

Staff Domestic Abuse and Sexual Violence Policy

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With thanks to the ICB Safeguarding Team

To be read in conjunction with:

W4 - Resolving Bullying & Harassment Policy (Workforce Policy)

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Policy on a page

Aim of this policy

Sath has a duty to safeguard the wellbeing of its staff, and this includes considering the impact of domestic abuse on our employees as part of our duty of care. This policy aims to provide guidance to staff and managers as to how best to support staff as part of our commitment to developing a workforce culture where there is zero tolerance of domestic abuse or sexual violence. SaTH has signed up to the Sexual Safety Healthcare – Organisational Charter launched by NHS England in September 2023.

Scope: Applies to all Trust employees and workers engaged through the Trust's Bank.

Policy into practice

Definition of Domestic Abuse: Any incident or pattern of incidents of controlling, coercive, 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. The Worker Protection Act 2023 which becomes Law in October 2024 places a duty on employers to prevent sexual harassment of employees in the workplace.

The **Chief Executive** has a duty to co-operate with requests by the Domestic Abuse Commissioner; ensuring that the Trust has an Executive and operational Lead for Domestic Abuse and Sexual Violence.

Managers need to ensure that that their staff are aware and comply with this policy and support staff who may be experiencing domestic abuse and or sexual violence. Managers who are approached by another colleague experiencing domestic abuse or sexual violence are expected to follow a compassionate and supportive response.

Employees have a responsibility to escalate to their line manager, other senior manager, or HR representative any suspicion that a colleague may be a potential or actual victim, or a perpetrator, of domestic abuse or sexual violence. This will include seeking advice from the Trust Safeguarding Team. All employees have a personal and moral duty to uphold the law and not to engage in domestic abuse or sexual violence and to understand that any concerns in this area may impact the confidence the Trust has in terms of good conduct and the confidence in their integrity. In almost every case, the employee's personal circumstances will be treated as strictly confidential. Any written record of the disclosure and any agreed workplace adjustments will be securely stored.

A useful tool kit is available for any employee: <https://www.bitc.org.uk/wp-content/uploads/2021/07/bitc-wellbeing-toolkit-domesticabuseforemployers-june2021.pdf>

1.0 Policy Statement

1.1 Employers have a duty to safeguard the wellbeing of staff: the statutory guidance accompanying the Domestic Abuse Act 2021 makes clear that employers should consider the impact of domestic abuse on their employees as part of their duty of care.¹

1.2 The Shrewsbury and Telford NHS Hospital Trust (SaTH) recognises the impact domestic abuse and sexual violence may have on its employees. Employees may be affected in several ways. They may be a survivor of domestic abuse or sexual violence, or someone who is currently living with domestic abuse or sexual violence. SaTH staff may also be involved when a colleague including those for whom they have line management responsibilities approaches them because they are experiencing domestic abuse or sexual violence. SaTH may also receive information that an employee is the perpetrator of domestic abuse or sexual violence. In all circumstances SaTH recognises the role it can play to support staff who may require additional support, understanding and tangible help, whilst also considering action needed when a perpetrators behaviour impacts upon their “good character,” as per the principles of the NHS England Fit and Proper Person Test Framework.²

1.3 In the year ending March 2020, an estimated 2.3 million adults aged 16 to 74 years experienced domestic abuse (1.6 million women and 757,000 men).³

1.4 Domestic abuse happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy. There is a need to address domestic abuse consistently, providing support to employees and ensuring that the risks relating to domestic abuse are reduced.

1.5 SaTH is committed to ensuring the sexual safety of all employees. Three-quarters of people say they have experienced sexual harassment at work.⁴ 68% of lesbian, gay, bisexual and trans people reported being sexually harassed at work and 12% report being seriously sexually assaulted or raped at work. The research found that sexual harassment at work was a hidden problem with two thirds or those who were harassed not reporting it.⁵

The Worker Protection Act 2023 which becomes Law in October 2024 places a duty on employers to prevent sexual harassment of employees and in the workplace.

