

Fledglings Day Nursery

Workplace Domestic Abuse Policy

Monitoring and updates	
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Workplace Domestic Abuse Policy

Introduction

We understand that we have a duty of care to employees and a legal responsibility to provide a safe and effective work environment. As such, we are committed to ensuring that any employee who is the victim of domestic abuse has the right to raise the issue with us in the knowledge that they will receive appropriate support. We aim to create a safe working environment for all staff by raising awareness of domestic abuse through training, providing guidance to managers, supporting domestic abuse survivors, signposting staff to appropriate specialist support and working to eliminate risks related to domestic abuse in the workplace.

Aim

This policy outlines the role of Fledglings Day Nursery in supporting employees who have experienced or are experiencing domestic abuse. It applies to all members of staff including agency and contract staff. It sets out our procedures for staff and managers to follow when responding to domestic abuse. This policy also covers the approach we will take where there are concerns that an employee may be the perpetrator of domestic abuse.

Recognising Domestic Abuse and Violence

Domestic abuse refers to abusive behaviour which takes place between 2 people aged 16 or over who are personally connected to each other. This includes people who are or have previously been married, in civil partnerships or relationships have a child together or are relatives. The Domestic Abuse Act 2021 recognises post-separation abuse including controlling or coercive behaviour by a former intimate partner that takes place post-separation or by a family member who does not reside with the victim.

Anyone can be a victim of domestic abuse regardless of race, ethnic or religious group, sexuality, socio-economic status, gender identity, mental health or disability. Domestic abuse is most commonly perpetrated by men. Women are more likely to experience repeat victimisation, be physically injured or killed as result of domestic abuse and experience non-physical abuse (including emotional and financial abuse) than men. We recognise that controlling and abusive behaviour can also occur in same sex relationships and can be perpetrated by women against men.

Bristol against Violence and Abuse (BAVA) define domestic abuse as the misuse of emotional, physical, financial or sexual control by one person over another.

Domestic abuse can be physical, sexual, psychological, emotional or economic and may involve violence, threats, controlling or coercive behaviour. Abuse can be a single incident but is often a pattern of behaviours. This definition includes so-called 'honour'-based violence, forced marriage, female genital mutilation, human trafficking and sexual exploitation.

In practice, domestic abuse is the abuse of power and control over one person by another and can take many different forms and can include, but is not limited to, the following:

- Coercive control (a pattern of intimidation, degradation, isolation and control. Including threats to share intimate images or 'revenge porn')
- Gaslighting (persistently undermining or manipulating someone, so they doubt their own sanity or become convinced that they are the problem).
- Psychological and/or emotional abuse.
- Physical abuse.
- Sexual abuse.
- Financial or economic abuse.
- Harassment and stalking.
- Online or digital abuse.
- Controlling behaviour.

The Domestic Abuse Act 2021 recognises children as victims of domestic abuse rather than witnesses of domestic abuse when a child sees or hears, or experiences the effects of, domestic abuse and is related to the person being abused or the perpetrator.

Signs that an employee might be experiencing domestic abuse include:

- Changes in behaviour, including uncharacteristic depression, anxiety, distraction or problems with concentration, becoming very quiet, anxious, frightened, tearful.
- Changes in their quality of work.
- Arriving late or leaving early.
- Poor attendance or spending more hours at work than required.
- Needing regular time off for appointments.
- Repeated injuries or unexplained bruising or explanations that do not fit with the injuries.
- Decreased productivity.
- Taking frequent or excessive calls during work time.
- Inappropriate or excessive clothing (that might be hiding injuries or bruising).

This list of possible signs is not exhaustive. The signs could manifest themselves over time and the behaviours may be indicative of other concerns.

Research shows that domestic abuse frequently extends into work itself. This could include being stalked and harassed during working hours by using workplace resources such as telephones and emails to threaten, harass, stalk or abuse. The impact of these behaviours can impact an employee's ability to concentrate and perform at work. Domestic abuse can also have impact on the wider staff team and workplace environment.

