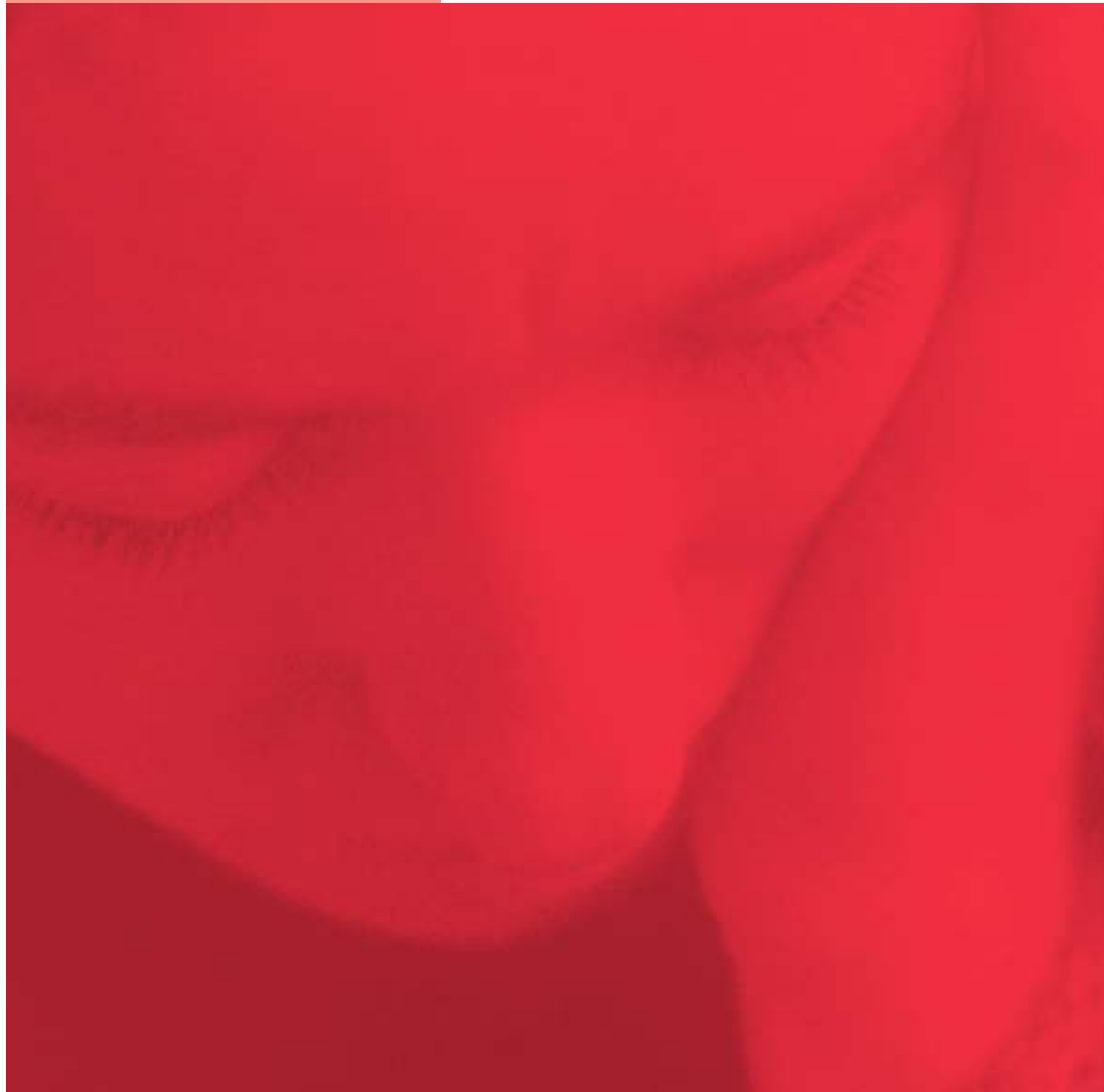




Domestic violence: a guide for the workplace



Foreword

The more we learn about domestic violence the clearer it becomes that its impact on people's lives will affect their performance in the workplace. Trade unions and employers need to understand this and be ready to deal with such problems as they arise.