¹ Employers' Initiative on Domestic Abuse. <https://www.eida.org.uk/role-employer>

² <https://www.england.nhs.uk/wp-content/uploads/2023/08/PRN00238-i-kark-implementation-fit-and-proper-person-test-framework-2-aug-2023.pdf>

³ Domestic Abuse Act 2021: overarching factsheet - GOV.UK (www.gov.uk)

⁴ [Turning the tables: ending sexual harassment at work | Equality and Human Rights Commission \(equalityhumanrights.com\)](https://www.equalityhumanrights.com/en/turning-the-tables-ending-sexual-harassment-at-work)

⁵ [Sexual harassment of LGBT people in the workplace | TUC](https://www.tuc.org.uk/sexual-harassment-of-lgbt-people-in-the-workplace)

1.6 SaTH is committed to developing a workforce culture in which there is zero tolerance of domestic abuse or sexual violence. Employees or line managers who are approached by another colleague experiencing domestic abuse or sexual violence are expected to follow a compassionate and supportive response aligned to the good practice in this policy and procedure. N.B. As this policy exclusively focuses on the workforce, if domestic abuse concerns are identified when working with service users follow the Trust Domestic Abuse Policy. If sexual violence concerns are identified when working with service users follow the Trust Safeguarding Adults Policy.

1.7 Sexual Safety Charter

- SaTH has signed up to the Sexual Safety Healthcare – Organisational Charter, which was launched by NHS England on 4 September 2023, in collaboration with key partners across the health care system. This means we have committed to a zero-tolerance approach to any unwanted, inappropriate and/or harmful sexual behaviours towards our people.
- There are ten commitments below and we commit to work towards all these by July 2024 by developing a gap analysis and action plan which will be monitored and reported.

These commitments will apply to everyone in our organisation equally:

1. We will actively work to eradicate sexual harassment and abuse in the workplace.
2. We will promote a culture that fosters openness and transparency, and does not tolerate unwanted, harmful and/or inappropriate sexual behaviours.
3. We will take an intersectional approach to the sexual safety of our workforce, recognising certain groups will experience sexual harassment and abuse at a disproportionate rate.
4. We will provide appropriate support for those in our workforce who experience unwanted, inappropriate and/or harmful sexual behaviours.
5. We will clearly communicate standards of behaviour. This includes expected action for those who witness inappropriate, unwanted and/or harmful sexual behaviour.
6. We will ensure appropriate, specific, and clear policies are in place. They will include appropriate and timely action against alleged perpetrators.
7. We will ensure appropriate, specific, and clear training is in place.
8. We will ensure appropriate reporting mechanisms are in place for those experiencing these behaviours.
9. We will take all reports seriously and appropriate and timely action will be taken in all cases.
10. We will capture and share data on prevalence and staff experience transparently.

2.0 Definitions

2.1 The Domestic Abuse Act 2021 provides a statutory definition of Domestic Abuse which includes:

“Any incident or pattern of incidents of controlling, coercive, 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 definition includes forced marriage, honour-based abuse and importantly acknowledges children as victims through seeing, hearing or experiencing the effect of domestic abuse.

2.2 The Act further defined Domestic abuse in specific detail:

- (1) Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if—
 - (a) A and B are each aged 16 or over and are personally connected to each other, and
 - (b) the behaviour is abusive.
- (2) Behaviour is “abusive” if it consists of any of the following—
 - (a) physical or sexual abuse.
 - (b) violent or threatening behaviour.
 - (c) controlling or coercive behaviour.
 - (d) economic abuse (see section 3)
 - (e) psychological, emotional, or other abuse; and it does not matter whether the behaviour consists of a single incident or a course of conduct.
- (3) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to—
 - (a) acquire, use, or maintain money or other property, or
 - (b) obtain goods or services.
- (4) For the purposes of this Act A’s behaviour may be behaviour “towards” B even though it consists of conduct directed at another person (for example, B’s child).

2.3 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 abuse includes, but is not limited to:

- a) Physical abuse: slapping, pushing, kicking, stabbing, sleep interference, deprivation of heat or food, damage to property or items of sentimental value, female genital mutilation, non-fatal strangulation and asphyxiation, attempted murder or murder.
- b) Sexual: any non-consensual sexual activity, including rape, sexual assault, coercive sexual activity, or refusing safer sex.
- c) Coercive control: 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, preventing employment or restricting working hours, not contributing to household bills or children’s expenses, depriving or taking control of money, running up debts, withholding benefit books or bank cards, stealing or demanding money.
- f) Honour abuse: relating to alleged or perceived breaches of the family and/or community’s code of behaviour.
- g) Technology-facilitated abuse is a form of controlling behaviour that involves the use of technology to coerce, stalk or harass another person.
- h) Gaslighting is a form of manipulation where the abuser makes the victim question their judgements and reality. This may involve lying, sharing false information, minimising feelings, shifting the blame and so on.