Raising awareness of domestic abuse within the workplace

Fledglings Day Nursery is committed to ensuring that the management and leadership team have the skills to support staff who are experiencing domestic abuse. Domestic abuse training will be provided for managers and the wider staff team. We will raise awareness of domestic abuse by displaying posters within the setting which contain information and practical advice on how and where to look for help.

Confidentiality

As far as possible, any employee seeking help will be assisted in the strictest confidence. Employees who disclose that they are a victim of domestic abuse can be assured that the information they provide is confidential and will not be shared with other colleagues without their permission. There are however, some circumstances in which our duty of care as an employer is the overriding factor and confidentiality cannot be assured. This may occur when there are concerns regarding children, vulnerable adults or where the organisation is required to protect the safety of their employees. If someone is in immediate danger, the police will be telephoned on 999. In these circumstances, the employee will be informed as to the reasons why confidentiality cannot be maintained.

Responding to suspected or disclosed domestic abuse

An approach of asking sensitive and appropriate questions in a confidential space to create a supportive atmosphere may support employees to feel more able to discuss domestic abuse. In doing so, it is important to avoid making assumptions as well as putting pressure on individuals to disclose or take a particular course of action.

The role of a manager is not to deal with the abuse itself but to make it clear that employees will be supported and to outline what help is available.

We will use the following approach if domestic abuse is suspected or disclosed:

- **Recognise the problem (look for signs and ask)**
- **Respond**
- **Refer**
- **Record**

Recognise

If domestic abuse is suspected and there is reason to believe that an employee is experiencing domestic abuse, the manager or another member of staff, such as those with a leadership or management responsibility, should facilitate a conversation to be able to discuss this and identify and implement appropriate support. If the manager or another staff member needs further advice or assistance before speaking to a member of staff about domestic abuse, they can seek advice from a trade union, ACAS or a domestic abuse organisation.

They will listen, believe and take the disclosure seriously. They won't be judgmental about the victim's response to the perpetrator's behaviour but will respect and accept the victim's thoughts and ideas on the way forward outside of work; the victim will know best how the perpetrator may react. They will be reassured that the discussion will remain confidential unless an exception applies, such as an immediate risk to life or children are at risk of harm (see section on confidentiality). They will not be given advice beyond the manager or member of staff's expertise, such as pressurising the victim to leave the perpetrator.

The manager will let the employee know that they have the right to report what is happening and the police have a duty to respond (but do not pressure them to take any action that they are not comfortable with).

Often it may be the case that a member of staff chooses not to disclose information about domestic abuse during a first discussion. They should be given details of a nominated person(s) to contact, should they wish to discuss any matters that might be affecting them in the future.

A factor to consider is that abuse often continues when a relationship has ended, with the time around separation a particularly dangerous time for a victim. Statistically the period following separation is the most dangerous time for serious injury and death. It is important to remember that victims of domestic violence may be at increased risk of harm in the workplace if they leave an abusive partner, as it may be the only place where they can be located.

Post-separation abuse, including stalking, harassment and forms of physical, emotional, sexual and economic abuse can continue and cause harm for longer periods of time.

See supporting information in the appendix for examples of questions and prompts that could be used.

Respond

If a disclosure is made to a manager, the following steps, in liaison with the victim/survivor, will be considered:

- Agreeing with the employee what to tell colleagues (on a need to know basis) and how they should respond if the perpetrator telephones or visits the workplace. All staff will be reminded of the importance of not divulging

personal details of other employees such as addresses, telephone numbers or shift patterns.