That is why the TUC has produced this guide to give trade union reps and employers the information they need to deal with the effect of domestic violence in the workplace. We have developed this guide with the help of union reps and officers as well as specialist organisations, but more importantly we have listened to women who have experience of going to work against a background of violence at home.

Some trade unions have already produced campaigning materials and model workplace policies on domestic violence; and some employers have worked with unions on policies tailored to their particular workplace. Most unions and employers, however, still need guidance on handling the impact of domestic violence at work. I commend this TUC guide to all union reps and employers – read it, adapt its advice to your own workplace, and use it as the basis of your discussions.

John Monks, TUC General Secretary

Domestic violence has a devastating impact on the lives of thousands of women and their children. The government is committed to tackling this appalling crime by providing support to women and seeing perpetrators brought to justice.

We know that the workplace can be a place of safety for women, and that they will often confide in their colleagues about their experiences. It is also a place where others notice what is going on, and help women to access the support they can so desperately need.

Our statistics show clearly that domestic violence won't go away. We need a whole range of strategies to tackle it. I congratulate, and thank, the TUC for producing this helpful guide. Please read it. Please use it.

Barbara Roche MP, Equalities Minister

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Thanks to:

Nicola Harwin, Women's Aid Federation of England; Clare Jennings and Lauren Rees, Women and Equality Unit; and Nicola Fenny and Ruth Friskney, CBI

This guide has been developed using materials and information from the Home Office, the British Medical Association, the Crown Prosecution Service, Women's Aid Federation of England, UNISON, GMB, Greater London Domestic Violence Project and Zero Tolerance as well as academic research and workplace policies on domestic violence already implemented in England, Wales and Scotland. Many of the ideas have been drawn from the 2002 TUC Women's Conference workshops on domestic violence and survey of delegates to the conference, reported in *Breaking the Silence on Domestic Violence – report on the workshops and delegate surveys to TUC Women's Conference 2002*.

The names of the women in the case studies have been changed.

Why is domestic violence an issue *in the workplace?*

Domestic violence is a prevalent crime. Many workplaces employ someone who has experienced it directly or indirectly. Domestic violence is now more widely understood, and employers and trade unions realise that it can also have a damaging affect on business and on employee morale. The effects of domestic violence can impact on punctuality, attendance, health and safety, work performance and productivity, as well as job prospects or career development.



Trade unions have a long history of campaigning to overcome inequality, shape reform and implement practices that benefit working people's lives. By working with employers to introduce workplace policies on domestic violence, trade unions can change attitudes and help people who experience domestic violence to get the support they need.

Facts about domestic violence:

One in four women will experience domestic violence at some point in their lives¹

In 2001, domestic violence accounted for almost 20 per cent of all violent crime reported in the British Crime Survey²

In 2000 the British Crime Survey showed that domestic violence had a higher rate of repeat victimisation than any other type of crime³

Evidence shows that women are at greatest risk of experiencing domestic violence at the point of separation or just after leaving a relationship⁴

A TUC survey showed that 54 per cent of trade union women had experienced, or knew colleagues who had experienced, domestic violence⁵

Clare

My boyfriend and I were splitting up and after one particular argument he assaulted me. I made him leave and got the locks changed. I was working shifts as a newly qualified nurse, and he phoned the ward but as I was busy with a patient at the time my colleague told him I couldn't come to the phone. My ex started shouting abuse down the phone at my colleague and I was devastated about that. I was in quite a bad way, but work was the thing that kept me going. It was hard work but I never let what was happening at home affect my work.

I explained to my manager that I was having difficulties at home, but soon after that she called me into her office and said that I was unstable, a danger to the patients and that I was putting my colleagues at risk, especially since my ex had phoned the ward and harassed my colleague. She threatened me with disciplinary action. I didn't know what to do. I was quite timid back then, and had only just qualified so I wasn't active in the union at that point. I didn't have the confidence to assert myself at work or even know what my rights were.

I went to the union rep that worked on the site, and he told me what my rights were regarding the disciplinary action. He said I had the right to be accompanied and so forth, but he wasn't helpful to me with anything else to do with what was happening at home – I got that support from other colleagues at work. I did tell my manager that I would have to have union representation if she wanted to take the matter further. She didn't respond until I'd finished a 12-hour shift and then she said she was dropping the case completely.