- i) Child to Parent Abuse - is increasingly recognised as a form of domestic abuse. Child to parent abuse can also be considered as Domestic Abuse if the young person perpetrator is over 16.

2.4 Personally connected is defined as:

(1) Two people are “personally connected” to each other if any of the following applies—

- (a) they are, or have been, married to each other.
- (b) they are, or have been, civil partners of each other.
- (c) they have agreed to marry one another (whether or not the agreement has been terminated).
- (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated).
- (e) they are, or have been, in an intimate personal relationship with each other.
- (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see section 2)
- (g) they are relatives.

(2) For the purposes of section 1f - a person has a parental relationship in relation to a child if—

- (a) the person is a parent of the child, or
- (b) the person has parental responsibility for the child.

(3) In this section -

“child” means a person under the age of 18 years.

“Civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004.

“Parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act).

“relative” has the meaning given by section 63(1) of the Family Law Act 1996.

2.5 The World Health Organisation defines sexual violence as:

‘Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic or otherwise directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.’

2.6 The National Collaborating Centre for Mental Health use the following definitions around the range of behaviours covered by this policy. Sexual violence will be the term used throughout this policy; however, this term is used to capture all the below forms of behaviours relating to sexual safety incidents/offences. Please note that this list is not exhaustive.

2.7 Sexual Abuse

Unwanted sexual activity or non-contact sexual abuse (such as sexually inappropriate comments or sharing nude pictures without consent) that has usually been initiated by force or coercion, through

making threats, or by taking advantage of a person who is unable to give consent or does not fully understand the situation.

2.8 Sexual assault

‘Sexual assault is where one person intentionally touches another person sexually without their consent. The touching can be done with any part of the body or with an object.’ (Crown Prosecution Service).

2.9 Sexual disinhibition

Any behaviours (physical, verbal, non-verbal) of a sexual nature which are regarded as socially, culturally or contextually inappropriate. They can happen as a result of illness, neurological damage, effects of medications or other factors.

2.10 Sexual harassment

Unwanted behaviour of a sexual nature which has the purpose or effect of violating a person’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment.

‘Of a sexual nature’ may refer to verbal, non-verbal or physical advances including unwelcome sexual advances, sexual jokes, displaying pornographic photographs or drawings, or sending communication via any means with material of a sexual nature.

2.11 Sexual violence

Coercion (physical, using threats, psychological) used to obtain sexual acts, including when the person is unable to consent (because of age, capacity, because they are unconscious) and making unwanted sexual comments. Sexual violence includes rape, sexual assault, sexual harassment, domestic violence, sexual abuse of children, sexual abuse of children and people with mental health problems, stalking, acts of trafficking, sharing of sexual imagery (including digitally). Please refer to the Trust Resolving Bullying and Harassment Policy W4 in relation to any incidences of harassment and stalking separate to sexual violence.

3. Scope

3.1 This policy applies to all Trust employees and workers engaged through the Temporary Staffing Department.

3.2 Students, trainees, agency staff and contractors are also expected to adhere to the Trust values and any concerns will be referred to the relevant employer and may result in the individual being removed from working within the Trust.

3.3 This policy applies to all staff and managers who have disclosed abuse or supporting a member of staff who disclosed abuse. It aims to provide guidance to staff and managers as to how best to support staff

4. Roles and Responsibilities

4.1 The Trust recognises when domestic abuse and or sexual violence can become a workplace issue and is committed to ensure that support is reflected in the roles and responsibilities of key staff. It recognises the work of the Employers' Initiative on domestic abuse and acknowledges the findings they have reported on the impacts:

- Nearly 9 out of 10 workers experiencing domestic abuse said it impacted their performance at work.
- Over half of those experiencing domestic abuse have to take time off work as a result of abuse and nearly half were late to work
- Of those who had experienced domestic abuse, over 40% said it had affected their ability to get to work.
- Over one in five working women have taken time off work because of domestic abuse and one in fifty women lose their jobs as a consequence of experiencing domestic abuse.
- Nobody should lose their ability to work as a result of experiencing domestic abuse. Yet unfortunately the impact is not limited to the survivor of domestic abuse alone. Domestic abuse usually also has an adverse impact on the morale of other employees and on an organisation's image and reputation:
- Over a quarter of colleagues had been threatened or harmed by a colleague's abuser, according to a 2014 report.
- 90% of those experiencing domestic abuse said it had created conflict and tension with their colleagues.