- Conducting a workplace risk assessment to ensure that the potential risk to the employee and work colleagues is minimised with measures to ensure a safe working environment.
- Alerting members of staff to the issue and providing them with a photograph of the perpetrator in agreement with the employee.
- Reviewing the security of the victim/survivor's personal information, including email, phone, bank details and home address (which may be new or temporary), and reminding staff not to disclose this information to third parties.
- Allowing the employee to change work patterns or workload and allowing flexible or more flexible working or special leave to facilitate any practical arrangements, such as getting advice from domestic abuse organisations or attending court.
- Providing ongoing support to ensure the victim/survivor's safety and wellbeing is being checked.
- Alerting the employee to domestic abuse support organisations.
- Setting up procedures for alerting staff and police and being clear about what to do if the perpetrator gains access to the workplace. The lockdown procedure may be enforced.
- Changing the employee's arrangements for payment if an employee is being denied access to their finances by an abusive partner.

This is not an exhaustive list and other steps may be considered. The right of employees to make their own decision about the course of action at every stage will be respected. Victims have the right to refuse support and assistance and <name of setting> cannot share what they have disclosed with anyone unless there are grounds to break confidentiality (see section on confidentiality).

The Manager will be aware of the possibility of domestic violence and abuse when managing attendance. If the manager suspects domestic abuse could be the cause of absence, they will try to create a supportive environment in which the employee is able to disclose the abuse if they wish to do so and will consider whether it is appropriate to issue sickness absence warnings where the known cause is domestic abuse.

Refer

When an employee discloses domestic abuse, Fledglings Day Nursery will encourage its employee to contact a support agency. Agencies help provide victims with full information about their legal rights and help victims and children to get protection from violence, by providing practical advice, support and other assistance.

Next link provide a range of domestic abuse support services to women and children. These include safe houses, children's services, dedicated Black and Ethnic Minority Services, resettlement and outreach services, and a crisis response service. Referrals are all made by telephone to their duty team. At the telephone stage women will be asked about their situation, the number of children they have with them, what areas of the city are unsafe for them and whether they want a safe house, the resettlement service, outreach support, crisis response service or the South Asian crisis service. Next link will carry out a DASH risk assessment on all referrals and if appropriate refer to the Domestic Violence MARAC.

In Bristol, the Multi-Agency Risk Assessment Conferences (MARAC) are held to discuss victims of domestic abuse who are at significant risk of death or serious harm as a result of the domestic abuse they are experiencing. Frontline agencies such as Next Link may undertake a risk assessment with a victim, and decide if a referral should be made to a MARAC.

See supporting information in the appendix for a list of local and national domestic abuse supportive organisations.

Record keeping

The Manager will keep a confidential record of a disclosure and any action/ decisions that they have taken. In accordance with Data Protection, records will be kept strictly confidential. It will be made clear that recording domestic violence will have no adverse impact on the victim's employment record. All absences will be recorded in accordance with normal procedures, but if they relate to domestic violence then they can be placed in a sealed envelope within the employee's file marked 'For Manager and Employee's Access Only'.

A confidential record of any incidents of abuse in the workplace, including persistent telephone calls, emails or visits to the employee, will be kept. This information may be used if the employee wants to press charges or apply for an injunction. Records may also be used in criminal proceedings or if the employee wants to apply for a court order. As such, it is important that records are clear and accurate and should give dates, times and locations. Witnesses to such incidents will also be recorded.

In addition to our records the employee may want to keep a record of abuse themselves. Advice from a domestic abuse organisation can be sought on how to do this safely.

See supporting information in the appendix for record keeping.

Allegations of Domestic Violence and Abuse committed by employees or volunteers

Domestic abuse is not acceptable.

If a member of staff discloses or is alleged to be a domestic abuser, either the manager or Designated Safeguarding Lead will follow our Child Protection Policy's

Staff Allegations section and contact the Local Authority Designated Officer (LADO) within 1 working day, prior to any further investigation taking place.

The definition of a staff allegation includes:

- * behaved or may have behaved in a way that indicates they may not be suitable to work with children. (Domestic Abuse can be considered under this definition)

The manager or Designated Safeguarding Lead will follow the LADO's advice on how to deal with allegations against staff. They will not start any investigation into the allegation until the LADO has been contacted. The process will usually involve a risk assessment of the situation.

Ofsted will be informed of any allegation or concern made against a member of staff within 14 days.

