they are encouraged to contact Occupational Health, their trade union representative, or the All Wales Domestic Abuse and Sexual Violence Helpline (the Helpline).

1.5 The Welsh Government will not discriminate against anyone who has been subjected to domestic abuse and/or violence, in terms of his/her existing employment or career development.
2. Confidentiality

2.1 Confidentiality must be maintained by any member of staff who is involved with a case of an employee experiencing domestic abuse and/or violence.

2.2 Maintaining confidentiality is not about keeping secrets, it is about limiting discussion and information to those involved in managing and supporting a case. Disclosure to those who need to be involved in a case will be discussed and agreed with the employee prior to information being shared, except in the circumstances outlined in paragraphs 2.5 – 2.6 below. Information will only be shared on a need to know basis in order to achieve the best outcome for the employee.

2.3 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. These individuals will normally be limited, as appropriate, to the line manager, the HR Business Partner, HR Case Adviser, trade union representative and Occupational Health. On occasions, others in the line management chain may also need to be informed, for example, to gain agreement to workplace changes to support and protect the employee. Similarly, colleagues may be informed of a limited amount of information on a need to know basis where measures must be taken to safeguard the individual and others in the team. In some instances, where there are potential criminal acts, the Welsh Government Security Adviser will also be informed. All those involved will be advised that confidentiality must be strictly observed.

2.4 If any manager or employee is concerned about a domestic abuse and/or violence situation but is unsure of how to deal with it, they should talk to their senior manager so that it can be managed in the best way for the individual experiencing domestic abuse and violence. This will not be regarded as breaking confidentiality.

2.5 The employee or the manager/senior manager will contact the All Wales Domestic Abuse and Sexual Violence Helpline who will assess the level of risk. The manager/senior manager will also consult with the Welsh Government Security Adviser where necessary and/or the HR Case Adviser and appropriate action will be taken.

2.6 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 in consultation with the Welsh Government Security Adviser. Such situations include circumstances where:
3. Support for anyone involved in a case

The All Wales Domestic Abuse and Violence Helpline (the Helpline)

3.1 The Helpline is the primary source of specialist support and guidance for anyone who needs help in dealing with domestic abuse and/or violence. Whether you are a manager, colleague or victim of domestic abuse and/or violence, you are strongly encouraged to contact the Helpline to obtain expert advice and guidance on dealing with your particular situation. It is a 24 hour, 365 days a year service. Further details are contained in Annex 3.

The Welsh Government Employee Assistance Programme

3.2 Being involved or dealing with a case of domestic abuse and/or violence may be a difficult and stressful time for individuals. If you require personal support, you may contact the Employee Assistance Programme (EAP) on 0800 282193 or at www.ppconline.info for professional, independent advice and support. The EAP can provide access to free counselling services where they agree with you that a referral is needed.

Support for perpetrators

3.3 The Welsh Government will not tolerate any form of abuse or violence within the workplace and we will deal with perpetrators of such behaviour under the Discipline policy. We recognise our duty of care to all employees and we will encourage and support employees who are perpetrators of domestic abuse and/or violence to voluntarily avail themselves of the support offered by the Occupational Health Team and the Employee Assistance programme. There are also sources of external support which can be accessed by contacting Respect – the support service for perpetrators of domestic abuse and violence on 0808 8024040 or at respect.uk.net.
4. **Equality and Diversity Considerations - Taking account of different needs and experiences**

4.1 It is important that everyone involved in a case recognises that employees’ experiences of domestic abuse and/or violence 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 can offer professional advice and support;
- men feel equally comfortable talking about their experiences to a man or a woman who can offer professional advice and support;
- ethnic minority women face additional barriers to 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 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.

5. **Training**

5.1 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. We will train those individuals 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.

- 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
- Occupational Health, HR Case Advisory Team, HR Business Partners, Trades Union representatives, the Welsh Government Security Adviser and the HR Policy team will receive additional training on this policy and procedure.
- Senior management will receive training to enable them to understand their role in leading change to end domestic abuse and violence.
6. Record Keeping

6.1 Any record made under this policy and procedure must be held securely and in accordance with the Data Protection Act. Electronic records must be held in an I-share caveat group so that only the line manager has access, unless it is agreed that other Welsh Government managers and professionals involved in a case require access in order to support the victim.

6.2 Records held under other procedures such as attendance management, performance management or underperformance must be held in accordance with the guidance in the relevant procedure.

6.3 Further advice on record keeping may be obtained from the HR Case Advisory team or the Information Rights Unit.

7. Review

7.1 This policy and procedure will be reviewed after the first year and every two years thereafter, or sooner if there is a change in business requirements or legislation.
The Procedure

8. **Who to contact if you are experiencing domestic abuse and violence and want help and support**

8.1 If you experience domestic abuse and/or violence we encourage you to talk to your line manager or another manager in your line management chain in the first instance. If this seems daunting, you may wish to contact Occupational Health or your trade union representative.