Nowadays I'm very involved in my union and much more confident. If it ever happened again, I would be able to use the women's structures of the union and I have a very supportive supervisor who I can trust. One of my colleagues has just fled a very violent partner, and I had to phone all the departments in the hospital and remind them that they are not to give out personal details of any staff members over the phone. I think the campaign that my union has run on domestic violence is helpful but I do worry that the message isn't getting across to ordinary women members. Perhaps I know about it because I'm so active in my union.

...physical assault, sexual abuse, rape, threats and intimidation, harassment, withholding of finances, economic manipulation, isolation, belittling and constant unreasonable criticism...

What is meant by domestic violence?

There is no statutory offence of domestic violence, although the term is a general one widely used to describe an ongoing pattern of behaviour used by a person to control or dominate another with whom they have, or have had, a close or intimate relationship.

Domestic violence includes forms of violent or controlling behaviour such as physical assault, sexual abuse, rape, threats and intimidation, harassment, withholding of finances, economic manipulation, isolation, belittling and constant unreasonable criticism. In most instances domestic violence is a continuous series of attacks, rather than a one-off incident.⁶

Where it is relevant to be gender specific, this guide refers to women as those who experience domestic violence at the hands of a man. But in all workplaces it should be remembered that men can experience domestic violence and that it occurs in same-sex as well as heterosexual relationships.

What can be done in the workplace?

There is no legal obligation on employers to take any action if they are made aware that an employee or member of their workforce is experiencing domestic violence. However, trade union reps and employers will find it helpful to know what to do if such a situation arises.

One of the most useful things that a trade union rep and an employer can do is to develop and publicise a policy covering the impact and effect of domestic violence in the workplace. This may be through a specific policy or by incorporating relevant points into other workplace policies.

¹ *Domestic Violence: Findings from a new British Crime Survey self completion questionnaire* Catriona Mirrlees-Black, Home Office 1999

² *2001 British Crime Survey: England and Wales* Home Office 2001

³ *2000 British Crime Survey: England and Wales* Home Office 2000

⁴ *Domestic Violence: Findings from a new British Crime Survey self completion questionnaire* Catriona Mirrlees-Black, Home Office 1999

⁵ *Breaking the Silence on Domestic Violence: a report of the delegate surveys and workshops at TUC Women's Conference 2002* TUC 2002

⁶ *From Guidance on Prosecuting Cases of Domestic Violence* Crown Prosecution Service 2001

Providing a workplace *policy*

Most employees do not want their employer or trade union rep to know about their private lives, but letting someone know about domestic violence can be helpful to both the employee and the employer. The employee may be relieved to be able to confide in someone at work, particularly if by doing so, they could explain absences or deterioration in performance.

A well-publicised policy in the workplace that allowed employees to explain their circumstances would also be of benefit to the employer, assisting in personnel and performance management and helping to ensure the health, safety and welfare of the workforce.

Below are some points that could be covered by a workplace policy on domestic violence – either as a separate policy or as part of existing policy on matters such as health and safety, bullying and harassment, or leave arrangements. Some trade unions have already produced materials which tackle domestic violence and have been developed to suit a variety of workplaces and sectors. These materials range from campaign packs to a ‘model policy’. Unions that have produced these materials include UNISON, Napo, GMB, NATFHE, GPMU and PCS.

What a workplace policy could cover

Providing a point of contact

It may be practical in some workplaces for one or two people to be identified as the first point of contact for staff members who need to discuss personal or domestic issues. A domestic violence policy should give details of who these people are, where they can be found and what their role is in these circumstances. These people should not have to see themselves as counsellors but should be responsible for listening to staff members, providing information where helpful and also ensuring that lines of communication between employer and employee are kept open. In some workplaces this could be the role of the shop steward as well as a person from a human resources or personnel department who may have experience of dealing with personal problems in the workplace.

