

THE NHS STAFF COUNCIL
WORKING IN PARTNERSHIP

HEALTH, SAFETY AND WELLBEING
PARTNERSHIP GROUP



Domestic violence and abuse: supporting NHS staff

November 2017

Introduction

Domestic violence and abuse can affect anyone, including NHS staff. Abusive relationships impact both home and working lives. It is therefore important that NHS organisations have a domestic violence and abuse policy to offer support for staff experiencing abuse.

The support that organisations may need to give staff who are experiencing domestic violence and abuse may include:

- a confidential means for seeking help
- information about available resources
- special safety considerations at the workplace
- adjustments to working arrangements
- paid leave necessary to obtain medical, counselling or legal assistance.

This publication is designed to give organisations information about things to include when developing a domestic violence and abuse policy. Many NHS organisations already have domestic violence and abuse policies. This guidance has been developed by the NHS Staff Council Health, Safety and Wellbeing Partnership Group.

Developing a domestic violence and abuse policy

The NHS Constitution commits NHS employers, staff and staff side representatives to work in partnership in developing policies. It is in the interest of both employers and staff to develop an effective domestic violence and abuse policy which is applied fairly and consistently.

For information about working in partnership you can read the Health, Safety and Wellbeing Partnership Group's Guide to Partnership Working.

Checklist - what to include in the policy

1. Statement of intent

The policy should include a statement at the beginning that makes a commitment to support staff who are experiencing domestic violence and abuse.

2. Context

Include information about the context of the policy and why organisations should support staff experiencing domestic violence and abuse.

You can link it to further information about occupational health and safety, as under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999 organisations have legal responsibilities to protect the health, safety and welfare of their employees.

3. Definitions

The policy should include a definition of domestic violence such as:

Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or friend or family members regardless of sex, class, race, disability, sexual orientation, gender identity or age.

Domestic abuse is the abuse of power and control over one person by another. It can take many different forms, including physical, sexual, emotional, verbal and financial abuse.

Domestic violence includes, but is not limited to:

- a) Physical abuse: slapping, pushing, kicking, stabbing, damage to property or items of sentimental value, female genital mutilation, attempted murder or murder
- b) Sexual : any non-consensual sexual activity, including rape, sexual assault, coercive sexual activity, or refusing safer sex
- c) Restricting freedom: controlling whom you see or where you go, what you wear or what you do, stalking, imprisonment, forced marriage
- d) Emotional/psychological abuse: intimidation, social isolation, verbal abuse, humiliation, constant criticism, enforced trivial routines
- e) Economic abuse: stealing, depriving or taking control of money, running up debts, withholding benefit books or bank cards

4. Responsibilities

The policy should stress the employee's right to confidentiality and discretion around personal details of employees (addresses, telephone numbers, work locations, shift times). However, the policy may want to make clear that in circumstances of child protection, or the protection of vulnerable adults, it may be that the organisation cannot guarantee confidentiality in these cases.

5. Supporting staff

The policy may wish to have a designated point of contact (one or two people) who are specially trained who staff can go to first. It is important to stress that this point of contact is not a counsellor but should be responsible for listening to the employee and providing information and support in a sensitive and non-judgemental manner.

It may be the case that the employee's first point of contact is their trade union representative; their line manager or human resources staff. These staff groups should be familiar with the organisation's domestic violence and abuse policy so they understand how to support the member of staff.

Employers should provide a secure workplace and ensure relevant staff have appropriate domestic violence and abuse training.

The policy should outline the different types of special arrangements that could be put in place for an employee experiencing domestic violence and abuse for example:

- Special leave - some workplaces may need to allow for special paid leave, including extended leave if the employee needs to go to a refuge or move away, to enable employees time to visit their solicitor, the police, their GP and/or others.
- Performance and productivity - the policy may make reference to the fact that survivors of domestic violence may have performance or productivity issues and the organisation should deal with these sympathetically.
- Security measures - for example ensuring access to some buildings is only for staff and authorised visitors.
- Workplace changes - if practical consideration of a permanent or temporary change of workplace.
- Shift changes - if practical, a consideration of changes to shift patterns and times.
- Transport - consideration of support with transport arrangements to and from work, including parking.