8.2 All of the above will offer you support and will also encourage you to ring the All Wales Domestic Abuse and Sexual Violence Helpline ([the Helpline](#)) on 0808 80 10 800/ allwaleshelpline.org.uk. More information about the Helpline can be found in Annex 3. Your conversations will be confidential and will only be discussed with a limited group of managers and professionals who will offer you expert advice and support. Please refer to paragraph 2 for more information on confidentiality.

8.3 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. The Helpline Adviser will guide you to professional, specialist organisations that can help you. They can also recommend changes to the workplace to make it a safer place for you.

8.4 If you need counselling or other support, the Welsh Government Employee Assistance programme (EAP) can offer you access to free, independent counselling. You can find out more about this service by ringing 0800 282193 or at [www.ppconline.info](http://www.ppconline.info) Annex 3 contains more information about the EAP.

9. **Line Manager’s role in supporting employees who experience domestic abuse and violence**

**General Guidance**

9.1 The 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 within the provisions of paragraph 2. The 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.

9.2 The line manager should also seek help on how to best support the victim and on how to handle issues that arise. These situations are complex and managers should not try to handle them alone. Such support can be accessed by ringing the Helpline or talking to your senior manager. Seeking this support is not a breach of confidentiality and is in the best interests of the employee.
9.3 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.

9.4 If at any time the line manager is concerned that a serious risk may be present for example to the employee, other work colleagues or to the public, s/he must not try to assess the risk but must contact the senior manager, who in turn will contact the Helpline, the Welsh Government Security Adviser and the HR Case Adviser. If a serious risk occurs when these internal contacts are not available e.g. working late in the office, week-end 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.

9.5 Line managers must keep a record of any incidents of abuse or violence at the workplace, including persistent telephone calls, emails 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 ensure that the appropriate help is given to the employee. Records must be factual and not contain any inflammatory or subjective comments. Records must be held securely and in accordance with the Data Protection Act. Refer to paragraph 6 for further information on Record Keeping.

Recognising the signs of domestic abuse and violence

9.6 As part of normal day to day management, 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:

- apparent uncharacteristic or reduced self confidence and self esteem
- apparent 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 do business trips
- needing regular time off for appointments
- frequent or sudden medical problems
- sleeping or eating disorder
- reluctance to turn off mobile whilst at work
- repeated injuries, ill health or unexplained bruising or bruising with dubious explanations
• inappropriate or excessive clothing
• changes in hairstyle
• changes in the quality of work performance for no apparent reason
• the receipt of apparently upsetting phone calls/texts/emails/faxes
• being secretive about home life
• presenteeism – a preference to be at work and work long hours and a reluctance to take holidays
• early or late arrivals or departures without a clear explanation
• high absence rate.

Managing and Supporting the employee

9.7 The above is not an exhaustive list but it shows the key types of behavioural changes that could indicate there is a problem. However, it is important not to make assumptions and to talk to the employee about any concerns. Often victims are feeling too emotionally vulnerable to raise the issue themselves and research shows that the majority of victims say that: “I just wanted someone to ask me what was going on”.

9.8 We recognise that line managers may be hesitant about raising this issue with an employee. Annex 1 provides some examples of questions line managers can ask to enquire whether someone is experiencing domestic abuse and/or violence.

9.9 A manager may also be alerted to the possibility of a domestic abuse and/or violence situation through a colleague reporting it or through raising management concerns under an appropriate procedure such as Attendance Management because the employee is demonstrating some of the behaviours listed above rather than feeling able to talk about the abuse and violence.

9.10 Where possible, issues under procedures such as Attendance Management or Underperformance should be raised at the earliest opportunity, by the lowest level of line management and at the informal stage, unless an issue has arisen which demands a more formal approach.

9.11 Remember that it is the employee’s decision whether or not to disclose that they are experiencing domestic abuse and/or violence. If the employee discloses, this must be taken into account as a mitigating factor in line with the appropriate procedure and appropriate help and support given as outlined in this and other relevant procedures.

9.12 Where an employee does not disclose domestic abuse and/or violence but the 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 are always available and reinforce the help that can be provided through the Occupational Health team, the Employee Assistance Programme and the Helpline. The line manager should also discuss the situation with the HR
Case Adviser to ensure they have followed the correct process and all avenues of support are explored.
Handling disclosure

9.13 Where an employee discloses that they are experiencing domestic abuse and violence, 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 manager is to be understanding and provide the employee with information on protection whilst at work and the sources of help that may be accessed via the Helpline. In carrying out discussions, the manager should:

- explain the confidentiality provisions outlined in paragraph 2;
- not ask for proof of abuse or violence;
- listen, reassure and take seriously what is being disclosed and respond in a sensitive, non-judgmental and supportive manner;
- ask the employee how you can best support them but manage expectations by explaining that the organisation may not be able to assist with all their needs;
- advise the employee of the specialist support that is available to them through the Helpline, Occupational Health team or the Employee Assistance Programme;
- raise awareness of help that may be available through other policies e.g, the Special Leave policy or flexible working policies;
- 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 an internal 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. The Welsh Government Security Adviser and the Helpline will be able to advise on safety planning;
- 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.