Patricia

My experience was emotional and psychological abuse. My husband at the time was very jealous and manipulative: if I was going on a rare night out with my friends he would go into the children’s bedrooms and cry saying that I was horrible and that I was deserting him. Once, when my marriage was breaking up, he tried to throw me across the room, but he couldn’t so he gave up trying. He never tried physical violence again, but the psychological abuse was unbearable. He threatened to take my children away from me and throw me out of the house. I was always rushing home from work or appointments so that I would be there when the children were there in case he tried to take them from me. He undermined my confidence and made me very suspicious and paranoid.

It definitely affected my job and I didn’t feel I was as good as I should have been. Eventually I confided in one of my colleagues – and I talked to my line manager who was really supportive.

During the divorce proceedings, my kids and I lived separately from my ex husband. He had been harassing me throughout the divorce – one night he tried to force his way into the house. I stopped him, but I was very frightened. Another time he phoned up and harangued me, but when I hung up he left his own phone off the hook so that I couldn’t make any calls all night. He also tried to keep tabs on me and to undermine me via my friends, my colleagues and even my mother.

When we went to court about the divorce, we had to see court welfare officers because of the children. One of the male officers asked if there’d ever been any violence in the relationship. I said nothing but my ex husband, to his credit, said that there’d been some, “pushing and shoving” to which the officer responded, “Well, we’ve all done that”. I was shocked.

Three and a half years after my divorce came through I moved in with my current partner. It was at this point that the full effects of what had happened really hit me and I suffered a breakdown. I had nine weeks off work – my employers were very supportive and encouraged me to take this time and then have a phased return. If I knew a colleague was experiencing what I experienced I like to think I’d be there to listen to them. People think that domestic abuse is always physical, but with me it was emotional, psychological. I think women in this situation need both emotional and practical support.

For many people, admitting the reality of the situation even to themselves can be very difficult

Any person who is identified as a point of contact would need to undergo training that specifically addresses domestic violence as a workplace issue. This could, for example, be incorporated into wider training on the impact of personal problems in the workplace. Whoever takes on this role would need to be clear about the importance of discretion, confidentiality and respecting the wishes of an individual. If the size of the workplace means that training is not an option, staff identified as a point of contact should be provided with detailed information and management support on dealing with domestic violence.

If resources allow, some workplaces may benefit from training and awareness-raising for all staff (including management) on domestic violence. This could ensure that the policy is effective – particularly if there is some resistance to it among some people in the workplace. This might be a useful opportunity for joint training of management and trade union reps.

Confidentiality and discretion

It can be very difficult for a person experiencing domestic violence to divulge this information to an employer, colleagues or a trade union rep. For many people, admitting the reality of the situation even to themselves can be very difficult. This is also true if it appears to be an ‘atypical’ case, such as a man confiding that he is experiencing domestic violence or somebody in a same-sex relationship. For these reasons, a workplace policy on domestic violence may want to stress that a person will be believed and that the information will be treated in confidence and with discretion. (However, while confidentiality should be respected, there may be times when this has to be broken, for example if a child is involved and the relevant services need to be informed.)

Finance can be a key determinant in a person's decision to leave a violent partner

A workplace policy on domestic violence should highlight the importance of keeping certain personal details confidential, such as phone numbers and email and home addresses. In particular, these should not be shared with people outside the workplace. Abusive partners will often use numerous methods of tracking partners when they have left a relationship and to reveal such information could put a person at risk.

Many people who experience violence can take a long time to break free of an abusive relationship. For any number of reasons people do stay in, or return to, violent relationships and if this does happen, it is important that no judgement is made on them.

Special arrangements

Some workplaces allow for special leave to enable employees time off to visit their solicitor, the police, their GP, the hospital and other agencies. Some people who are experiencing violence may also be parents and they may need time off to visit schools or make alternative childcare arrangements. A workplace policy on domestic violence could detail what provisions there are for such leave and how an employee could seek it. It would be helpful if the policy made it explicit that requests for leave in these circumstances, while not guaranteed, would be treated sympathetically.

Finance can be a key determinant in a person's decision to leave a violent partner. Many people are afraid that they will be homeless and penniless. In some cases, violent partners try and take financial control of the relationship and deny people access to their own bank accounts or other funds. In certain circumstances it may be helpful for an employee if they were offered an advance on pay or could negotiate alternative payment methods. A workplace policy on domestic violence could set out the process for organising this.

