

# HR & OD POLICIES

human resources and organisational development



## Domestic Abuse Procedure

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## 1. INTRODUCTION

Aberdeenshire Council recognises that domestic abuse is a serious issue that can impact on the workplace. This guidance outlines the support available to employees who are subjected to or impacted by domestic abuse.

## 2. DEFINITION OF DOMESTIC ABUSE

Domestic abuse is any form of physical, psychological (such as 'Gas lighting' defined as psychological manipulation), financial or sexual abuse, which takes place within the context of an intimate or family type relationship and that forms a pattern of coercive and controlling behaviour.

The Domestic Abuse (Scotland) Act 2018 creates the specific offence of 'abusive behaviour' by a partner or ex-partner.

The effects of which may include:

- Making their partner or ex-partner dependent on them.
- Isolating the victim from friends and family
- Controlling, regulating, or monitoring day to day activities
- Depriving or restricting freedom of action
- Frightening, humiliating, degrading, or punishing behaviours.

## 3. IDENTIFYING DOMESTIC ABUSE

It is important for the individual concerned to recognise that they are a victim of domestic abuse and to decide to act. This can take time and it can take even longer for them to reach the stage at which they feel able to make safe and permanent decisions about what to do.

Identifying that an employee is experiencing difficulties at an early stage can help to ensure that appropriate and timely support is provided and can be an effective measure in preventing an escalation in frequency.

Victims may not display easily recognisable signs of abuse; however indicators of domestic abuse could include:

- Visible bruising or repeated injuries
- Loss of self confidence
- Frequent absenteeism without explanation
- Withdrawal from interaction with others

Employees may discreetly alert line managers of abuse that they are facing (particularly when hybrid working) by using the phrase **payroll reference 55**.

## 4. SUPPORTING EMPLOYEES

Anyone approached for support or help should:

- Respond in a sensitive and supportive manner, recognising how difficult it may have been for the employee to raise the matter.
- Explore what specialist support is available. This may include Occupational Health, Employee Assistance Programme, Trade Union Representation or by contacting an HR Advisor. Make sure you do not however mislead the employee into believing that you can do more than you realistically can or provide inaccurate advice as this can be more damaging than none.

An employee may wish to access direct support services available throughout Aberdeenshire and the UK. The Resource Pack provides [a list of sources](#) of specialist advice and support including guidance provided to social landlords, which may be of assistance.

It is acknowledged that not everyone will feel confident in a situation where domestic abuse has been identified or is suspected. Employees and managers are encouraged to seek support and guidance from an HR Advisor as appropriate.

In addition, the following workplace adjustments and support measures may be of assistance:

- Special Leave - may be utilised for periods of absence for situations in which the employee needs time away from work.
- Flexible Working - utilisation of flexitime, temporary change in working pattern to ensure that the employee can access support services, attend appointments with solicitors, courts, banks, police, doctors etc.
- [Occupational Health](#) – access to the Councils occupational health providers.

- [Employee Assistance Programme](#) – Access to the Council’s confidential 24-hour counseling service.
- Re-location or Redeployment – transfer of work location or another suitable arrangement may be available allowing the employee to feel safe from an abuser.

## 5. CONFIDENTIALITY

All information disclosed must be treated in the strictest confidence and any breaches of confidentiality will be treated seriously and may be subject to disciplinary action.

NB: There may be exceptions to this. For instance, if there is a risk to the health or safety of the persons involved.

## 6. SAFETY AT WORK

The Council has a legal duty under Section 2 (1) of the Health and Safety at Work Act to ensure so far as is reasonably practicable, the Health, Safety and Welfare of their employees.

Domestic abuse incidents may be carried over to the workplace and the employee may be subjected to attempted violence, threats, intimidation, abusive phone calls and other forms of harassment while at work. The Council will take a proactive approach providing support to employees to minimise the risk to their safety while at work, if they make it known they are experiencing domestic abuse.

Where there is risk to the employee whilst at work, measures to improve their safety should be considered and advice may be sought from Health and Safety and an HR Advisor.

## 7. DEALING SENSITIVELY WITH ATTENDANCE AND PERFORMANCE ISSUES

Domestic abuse can affect the health, morale, confidence, and self-esteem of employees that can impact on their work performance.

In circumstances where domestic abuse is a factor, managers are expected to deal with each situation appropriately and sensitively. It does not preclude a manager’s

responsibility to consider issues of performance or attendance and they must discuss these issues with the employee, bearing in mind the context.

## 8. PERPETRATORS OF DOMESTIC ABUSE

Employees should be aware that domestic abuse is a serious matter that can lead to criminal convictions. The Council may consider disciplinary action where there is any inappropriate conduct in or out with the workplace that conflicts with the employee's role in the Council whether or not it leads to criminal charges.

Where a manager or employee has concerns that an employee may be a perpetrator of domestic abuse, the matter must immediately be discussed with an HR Advisor. If domestic abuse is established, consideration will be given to what support the Council may be able to offer e.g. counselling. It will also be necessary to ascertain whether there is a conflict in relation to the employee's role and whether the conduct is sufficiently serious to warrant disciplinary action and / or referral to regulatory body such as GTCS / SSSC / Disclosure Scotland etc.

For further advice and guidance on any of the above please contact askHR on 01467 534400

# Domestic Abuse

## Index of Documents

### Procedure

<b>Revision Date</b>	<b>Previous Revision Date</b>	<b>Summary of Changes</b>
10-06-2010	-	Creation of all Documents
08-07-2015	10-06-2010	Document formatting
06-07-2021	10-06-2010	Update of procedure to reflect The Domestic Abuse (Scotland) Act 2018
02-09-2022	06-07-2021	Added employee assistance programme information