We will ensure that allegations are dealt with fairly and in a way that provides support for the person who is the subject of the allegation or disclosure. The member of staff will be treated fairly and honestly, helped to understand the concerns expressed and processes involved, kept informed of the progress and outcome of any investigation and advised of the implications for any disciplinary process. Information will be restricted to those who have a need to know in order to manage related disciplinary or suitability processes.

Employees should be aware that misconduct inside and outside of work is viewed seriously. This can lead to disciplinary action being taken, depending on the circumstances, in line with our Code of Conduct and can lead to questions raised about the employee's suitability to work with children. Employees should also be aware that domestic abuse is a serious matter which can lead to criminal convictions.

There is a legal requirement for employers to make a referral to the DBS where they believe a person has caused harm or poses a risk of future harm to vulnerable groups including children. Advice from the LADO on this will be sought before making a referral.

Fledglings Day Nursery recognises that it has a role in encouraging and supporting employees to address controlling, violent and abusive behaviour of all kinds. We will provide information about the services and support available to them, and will encourage the alleged abuser to seek support and help from an appropriate source.

In cases where both the victim and person alleged of committing domestic abuse work for the setting, appropriate action will be taken in accordance with this policy. In addition to considering potential disciplinary action against the alleged abuser, appropriate action may be required to manage contact between the victim and alleged abuser in the workplace.

Appendices

Appendix 1: Questions to ask

Appendix 2: Domestic abuse organisations local and national
Appendix 3: Record keeping example

Further Information:

- [Statistics about domestic abuse in England and Wales](#)
- [Employers Domestic Abuse Toolkit](#)
- [ACAS Support in the workplace for victims of domestic abuse](#)
- [Workplace support for victims of domestic abuse](#)
- [Domestic abuse: get help during the coronavirus \(COVID-19\) outbreak](#)
- [Domestic Abuse Act 2021](#)

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Fledglings Day Nursery
8th February 2022


1. Supported document: Questions to ask

How are you doing at the moment? Are there any issues you would like to discuss with me?
I have noticed recently that you are not yourself, is anything the matter?
Are there any problems or reasons that may be contributing to your frequent sickness absence/underperformance at work?
Is everything all right at home?
What support do you think might help? What would you like to happen? How?
Your wellbeing is important to me and I've noticed that you seem distracted/ upset at the moment – are you ok?

If there's anything you'd like to talk to me about at any time I'm always here to support you.



You don't have to tell me anything, but please know that I would like to support you if and when you feel ready.

2. Domestic abuse Organisations

Name	Details
<p>Tel: 0808 2000 247</p> <p>https:// www.nationaldahelpline.org.uk/</p>  <p>For women and children. Against domestic violence.</p>	<p>Refuge</p> <p>For women and children against domestic violence.</p> <p>Refuge provides specialist support to women and children escaping domestic violence and other forms of violence.</p>

<p>Tel: 0800 970 2070</p> <p>https://www.ncdv.org.uk/</p>  <p>National Centre for Domestic Violence</p>	<p>National Domestic Violence Helpline</p> <p>National Centre for Domestic Violence (NCDV) is a national organisation that specifically helps victims of domestic violence and abuse to obtain legal protection irrespective of their financial position. You can refer direct via their website www.referdirect.org.uk or download their app.</p>
<p>Tel: 0117 9250680 Mon-Fri 8.30am-5.30pm, Sat 9.30am-1.00pm</p> <p>https://nextlinkhousing.co.uk/</p>	<p>Next Link</p> <p>Offers support services for women experiencing DV/A, plus women's mental health support services and independent support for victims of rape and sexual abuse.</p> <p>Dedicated services for:</p> <ul style="list-style-type: none"> • Black and Ethnic Minority • South Asian people and • Children and young people
<p>www.bava.org.uk</p>  <p>BAVA Bristol Against Violence and Abuse</p>	<p>BAVA - Bristol Against Violence and Abuse</p> <p>Information about different types of violence and abuse and support services that can help. Also information on how to help others and how to raise awareness of violence and abuse.</p>
<p>Tel: 0808 8010327</p>  <p>Respect Men's advice line</p> <p>https://mensadviceline.org.uk</p>	<p>RESPECT Men's Advice line</p> <p>The Helpline for male victims of domestic abuse</p>
<p>Tel: 0808 802040</p> <p>Mon-Fri 9am – 5pm</p> <p>www.respectphoneline.org.uk</p>  <p>Respect Phoneline</p>	<p>Respect Phone line</p> <p>Helpline for perpetrators of DA/V to talk in confidence.</p> <p>Respect is a National organisation that supports male and female perpetrators of domestic violence, young people who use violence and abuse at home and in relationships.</p>