Marie

My first husband was very violent and work was a safe haven. I worked long shifts and overtime as much as possible so that I didn't have to go home. I was doing factory work and once or twice I had to go to work with broken ribs and a broken arm. My job involved some lifting which I couldn't do when my ribs were broken. It was a family firm and they were very kind to me, giving me lighter jobs to do – ones that didn't involve any heavy lifting – when I'd been abused.

They would also keep my husband out of my way, if he phoned up they would say I was busy, and they'd give me lots of overtime so that I could stay away from him for longer. In the end I had to leave him. I just had to get out.

My second husband was fine, until he suffered a breakdown. That was when the violence started. I'd got a job on the railways then and work was again a safe haven. The railways, and the union, are like a big family and everyone looks out for you. But my husband started getting paranoid about me talking to other men. I work on the railways where 98% of the staff are men!! There was one time when he nearly killed me: I went to work with a black eye, a broken cheekbone and a handprint around my neck. My manager said I wasn't to work on the trains like that as it wasn't safe for me and it would distress the passengers. They gave me work in the office on that occasion: I'd put my uniform on in the mornings and leave the house and go and work in the office so that way my husband wouldn't know that I'd altered my working arrangements. Although work was very good to me, it is a macho culture and men do still make jokes about domestic violence and violence towards women.

My union wasn't that helpful when I was suffering the violence. And actually, although my managers and my colleagues were really supportive, no one ever said, "phone this number and they will help you." I do wish that someone in the union had taken me in hand and helped me. I'm quite active in the union now, and if there was a woman I worked with now who was going through what I went through I'd make sure she knew that I was there for her if she needed me.

Ensuring safety in the workplace

The health and safety responsibilities of employers, trade union reps, employees and other people in the workplace are laid out clearly in the Health and Safety at Work Act 1974. Some workplaces also have policy on dealing with violence in the workplace. Both of these areas may need to be considered when addressing the impact of domestic violence in the workplace – it could be that the safety and welfare of both the person experiencing domestic violence, and their colleagues, are at risk from the perpetrators of the violence entering the workplace. This may be an opportunity to revisit any workplace health and safety policy to include a section on domestic violence.

Where it can be accommodated into the running of the business or organisation, employers may find it helpful to work with the employee and trade union rep to review certain aspects of the employee's job or the workplace layout. For example, it might be helpful to alter where the employee works so that they are not in public view, or not at the main reception desk.

Other steps could include developing or improving security measures such as changing keys and code numbers for accessing the workplace; ensuring that telephone, address or other personal details are not disclosed over the phone, by email or to strangers coming into the workplace; reviewing and perhaps altering the working hours or shift patterns of an employee. In certain circumstances, some employers may be able to offer employees the opportunity to work in a different location, although this should of course be organised in full consultation with the employee and may be an area where the trade union rep can negotiate on behalf of the employee.

Perpetrators employed in the same workplace

It is not the responsibility of an employer or a trade union rep to take action against an employee who is suspected of being violent towards a partner or ex partner. However, there may be cases where a person who is perpetrating violence is working for the same employer as the partner they are abusing. In these instances safety in the workplace is paramount, both the safety of the person being abused and the safety of all employees. In certain circumstances it may be appropriate or necessary for an employer to activate the workplace policy on harassment or bullying – the trade union rep can play an important role in ensuring that this happens.

Confidentiality can have a bearing on safety. If an abusive partner, working in the same workplace, suspects that home circumstances have been disclosed at work, they could conceivably turn on the partner or colleagues in the workplace.

Language in the workplace

A workplace policy on domestic violence may mention how important it is for employers, trade union reps and employees to consider how they talk about issues of violence against women. Workplace jokes or banter could deter a person from confronting a situation of domestic violence or seeking necessary help and advice.

If this is part of a written policy on domestic violence that is well publicised within the workplace, it may also serve as a warning to perpetrators of domestic violence that their behaviour is unacceptable.

Leeds City Council

Since the 1980s when Leeds was deeply affected by the murders of women carried out by Peter Sutcliffe, the Yorkshire Ripper, Leeds City Council has been working to tackle violence against women and children including domestic violence. The Council established the Leeds Inter Agency Project (LIAP) in 1990, which introduced a multi-disciplinary approach to improving safety of women and their children from violence by men they know.