4.2 The Chief Executive:

- Has a legislative duty within the Domestic Abuse Act 2021 to co-operate with any request from the Domestic Abuse Commissioner.
- Ensures that the Trust has an Executive Lead for Domestic Abuse and Sexual Violence
- Ensures that the Trust has an Operational Lead for Domestic Abuse and Sexual Violence

4.3 **Responsibility of Directors and Managers:**

- To ensure that that their staff are aware and comply with this guideline.
- To ensure that they support staff who may be experiencing domestic abuse and or sexual violence.
- To attend training as part of Statutory Safeguarding Training.

4.4 **People Services and OD Team responsibilities:**

- Advise employees and managers regarding the support available for employees experiencing domestic abuse and/or sexual violence within the organisation.
- Liaise with the designated safeguarding leads where required to ensure issues are picked up appropriately and support is made available to employees experiencing domestic abuse and/or sexual violence, including external signposting.
- Provide advice for managers on formal action under organisational policies e.g. disciplinary, and flexibilities to support victims e.g. under special leave policies.
- This will include how any actions of someone alleged to be a perpetrator of domestic abuse or sexual violence will be managed when there are concerns that their actions may impact upon their fitness to undertake their role within The Trust

4.5 **Safeguarding Lead responsibilities:**

- The Leads for Safeguarding Adults / Children / Maternity will, as required provide ongoing support and advice to managers for any staff affected to ensure appropriate signposting to local domestic abuse/sexual violence support services is in place.
- Offer advice and support to HR and all employees in relation to sexual violence, domestic abuse and safeguarding issues, including links to the Local Authority Designated Officer and the Persons in Positions of Trust⁶, MARAC referrals, coordination, and processes.
- For those employees who are registered professionals and work in positions of trust to advise on how any concerns about being a perpetrator may be incompatible with those roles including any requirements to work under the Local Area Designated Officer and or Persons in Positions of Trust Frameworks

⁶ <https://www.shropshiresafeguardingcommunitypartnership.co.uk/useful-links/keeping-communities-safe-resources/managing-allegations/>

<https://www.telfordsafeguardingpartnership.org.uk/downloads/file/163/the-role-of-the-local-authority-designated-officer>

- The Lead Nurse for Safeguarding Children will as required to act as Sexual Violence operational lead ensuring that the Trust responds to the commitments within NHS England's Domestic Abuse and Sexual Violence (DASV) Programme.
- The Lead Nurse for Domestic Abuse & Sexual Violence will provide advice on situations where a Trust staff member reports they are the victim of domestic abuse and a child is also exposed to domestic abuse. This will help ensure appropriate referral to children's social care and support can be determined. This is because under the Section 3 of the Domestic Abuse Act 2021 and in Working Together to Safeguarding Children (2018), children are also victims of domestic abuse if the child "sees or hears, or experiences the effects of, the abuse.

4.6 **Employees responsibilities:**

- All employees have a responsibility to escalate to their line manager, other senior manager or HR representative any suspicion that a colleague may be a potential or actual victim, or a perpetrator, of domestic abuse or sexual violence.
- All employees should be aware of this policy, and know how to escalate appropriately to seek advice, guidance and support when they are unsure what to do.
- This will include seeking advice from the Trust Safeguarding Team
- In relation to sexual violence all employees must meet the responsibilities outlined within Bullying and Harassment Policy W4
- All employees have a personal and moral duty to uphold the law and not to engage in domestic abuse or sexual violence and to understand that any concerns in this area may impact the confidence the Trust has in terms of good conduct and the confidence in their integrity.

5.0 **Domestic Abuse support in the workplace**

5.1 Research found that 75% of women that experience domestic abuse are targeted at work – from harassing phone calls and abusive partners arriving at the office unannounced, to physical assaults.⁷

5.2 Where employees work from home this can reduce the opportunity for victims to disclose abuse and also for line managers to pick up on possible signs of domestic abuse. Appendix 2 includes signs that someone may be experiencing domestic abuse. NHS Employers have produced guidance for employees and managers.

⁷ <https://www.equalityhumanrights.com/en/advice-and-guidance/domestic-abuse-workplace-policies-and-managing-and-supporting->

5.3 Non-Disclosure

5.3.1 If there are concerns that a colleague may be experiencing domestic abuse, it should be decided who is the most appropriate person to inquire further. This may be a line manager or another senior member of staff whom the employee has a rapport with or feels more comfortable talking to. It is best practice to be honest about what your concerns are and to ask direct questions (see appendix 3). This approach is less likely to compromise the safety of the victim experiencing abuse.

5.4 Disclosure

5.4.1 The Trust would encourage any employee who is experiencing domestic abuse or if they are concerned about a colleague to speak to a line manager and/or a Human Resources representative. The role of the manager/Human Resources representative is not to deal with the abuse itself but through this policy ensure that appropriate support is provided and to outline what help is available.

5.5 Responding to domestic abuse disclosure

- A private discussion should be arranged in an environment where the employee feels safe.
- Take the person seriously and listen sensitively and respectfully.
- Provide appropriate reassurance.
- Don't judge.
- Remind them support is available.
- Give the person time to explain their circumstances.
- The employee should be asked if they want to report the abuse to the police and if they need to seek medical attention.
- Provide information to the employee about local specialist domestic abuse services – see Appendix 5 for this information.
- Provide information about the Domestic Violence Disclosure Scheme (Clare's Law) as individuals may choose to seek information about a partner's history of known domestic abuse – See Appendix 1.
- Appendix 5 also includes employee services including occupational health and the employee assistance programme. It also includes contact details for signposting or self-referring to other external agencies if appropriate.
- Workplace safety and adjustments should be discussed – see Appendix 4 for guidance.

Your tone and responses are very important when someone is disclosing abuse to you.

5.6 Privacy

5.6.1 In almost every case, the employee's personal circumstances will be treated as strictly confidential. Any written record of the disclosure and any agreed workplace adjustments will be securely stored.

5.6.2 If any victim/survivor information needs to be shared with others, this will be done with the employee's full knowledge and consent, and only on a 'need to know' basis. Examples of sharing information may include, to put in place agreed workplace adjustments, or to let new line managers know what arrangements are in place or to ensure that more senior staff are aware of the situation in order to be assured that appropriate supports are in place. Similarly, the Safeguarding Team may need to be informed. In cases where there are concerns that children may have experienced the consequences of domestic abuse then advice from children safeguarding colleagues will need to be sought.

5.6.3 In exceptional circumstances, a manager may need to discuss the situation with others without the employee's consent. This will only happen if it is believed that:

- The employee or any colleagues are at risk of serious injury or death.
- there is a substantial risk of harm to any children who are witnessing the violence or abuse.
- there is a substantial risk of harm to any adult with care or support needs.

For advice in relation to escalation needed due to a serious risk of harm please contact a Senior Manager, Human Resources and/or Safeguarding Team (for contacts see Appendix 5).

5.7 Domestic Abuse Toolkit for Employers:⁸

5.7.1 For more information on practical guidance about how to respond to employees when you are concerned that they may be experiencing domestic abuse or sexual violence please see Appendix Two, Three and four.

5.7.2 What to look out for can include:

- changes in work practices; coming in late, having more absences
- changes in behaviour; quiet, anxious, withdrawn, worried, tearful
- physical changes: bruises, injuries, make up, clothing (to conceal injuries)

5.7.3 Actions to be taken, can include:

- changes to work patterns

⁸ <https://www.bitc.org.uk/wp-content/uploads/2021/07/bitc-wellbeing-toolkit-domesticabuseforemployers-june2021.pdf>

- time off whilst at work to go to see DA support worker.
- call diversion – so not to receive abusive calls.
- ensuring there are clear emergency contact arrangements in place and contact arrangements.
- workplace security
- keep records of concerns
- provide information of support services available

6.0 Sexual Violence support in the workplace

6.1 Research undertaken by the Equality and Human Rights Commission found that three-quarters of people reported experiencing sexual harassment at work.⁹ The Trust encourages any employee who has or is experiencing any form of sexual violence to report it. Sexual violence will not be tolerated and is often unlawful.

6.2 For advice in relation to escalation needed due to a serious risk of harm please contact a Senior Manager, Human Resources and/or Safeguarding Team.

7.0 Perpetrators as Employees

7.1 Any form of domestic abuse or sexual violence by a Trust employee, towards a family member, partner or ex-partner who works for the Trust or not, will be viewed seriously and may lead to disciplinary action being taken in accordance with the Trust Disciplinary processes.

7.2 Conduct outside of work (whether or not it leads to a criminal conviction) may also lead to disciplinary action being taken against an employee due to the impact it may have on the employee's suitability to carry out their role and/or because it undermines public confidence in the Trust. Factors that will be considered are:

- The nature of the conduct and the nature of the employee's work.
- The extent to which the employee's role involves contact with other employees, patients and other vulnerable groups and the general public.
- Whether the employee poses a risk to other members of staff, patients and other vulnerable groups or the public.
- Registered professionals whether this creates questions about their suitability to carry out their functions and will include consideration of referral to professional bodies.

⁹ [Turning the tables: ending sexual harassment at work | Equality and Human Rights Commission \(equalityhumanrights.com\)](https://www.equalityhumanrights.com/en/turning-the-tables-ending-sexual-harassment-at-work)

- The impact on the reputation of the Trust

7.3 If any of the circumstances set out in the above paragraphs are brought to a manager's attention, advice should be sought in the first instance from Human Resources.

7.4 The Trust policy for Managing Allegations Against Staff who work with Children and Adults in a position of trust should be followed and where applicable, this may also include referrals to the Local Authority Designated Officer in cases involving children.

7.5 HR will advise on the best way to ensure that the alleged perpetrator will be provided with information about the services and support available to them including line manager support, HR, Occupational Health, the Employee Assistance Programme, and referral or sign posting to external agencies or perpetrator programmes, if appropriate.

8.0 Recording Information

8.1 Managers will record a summary of any discussions that take place about domestic abuse or sexual violence together with any actions agreed or outcomes. This recording should be documented as clearly and accurately as possible and include any dates, times and locations provided. Records will be stored securely in line with employee personnel file guidance.

9.0 Training

9.1 The Trust has Domestic Abuse Training as part of its' Statutory and Mandatory Training within the Safeguarding Suite of training.

9.2 Telford & Wrekin Council and The Haven Training are working together to provide Domestic Abuse awareness training to individuals, organisations, community groups and volunteers working in the local area. For more information please access the training [webpage](#)

9.3 NHS England have provided an eLearning resource entitled, 'Identifying and Responding to Sexual Assault and Abuse'. [Identifying and Responding to Sexual Assault and Abuse - elearning for healthcare \(e-lfh.org.uk\)](#)

10.0 Review and Compliance Monitoring

- 10.1 Review: this Human Resources policy will be reviewed in June 2025 and the refresh will be shared with the appropriate Committee for assurance purposes.
- 10.2 Compliance Monitoring: the Policy will be periodically monitored by Human Resources and Safeguarding Team. This will be to determine if any changes are needed prior to the formal review period to take account of statutory changes or national/local practice and procedural reviews.

11.0 References

11.1 Domestic Abuse

[Supporting NHS staff with domestic violence and abuse | NHS Employers](#)

[Managing and supporting employees experiencing domestic abuse: a guide for employers \(cipd.co.uk\)](#)

[Domestic abuse | Shropshire Council](#)

[Employer's responsibilities: Workers' health and safety \(hse.gov.uk\)](#)

[bitc-wellbeing-toolkit-domesticabuseforemployers-june2021_0.pdf \(eida.org.uk\)](#)

[Domestic Abuse Act 2021 \(legislation.gov.uk\)](#)

[Worker Protection Act 2023 \(legislation.gov.uk\)](#)

[Domestic Abuse Statutory Guidance \(publishing.service.gov.uk\)](#)

[NHSE Staff Domestic Abuse Policy_1_.pdf](#)

[What is Domestic Abuse? | Employers' Initiative on Domestic Abuse \(eida.org.uk\)](#)