- Lone working - staff working alone in the community may be particularly vulnerable and should be provided with lone working alarms (and in some cases may need to be moved out of a community role if things become difficult). Read the Partnership Group's [guidance on lone working](#).

- Safety at Work Plan - drawing up a 'Safety at Work Plan' with information about what to do if the abuser calls or comes to the workplace and how to record the employee's whereabouts during the day.

- Changes to payment arrangements for salary made as a priority.

- Salary advances to be available in extreme situations where it is identified that this may help an employee flee a violent situation.

- Referral to occupational health if necessary.

Perpetrators who are employees

The policy should outline the disciplinary process for perpetrators of domestic violence and abuse. The organisation should:

- Take formal action against any employee who incurs, during their period of employment, a criminal conviction relating to domestic violence and abuse.
- Take disciplinary action against any employee who uses the time, property or the resources of the organisation to abuse a partner or family member.
- Require an employee who has a Non-Molestation Order or Occupation Order in place against them to declare this to the organisation. If their job involves working with or coming into contact with children or vulnerable adults a change in role may be considered.
- Take action, as appropriate, to minimise the potential for a perpetrator to use their position or resources to find out the whereabouts, or other details, of their partner or ex-partner.

The policy should also address support for staff who are the perpetrators of domestic violence and abuse who may wish to seek help and support to change, for example providing information about perpetrator re-education programmes.

The policy may outline that it is a condition of employment that all employees observe a high standard of personal and professional conduct and that domestic violence and abuse is a serious matter that may lead to criminal convictions.

The policy needs to outline what support is available to the staff member and recognise that staff members may raise concerns to their union representative if the issue is not being addressed.

The policy should also address the situation where both the perpetrator and the survivor are employees of the organisation.

6. Information and training

As part of induction, health and safety and management training the following information should be provided to staff:

- domestic violence services
- the workplace policy

- the role of the named contact
- protocols for identifying and responding to domestic violence (victims and perpetrators).

The policy should make training available for points of contact (if there are specific points of contact) such as line managers, HR staff and staff side representatives. Wherever possible this training should be done in partnership.

The policy should also include details about training for other staff members such as switchboard operators and staff at reception about their responsibilities not to divulge information about staff.

7. Cross reference to other policies that already exist

The policy needs to cross reference to other policies, for example, stress at work, equality and diversity policy, harassment policy and procedure, flexible working etc.

More resources

You can also find more information from these organisations:

Women's Aid (England) <https://www.womensaid.org.uk>

Scottish Women's Aid <http://www.scottishwomensaid.org.uk>

Welsh Women's Aid <http://www.welshwomensaid.org.uk>

Northern Ireland's Women's Aid <https://www.womensaidni.org>

The Samaritans <https://www.samaritans.org>

Victim Support <https://www.victimsupport.org.uk>

Police <https://www.police.uk>

Rape Crisis England and Wales <https://rapecrisis.org.uk>

Refuge <http://www.refuge.org.uk>

TUC <https://www.tuc.org.uk>

National LGBT Domestic Abuse Helpline <http://www.galop.org.uk/domesticabuse>

Men's Advice Line <http://www.mensadviceline.org.uk>

Royal College of Nursing <https://www.rcn.org.uk/clinical-topics/domestic-violence-and-abuse>

Further reading:

Read Unite the Union's chapter on domestic violence in their **Women's Health Safety and Wellbeing Guide**.

Further information published by the NHS Staff Council's Health, Safety and Wellbeing Partnership Group can be found on the **NHS Employers website**.

The NHS Staff Council's Health, Safety and Wellbeing Partnership Group (HSWPG) is a sub-group of the staff council and was established to:

- raise standards of workplace health, safety and wellbeing in healthcare organisations
- promote a safer working environment for all healthcare staff
- promote best practice across the NHS and independent sector.

The group has produced a range of useful guidance and information on topics such as, lone workers, managing musculoskeletal disorders and back pain, sickness absence and stress.

 www.nhsemployers.org/HSWPG

 HSWPG@nhsemployers.org

 [@NHSE_Wellbeing](https://twitter.com/NHSE_Wellbeing)

 2 Brewery Wharf Kendell Street Leeds, LS10 1JR

This publication was produced by the NHS Confederation.

 communications@nhsconfed.org