Continuing to support the victim

9.14 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 him/her 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.
9.15 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 Occupational Health, the Helpline and the HR Case Adviser on a regular basis.

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

10.1 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.

10.2 If they feel they cannot speak to their line manager, encourage them to tell someone else in the line management chain, Occupational Health team or a trade union representative.

10.3 If they choose not to talk to anyone else in the Welsh Government, 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 and procedure.

10.4 Outlined below are some steps you can take to help;

- Acknowledge that it takes strength to trust someone enough to talk about the abuse and violence;
- Allow time for them to talk and don’t push for more detail if they do not wish to give it;
- Don’t criticise the abuser, it may put them off from saying any more;
- Let them make their own decisions – if they are not ready to take action or leave the abusive relationship – that is their decision;
- Encourage them to seek expert help;
- Let them decide what is safe and what is not. It is their choice what happens next; and,
- Don’t suggest that they change their behaviour towards the abuser as this could alert the abuser and increase the risk to your colleague.

10.5 You must maintain confidentiality in accordance with paragraph 2 but if at any time you feel that there might be a serious risk to the victim, yourself or colleagues or that one of the exceptions listed in paragraph 2 applies, you must immediately speak to your line manager, someone else in your line management chain or the Welsh Government Security Adviser about your concerns. Such a discussion is not a breach of confidentiality.
10.6 If you suspect that there is a serious risk and it occurs when these internal contacts are not available e.g. when working late in the office, week-end or out of hours working, you must 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.

11. What to do if you suspect that an employee is a perpetrator of domestic abuse and violence - guidance for colleagues and line managers

11.1 The Welsh Government will not tolerate any form of abuse or violence within the workplace. It aims to create a safe working environment which promotes personal health and wellbeing and is free from harassment.

11.2 We encourage employees who are perpetrators of domestic abuse and/or violence to voluntarily avail themselves of the support offered by the Occupational Health Team and the Employee Assistance programme. There are also sources of external support which can be accessed by contacting Respect – the support service for perpetrators of domestic abuse and violence on 0808 8024040 or at respect.uk.net.

11.3 If you suspect that an employee is a perpetrator of domestic abuse and/or violence, you should discuss this with your line manager who will contact the HR Case Adviser for further advice and the Welsh Government Security Adviser who may need to be aware for security vetting and clearance purposes. If you are aware of the person that the perpetrator is committing these acts against, you must also make this known to your line manager so that appropriate action in liaison with the HR Case Adviser and the Security Adviser can be taken to safeguard the victim, as far as we legally and reasonably can, taking into account data protection considerations, whether or not they work for the Welsh Government.

11.4 If there are allegations that an employee is the perpetrator of domestic abuse and/or violence and they have used the workplace to commit such acts, we will take action under the discipline procedure. Such action will normally be considered as gross misconduct which could lead to dismissal, and in some circumstances, criminal proceedings.

11.5 Before implementing the discipline procedure, the HR Case Adviser in liaison with the Security Adviser and the Helpline will consider the impact of proceedings upon the victim and take any action that we can reasonably take, provided it is legal, safe and appropriate to do so, to safeguard and minimise
the impact upon that individual whether or not they are employed by the Welsh Government.

11.6 Where an alleged perpetrator of domestic abuse and/or violence is subject to the discipline procedure, the line manager in discussion with the HR Case Adviser should decide whether immediate action should be taken to minimise the potential for the perpetrator to use their position or internal resources to find out information on or the whereabouts of their partner, ex partner or other person they are abusing. This may include a change of duties or role or the withdrawal of access to certain resources.

11.7 Alongside the discipline procedure, we will encourage and support perpetrators of such abuse to take action to address their behaviour including referral to the Occupational Health Team, the Employee Assistance programme and Respect – the support service for perpetrators of domestic abuse and violence. If a perpetrator is already accessing support, we will take this into account in coming to any decision.

11.8 Employees are required to advise their line manager if they are arrested, given a Police caution, charged to appear before a criminal court or convicted of a criminal offence. Failure to do so in itself may give rise to disciplinary proceedings being taken against the employee. The ‘Civil Service’ is a “notifiable profession” so the police will forward information of arrests or convictions of civil servants to the Welsh Government Security Adviser via Cabinet Office.