<p>https://chat.womensaid.org.uk/ Mon-Fri 10am-12noon</p> <p>https://www.womensaid.org.uk/</p> 	<p>Womens Aid</p> <p>Has support information on their website, an online help chat and email support too.</p>
<p>Tel: 0117 9250680</p> <p>Bristol Freedom Programme</p> <p>enquiries@nextlinkhousing.co.uk</p> <p><i>The Freedom Programme</i></p>	<p>Bristol Freedom Programme</p> <p>Support groups for women held throughout Bristol. Free programme for any woman with experience of living with domestic violence and abuse, or has left the relationship.</p> <p>Women can refer themselves or professionals can refer for you.</p>
<p>For more information contact reprovide-men@bristol.ac.uk</p> <p>info:http://www.bristol.ac.uk/primaryhealthcare/researchthemes/reprovide/workstream-ii-group-intervention-for-men/</p> 	<p>Reprovide Men's Domestic Abuse Perpetrator Programme</p> <p>The University of Bristol and Splitz Support Service in conjunction with Next Link are running a Domestic Abuse Perpetrator Programme in Bristol/North Somerset/South Gloucestershire as part of a larger research study. Men can be referred by services or can self-refer</p>
<p>Tel: 0300 303 1972</p> <p>Victim support (Avon and Somerset)</p>  <p>Mon/Wed/Fri 9:30am-5:30pm and Tue/Thu 11am-7pm</p> <p>24 hour National Support line outside these hours: 0808 1689111</p>	<p>Avon and Somerset Victim Support</p> <p>Men's Domestic Abuse Service for male victims and those who identify as male offering safety planning, support through civil and criminal proceedings, counselling and access to appropriate housing.</p>

<p>Tel: 0117 4270012 email: Info@opoka.org.uk Information in Polish: 0300 3651700 https://www.opoka.org.uk</p> 	<p>OPOKA is an Eastern European Family Support Centre which provides support and assistance to women and children who are experiencing domestic violence. The Centre provides short term individual crisis counselling and long term therapy.</p>
<p>Tel: 0800 999 5428 Mon-Fri 10am – 5pm Wed –Thur 10am- 8pm http://www.galop.org.uk/ domesticabuse/</p> 	<p>Galop - National Lesbian, Gay, Bisexual and Trans+ Domestic Abuse Helpline</p> <p>Provides emotional and practical support for LGBT+ people experiencing domestic abuse.</p>
<p>https://www.eida.org.uk/ https://www.eida.org.uk/toolkit-for-employers</p>	<p>Employers' Initiative on Domestic Abuse</p> <p>To enable employers to take action on domestic abuse – raising awareness among all employees, supporting those facing domestic abuse, and providing access to services to help perpetrators to stop.</p>

3. Supporting document: Record Keeping (example)

Domestic Abuse Record – Strictly Confidential_

Name of Employee:		
Name of Person Completing the Form:		
Date of Record:		
Details of the Incident/Concern <i>(WHO is involved; WHAT has happened; WHERE has the incident taken place: WHEN did it occur)</i>	Agreed Action: <i>(Internal action, signposted to appropriate organisations/ police)</i>	Feedback from Actions <i>(Has there been a change).</i>

Employee signature:

Person completing form signature: