

Domestic Abuse - USW Employees

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Sources of Advice and Guidance on Domestic Abuse/Violence

Document Information

The guidance explains the support available to staff and students who experience domestic abuse, the manager's responsibilities to staff and students and the action the University may take in dealing with Staff and/or students who are perpetrators of domestic abuse.

1. Introduction

1.1 The University of South Wales, recognises that domestic violence and abuse is a serious issue within society which affects the lives of many people. The University is committed to heightening awareness of domestic violence and to providing guidance for employees and managers.

1.2 The University recognises that individuals can be exposed to domestic violence without being abused, e.g. the child of a parent who abuses the other parent, and that this can have traumatic effects. The University is committed to providing assistance to staff and students who are involved in, or are the victims of, domestic abuse and/or where the effect of domestic abuse becomes apparent in the workplace.

1.3 The support provided under this guidance applies equally to all employees and students who may be experiencing domestic abuse, whether they are male or female, or are affected by domestic abuse perpetrated against someone close to them rather than them personally.

1.4 The University, through this guidance, also aims to encourage perpetrators of domestic violence to recognise the behaviour and the need to change that behaviour and to support them through that process as appropriate.

2. Scope

2.1 This guidance applies to all University employees.

2.2 This guidance applies to all students enrolled on University courses.

3. Definition and context

3.1 The Government definition of domestic violence against both men and women (which came into effect in 2013) is¹:

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 family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- **psychological**
- **physical**
- **sexual**
- **financial**
- **emotional**

This 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 or ethnic group.

¹ <https://www.gov.uk/government/policies/ending-violence-against-women-and-girls-in-the-uk>

3.2 Family members can be mother, father, son, daughter, brother, sister and grandparents or any other person who has a close family relationship with the victim.

3.3 Domestic violence can happen to anyone, regardless of social background or wealth, age, gender, race, religion, sexuality, ethnicity or geography. It happens in all kinds of relationships: heterosexual, lesbian, gay, bisexual and transgender.

3.4 Whatever form it takes, domestic abuse is rarely a one-off incident. Typically the abuse involves a pattern of abusive and controlling behaviour, which tends to get worse over time.

3.5 Whilst statistics show that a higher percentage of women are victims of reported incidences of domestic abuse, men are also victims of domestic abuse. The University recognises that domestic abuse can also occur within same sex relationships. The support mechanisms provided by the University are equally open to men and women. Appendix 1 lists support provided by external organisations for both women and men.

3.6 Children are also affected and in over 50% of known domestic violence cases, children were also directly abused.

4. Support available to staff and students who experience domestic abuse

4.1 The University will make assistance available to any employee or student experiencing domestic violence. This assistance for staff may include: support for those who wish to report their situation to the police or other services; referral for counselling and/or other support services; referral to occupational health; temporary work schedule adjustments; or paid leave to obtain medical, counselling or legal assistance. For students it may include referral for counselling and/or other support services; help with submitting extenuating circumstances requests when events impact on learning and teaching; referrals to support agencies at home addresses during vacation periods.

4.1.1 Staff can approach their line manager or senior manager, the Human Resources department, Student Support services, the Chaplaincy, for example.

4.1.2 Students can approach their module or course leader, Student Support services, the Chaplaincy, for example.

4.2 There are a number of specific steps that can be taken to help staff and students stay safe in their place of work/study, such as:

- encouraging staff and students to seek advice from external specialist organisations or to report the domestic violence to the police and, if necessary, allow them to do this within their working or study contact hours;
- encouraging staff and students to utilise appropriate support mechanisms available to University employees and students, such as occupational health, counselling, Trade Unions, the NUS;

- encouraging staff and students to speak to their line manager/course leader;
- consider, for staff, temporary or permanent changes to working times or patterns and/or use existing policies such as flexible working;
- consider, for students, temporary or permanent changes to study times or patterns;
- consider whether changes to specific duties for staff are necessary to avoid contact with the abuser;
- maintaining confidentiality of personal details, including home address, etc.
- recognise and understand that managers are not counsellors and not try and undertake this role;
- managers should also be prepared to seek support and advice themselves.

5. Confidentiality

5.1 The University respects the rights of all employees and students to confidentiality and recognises that employees and students experiencing domestic violence normally have the right to complete confidentiality.

5.2 Where domestic abuse in a same sex relationship is disclosed, the University will have due regard to the potential for unwittingly divulging confidential information e.g. where the person experiencing abuse may not have made known their sexuality at work or study.

5.3 There are however, some circumstances where confidentiality cannot be assured. These occur when there are concerns about child protection or the protection of vulnerable adults or where the University needs to act to protect the safety of its team members or students.

5.4 Where the University/your manager believes it cannot maintain confidentiality, specialist advice will be taken from a specialist agency as listed in Appendix 1 on an anonymous basis, before doing so and discussions will take place with the employee or student in advance, to seek their agreement where possible.

5.5 All records concerning domestic violence will be kept on a strictly confidential basis, for the duration of study/employment unless agreed otherwise, unless there is considered to be a need to refer to the appropriate authority as noted in 5.4 above.

6. Managers responsibilities to staff and students

6.1 All managers are responsible for the health, safety and welfare of their team members in the working environment and the students in their learning environment in their faculty/school/department.

6.2 The University is committed to ensuring that all managers are aware of domestic abuse/violence and its implications in the workplace. This will be done through providing information and briefings for managers and providing them with external sources of information, advice and guidance. Managers will be made aware that domestic abuse can influence the health and self-confidence of people, who may be reticent about confiding in others or seeking help and advice.

6.3 Managers must ensure their team members and students are aware of the guidance relating to domestic abuse and bring this guidance to their attention. Managers must seek advice from the Human Resources or Student Support Services departments when a disclosure is made.

6.4 Managers must be available and approachable to their team members and students, and be prepared to listen, reassure and support them in a non-judgemental manner.

6.5 Managers must respect the right of team members and students to make their own decisions on the action to take at any stage and should avoid being judgemental. It should be recognised that the employee or student may take some time to decide what to do and may try different options during the process.

6.6 Managers will encourage team members and students who have disclosed domestic abuse/violence to contact a specialist support agency (see Appendix 1) who can undertake a risk assessment and make appropriate referrals to the authorities if necessary. Under no circumstances should managers or other staff carry out these specialist risk assessments.

7. Dealing with Staff and/or students who are perpetrators of domestic violence

7.1 Domestic violence perpetrated by employees/colleagues or students will not be condoned under any circumstances nor will it be treated as a purely private matter. The University recognises that it has a role in encouraging and supporting employees, colleagues and students to address violent and abusive behaviour of all kinds.

7.2 If an team member or student approaches their manager or another manager in the University about their abusive behaviour, the University will

provide them with information about the services and support available to them (i.e the support agencies listed in Appendix 1). The perpetrator will also be encouraged to seek support and help from an appropriate source. This will also apply if a student approaches their course leader or a member of support staff.

7.3 The University will treat any allegation, disclosure or conviction of a domestic violence related offence on a case-by-case basis with the aim of reducing risk and supporting a change in behaviour.

7.4 An employee who is cautioned or convicted of a criminal offence in relation to domestic violence may be subject to the University's Staff Disciplinary or Dismissal procedure. The University also reserves the right to consider the use of this procedure should an employee's activities outside work have had a detrimental impact on their ability to perform the role for which they are employed and/or be considered to have brought the organisation into disrepute. In some circumstances it may be deemed inappropriate for the individual to continue in their current role(s), due to a caution or conviction. In these circumstances appropriate action will be considered in line with other University policies and procedures.

7.4.1 A student who is cautioned or convicted of a criminal offence in relation to domestic violence may be subject to the University's Student Conduct procedure and to Fitness to Practice standards.

7.5 These procedures can be applied in cases where a team member or student has:

- had an allegation of domestic abuse made against them by a colleague or student
- been proven to have behaved in a way that has harmed or threatened their partner or a member of their family or household
- committed a criminal offence against their partner or a member of their family or household
- presented concerns about their behaviour within an intimate relationship.

7.6 The University is committed to ensuring that:

- allegations will be dealt with fairly and in a way that provides support for the person who is the subject of the allegation or disclosure;
- all colleagues and students will receive guidance and support;
- confidentiality will be maintained and information restricted only to those who have a need-to-know;

- all cases will be dealt with quickly, avoiding unnecessary delays;

7.7 The alleged perpetrator, whether a team member or a student, 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 the implications for any disciplinary process;
- advised to contact their Trade Union or professional organisation.

7.8 It is important to note that this procedure is intended to be safety focused and supportive rather than punitive.

7.9 There are four potential strands in the consideration of an allegation:

- a police investigation of a possible criminal offence;
- disciplinary action by the employer;
- providing specialist, safety-focused counselling;
- identifying risk.

7.10 Where there is disciplinary action by the employer, the aim will be to resolve the matter as quickly as possible, although it is recognised where there is a police investigation the process may take longer.

7.11 Any team member or student who is responsible for giving advice or support to those implicated in domestic abuse needs to be particularly aware of the potential consequences if the person they are supporting is found to be a perpetrator.

7.12 If a colleague or fellow student is found to be assisting an abuser in perpetrating the abuse, for example, by giving them access to facilities such as telephones or email they will be considered to have committed a disciplinary offence.

7.13 If it becomes evident that an team member or student has made a malicious allegation that another colleague or student is perpetrating abuse then this will be treated as a serious disciplinary offence and action will be taken under the University's Staff Disciplinary Procedure. In the case of a student the same will apply under the University's Student Conduct procedure.

8. If the victim and the perpetrator work or study in the same organisation or part of the organisation

8.1 In cases where both the victim and the perpetrator of domestic violence work or study in the organisation, the University will take appropriate action.

8.2 In addition to considering disciplinary action against the team member or student who is perpetrating the abuse, action may need to be taken to ensure that the victim and perpetrator do not come into contact in the place of work or study.

8.3 Action may also need to be taken to minimise the potential for the perpetrator to use their position, work or study resources to find out details about the whereabouts of the victim. This may include a change of duties for one or both team members or withdrawing the perpetrator's access to certain computer programmes or offices. For students it may involve the negotiation of changes to study patterns.

8.4 However, it is also recognised that in certain circumstances, those experiencing and perpetrating domestic abuse in a relationship may choose to seek solutions jointly, and in such situations appropriate support should be given.

9. Sources of Advice and Guidance on Domestic Abuse/Violence

Live Fear Free - Helpline: 0808 8010800

Get in touch with Live Fear Free advisors free of charge by phone, online chat, text or email.

Live Fear Free can provide help and advice to:

- anyone experiencing domestic abuse or sexual violence
- anyone who knows someone who needs help. For example, a friend, family member or colleague
- practitioners seeking professional advice.

All conversations with Live Fear Free are confidential and are taken by staff that are highly experienced and fully trained.

Women's Aid (a national women's charity - 0808 2000 247)

Welsh Women's Aid

Refuge - 0808 2000 247

Refuge runs a national helpline for refugees, offering psychological support, independent legal advocacy and services for minority ethnic women and

children. **Refuge's network of safe houses provides emergency accommodation for women and children.**

http://www.mensadvice.org.uk/mens_advice.php - 0808 801 0327
Advice and support for men in abusive relationships

Dyn Wales – Dyn Project - 0808 801 0321

The Safer Wales Dyn project provides support to Heterosexual, Gay, Bisexual and Trans men who are experiencing Domestic abuse from a partner

Mankind initiative - 01823 334244

Broken Rainbow - 0300 999 5428

Support for lesbian, gay, bisexual and transgender (LGBT) people experiencing domestic violence.

National Domestic Violence Helpline - 0808 2000247

Victim Support - 0845 3030900

BAWSO - 0800 731 8147

Specialist services for the BME community

Newport City Council

Rhondda Cynon Taff Council

Cardiff Council

NUS Wales

10. Document Information

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1.0	01/12/15	New USW Guidance	Jan Keelan & Sharon Jones	VCEB 10/11/15	Nov. 2018