11.9 Where an employee receives a police caution or is convicted of a criminal offence in relation to domestic abuse and/or violence, the impact of this upon any security considerations, their suitability for performing their current duties and their continued employment will be considered in accordance with Annex K of the Discipline procedure.

Dealing with external perpetrators

11.10 If you suspect that an external person is a perpetrator of domestic abuse and/or violence and is using the Welsh Government workplace to commit such acts against another employee or a person who works directly for the Welsh Government e.g. a secondee or contractor, you should speak to your line manager. We will take action to protect the employee or person including reporting the perpetrator to the police where appropriate.

11.11 Your line manager must contact the HR Case Adviser who, in liaison with the Security Adviser and the Helpline, will consider what action is appropriate and
the impact of taking this action upon the employee or person concerned. We will take action to protect staff, those who work directly for the Welsh Government and property provided it is legal, safe and appropriate to do so, whilst minimising the impact upon the victim.

Annex 1

Asking Difficult Questions

This guidance will help line managers to begin a conversation with an employee where they suspect that he/she is 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 an employee’s personal life.

- Talking about domestic abuse/violence is an emotionally charged event for both the person being abused and the confidante and needs to be handled sensitively.

- Begin by letting the employee know that you are concerned, that s/he is not alone and that s/he doesn’t deserve the abuse/violence and that help is available. These things can begin to bridge his/her 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 organisation 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 and 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 a manager suspects that an employee is experiencing domestic abuse, they should ask the employee indirect questions, to help establish a relationship with the employee and 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 all right 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:

The manager 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(s) get jealous of you seeing friends, talking to other people, going out? If so, what happens?
• 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 are experiencing abuse?
• Have you ever been slapped/kicked/punched etc, by your partner/family member?
• Does your partner/family member blame alcohol or drugs for the behaviour towards you?
Annex 2

Examples of practical support in the workplace

Listed below are a number of practical measures that managers may wish to consider to support an employee:

- Identify a **work contact** for support and an emergency contact should the organisation be unable to contact the employee.

- Use **existing policies** to allow the individual to change work patterns or workload and allow flexible or more flexible working or special leave to facilitate any practical arrangements.

- **Consider diverting** phone calls and email messages.

- **Speak to the Welsh Government Security Adviser** who will alert reception and security staff if the abuser is known to come to the workplace.

- Provide a copy of any **existing orders** against the abuser and a photograph of the abuser to the Welsh Government Security Adviser.

- Check that staff have **arrangements** for getting safely to and from home.

- Review **content of personal information**, such as temporary or new addresses, bank or health care details.

- Review the employee’s **next of kin information** — the ex-partner may still be listed or the abuser may still be the partner of the victim.

- Where practical, **consider offering a temporary or permanent change** of workplace, working times/patterns or a period of special leave.

- Where practical, **offer changes in specific duties**, such as not expecting the employee to answer telephones or sit on reception.

- Move the employee **out of public view** i.e. ensuring that they are not visible from reception points or ground floor windows.

- Ensure that the employee **does not work alone** or in an isolated area.

- **Agree with the employee** what to tell colleagues and how they should respond if the violent abuser telephones or visits the workplace.

- Keep a **record of any incidents** of abuse on the workplace, including persistent telephone calls, emails or visits to the employee by their partner/ex-partner/abuser. Records must be held in accordance with paragraph 6 of this policy.
Help and Support

All Wales Domestic Abuse and Sexual Violence Helpline

- If you or someone you know is experiencing domestic abuse, violence or sexual violence, you can seek help and support from the helpline.
- The Helpline provides a 24 hour, 365 days per year service.
- Calls to the Helpline will not show up on landline phone bills.
- Callers to the Helpline are guaranteed a friendly welcome and can discuss their concerns confidentially.
- Callers will not be judged or blamed and the skilled helpline staff offer a professional service and will understand what callers are experiencing.
- The Helpline proves information on:
  - Emergency Accommodation
  - Counselling
  - Welfare and Benefits Rights
  - Housing Issues
  - Legal Issues
  - Child Welfare
  - Perpetrator Programmes
  - Sexual Assault Referral Centres

Employee Assistance Programme

The EAP may be of help if you have problems at work or at home. You can talk over your problems, and get information and counselling on issues such as: work, finance, law, health, family, stress, depression, addiction, career, and housing. This is a completely confidential service delivered by Positive People Company (PPC).

The programme can also provide free Cognitive Behavioural Therapy by our partner provider, Therapeutic Counselling Services, on referral from PPC or the Occupational Health team.

Who is it for?

Anyone who works within the Welsh Government. You can access the service by logging on to the Positive People Company (PPC) website (located in the external sites section) and on the 'member login' page, enter the following details:

- Username: Welsh
- Password: Government

If you prefer you can contact them by phone on 0800 282 193.

PPC also have regular eNewsletters found on the right hand side of the intranet page that provides useful information on Health and Wellbeing.