In the mid 1990s, the Council updated its staff welfare policies and introduced a domestic violence policy, which was implemented in 1999 following wide internal consultation. In each department, a domestic violence liaison person was identified, who undertook two days of training facilitated by LIAP with the council's Equal Opportunities Unit. These staff have to display their contact number on posters in the department and other open spaces used by staff. The Council publicised the new policy widely via the intranet system and a leaflet attached to the monthly pay slip. Each department is required to monitor how the system is used – monitoring includes gender, ethnicity and disability.

Brenda Richards, Principle Women's Equality Adviser at Leeds City Council, says: "So far the number of people using the service is not overwhelming, but it is being used. There are still barriers to people openly admitting that they are experiencing domestic violence."

The Council's domestic violence policy also addresses the issue of staff who are perpetrators of domestic violence. The Council states that it has a duty to service users, and therefore people suspected of or convicted of perpetrating domestic violence, or violence against women or children, may be subject to an investigation by the Council and may face disciplinary action.

The Council believes that the domestic violence policy for staff has helped to create a culture where people can be open about discussing domestic violence, although this cultural change did begin some years before the policy was implemented. There has been widespread support from the unions since implementation of the policy.

As Brenda Richards says: "Leeds City Council has been working to combat domestic violence and violence against women and children since the mid-80s. If you're going in 'cold' with a policy for staff, you do need to undertake training and awareness-raising for key staff. People need to be clear about the arguments, they need accurate information including facts and figures and government information too."

Signposts for help

No one expects the employer or the trade union rep to take on the role of counsellor – indeed it is important that this does not happen: no advice is better than bad advice. However, a safe and supportive work environment can be key to helping a person experiencing violence escape that situation. Most people spend up to eight hours a day in the workplace and it can be an ideal space for people experiencing domestic violence to get access to information about sources of help.

Noticeboards can be used to display national and local information including information on local helpline numbers, police numbers, solicitors, as well as counsellors and organisations like the Samaritans. Information about these organisations is provided at the back of this guide. Many of these organisations provide posters, leaflets or stickers, to advertise their services and people's rights. Local councils can also be a source of information, as can local telephone directories. Some employers provide special counselling services (often a telephone service) for staff, and this may also be a useful number to give an employee who is experiencing domestic violence.

Safety in the workplace is paramount, both the safety of the person being abused and the safety of all employees

Key negotiating points for union reps and employers

When trade union reps and employers are working together to develop a policy on domestic violence, it may be helpful to consider these key points:

Recruitment and retention

Good employers want to recruit and retain good staff. A workplace policy on domestic violence can be introduced as part of wider policies relating to family-friendly matters and equal opportunities. Such a policy could be a good investment for an employer seeking to retain skilled, trained and experienced staff, and may help to attract a wider pool of applicants when posts are advertised. Employers know that replacing staff can be a costly and time-consuming process.

Maintaining a positive reputation

Workplace policies that acknowledge the complexities and difficulties of people's lives outside work can help to send a strong message both to employees and the wider community that the employer and the trade union is committed to supporting employees.

Ensuring strong morale

Workplace policies such as family-friendly practices, equal opportunities agreements and a policy on domestic violence can help to create a positive working environment. If staff feel that they are supported then this can increase their morale, loyalty, commitment and satisfaction with their work. This in turn can have a positive impact on productivity.

Disciplinary action

The effects of domestic violence can impact on punctuality, attendance, health and safety, work performance, and productivity. A clear policy on domestic violence which enables employees to confide in workplace reps at an early stage can prevent unnecessary disciplinary action against an employee.

Contacts

England

WOMEN'S AID

0845 702 3468

24-hour National Domestic Violence Helpline

Women's Aid Federation of England (Women's Aid) is the national domestic violence charity which co-ordinates a network of over 250 local domestic violence refuge, helpline and outreach services. Women's Aid offers confidential support, help and information through the National Helpline and referral to local Women's Aid services. Women's Aid also offers training on domestic violence for employers, voluntary organisations and statutory bodies. For information on all aspects of domestic violence and to access public numbers for local services, contact:

www.womensaid.org.uk

emailweb@womensaid.org.uk

RAPE CRISIS FEDERATION (ENGLAND AND WALES)

0115 900 3560

The Rape Crisis Federation acts as a referral service to individual women who are seeking advice or support around the issues of rape and sexual abuse and assault by putting them in contact with their nearest rape and sexual abuse counselling service. Details about Scottish Rape Crisis Network can be obtained from Rape Crisis Federation by phoning, emailing or visiting the website.

Email: info@rapecrisis.co.uk

www.rapecrisis.co.uk

REFUGE

0870 599 5443

24 hour domestic violence helpline

Refuge is a national organisation providing accommodation and specialist support for women and children experiencing domestic violence, including a project offering discreet, bilingual support to women who need it. Refuge also offers refuge-based children's programmes, specially trained child psychologists and play workers to help children come to terms with the violence they have witnessed or experienced.

2-8 Maltravers Street, London WC2R 3EE

email: info@refuge.org.uk

BROKEN RAINBOW

07812 644 914

24 hour helpline

Broken Rainbow runs a 24-hour national advice and referral hotline service for lesbians, gay men, bisexual and transgender people of all ages who experience domestic violence.

email: lgbtdv@btopenworld.com

www.lgbt-dv.org

NEWHAM ASIAN WOMEN'S PROJECT

020 8472 0528

NAWP exists to support Asian women and their children who have experienced domestic abuse.

Barking Road London E13 9EX

SOUTHALL BLACK SISTERS

020 8571 9595

Mon, Tue, Thur, Fri 10-12.30 & 1.30-4pm

SBS provides a range of services to black (Asian and Afro Caribbean) women and children who have experienced violence and abuse. SBS provides crisis/emergency intervention; long-term casework as well as classes and support group activities. The organisation serves the London Borough of Ealing, but advice and information can be given over the phone to women not living in the borough.

Email: sbs@leonet.co.uk

52 Norwood Road, Southall UB2 4DW

JEWISH WOMEN'S AID

0800 591203

(Mon, Wed, Thur 9.30am-9.30pm)

JWA offers a national freephone helpline and a refuge for Jewish women fleeing domestic violence, as well as a counselling, support and a befriending scheme. The organisation is based in Barnet, London but offers a nationwide service for Jewish women. Support can be offered in Hebrew, French, German, Yiddish and Parsi as well as English.

email: jwa@dircon.co.uk

PO Box 2670 London N12 9ZE

RIGHTS OF WOMEN

020 7251 6577

Tues, Wed, Thurs 2-4 & 7-9pm, Fri 12-2pm

National organisation offering free legal advice to women.

52-54 Featherstone Street, London, EC1Y 8RT

email: info@row.org.uk

Scotland

SCOTTISH WOMEN'S AID

0131 475 2372

Mon-Fri 10am-4pm

email swa@swa-1.demon.co.uk

SHAKTI WOMEN'S AID

0131 475 2399

Mon - Fri 9am - 5pm

Provides assistance in Scotland for minority ethnic women who have experienced domestic abuse.

Northern Ireland

NORTHERN IRELAND WOMEN'S AID FEDERATION

028 9033 1818

24 hour helpline

email: niwaf@dnet.co.uk

www.niwaf.org

Wales

WELSH WOMEN'S AID

02920 390874

Monday to Friday 10am-3pm

BLACK AND ASIAN WOMEN STEPPING OUT (BAWSO)

02920 437390

BAWSO aims to help black and minority ethnic women in Wales who are experiencing domestic violence.

Other national organisations

THE SAMARITANS

08457 90 90 90

A nationwide charity which provides 24-hour confidential, emotional support for anyone in crisis. There is a national number and there are local numbers which can be found in the telephone directory.

email: jo@samaritans.org

www.samaritans.org

VICTIM SUPPORT

0845 30 30 900

Monday to Friday 9am-9pm

weekends 9am-7pm

Victim Support is the national charity for people affected by crime. It is an independent organisation, offering a free and confidential service, irrespective of whether or not a crime has been reported.

email: supportline@victimsupport.org.uk

www.victimsupport.org.uk

POLICE

It may be helpful to provide the contact details of local police stations – an increasing number of which have specialist domestic violence units.

www.police.uk



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