[About us | Employers' Initiative on Domestic Abuse \(eida.org.uk\)](#)

[Workplace Guide - The Haven \(havenrefuge.org.uk\)](#)

[DV Employee's guidance FINAL Update 3.pdf \(safelives.org.uk\)](#)

The Haven Wolverhampton, Domestic Abuse Awareness Training Toolkit, 2022 (contact training@havenrefuge.org.uk for access)

[WM Adult Position of Trust Framework v2.0.pdf](#)

[WM Children Position of Trust Procedure](#)

11.2 Sexual Violence

[Domestic Abuse and Sexual Violence Programme - FutureNHS Collaboration Platform](#)

[Preventing sexual harassment at work: a guide for employers \(equalityhumanrights.com\)](#)

[Specialist helplines and other support: Sexual harassment - Acas](#)

[WHO - Understanding and addressing violence against women](#)

[sexual-safety-collaborative---standards-and-guidance.pdf \(rcpsych.ac.uk\)](#)

[Sexual offences | The Crown Prosecution Service \(cps.gov.uk\)](#)

Appendix 1: Domestic Abuse and Sexual Violence Legislation

THE DOMESTIC ABUSE ACT 2021

The Domestic Abuse Act 2021 aims to ensure that victims have the confidence to come forward and report their experiences, safe in the knowledge that the state will do everything it can, both to support them and their children and to pursue the abuser. The Act includes a wide range of measures to better protect and support the victims of domestic abuse, including their children, and bring perpetrators to justice.

This includes the first ever statutory definition of Domestic Abuse which includes:

“Any incident or pattern of incidents of controlling, coercive, 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 definition includes forced marriage, honour based abuse and importantly acknowledges children as victims in their own right through seeing, hearing or experiencing the effect of domestic abuse.

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.

SERIOUS CRIME ACT 2015

The Serious Crime Act (2015) includes the offence of controlling or coercive behaviour in intimate or familial relationships.

CLARE’S LAW

[Clare’s Law](#), also known as the Domestic Violence Disclosure Scheme (DVDS) is a police policy giving people the right to know if their current or ex-partner has any previous history of violence or abuse.

The scheme is named after Clare Wood, who was murdered by her abusive ex-boyfriend in 2009. It was formally rolled out in England and Wales in 2014, following the landmark campaign led by Clare’s father Michael Brown.

This [leaflet](#) will provide further information about Clare’s Law and includes details of how to make an application.

Forced Marriage

Forced marriage is illegal in England and Wales. This includes:

- taking someone overseas to force them to marry (whether or not the forced marriage takes place)

- arranging a marriage for someone who lacks mental capacity (whether they're pressured to or not)
- arranging a marriage for someone before they turn 18.

For further information: [Forced marriage - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/forced-marriage)

THE HUMAN RIGHTS ACT 1998

Under the Human Rights Act all public bodies have an obligation to protect the human rights of individuals and to ensure that their human rights are not being violated. domestic abuse denies the most fundamental of human rights. Implementing an effective Policy can help The Shrewsbury and Telford Hospital NHS Trust to meet its human rights duties in relation to incidents of domestic abuse.

THE EQUALITY ACT 2010

The Equality Act 2010 includes a public sector duty which means that the Shrewsbury and Telford Hospital NHS Trust must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity for protected groups; and foster good relations. The nine protected characteristics set out in the Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation.

HEALTH AND SAFETY LEGISLATION

Health and safety laws are designed to ensure that workers have the right to work in a safe environment where risks to health and wellbeing are considered and dealt with effectively. This extends to people working from home.

There are four main areas of health and safety legislation in the workplace relevant to domestic abuse:

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1992
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
- Health and Safety (Consultation with Employees) Regulations 1996

EMPLOYMENT LAW

Employers have a legal responsibility to provide a safe and effective work environment, and they have a duty of care to employees. Helping to support and protect employees who are experiencing domestic abuse is part of that responsibility.

VIOLENCE AGAINST WOMEN AND GIRLS' STRATEGY 2021

This document is the strategy covering the government's plan to tackle violence against women and girls and specifically includes safer workplaces.

THE EQUALITY ACT 2010

The Equality Act 2010 protects people against sexual harassment and harassment related to 'protected characteristics', for example a person's sex.

At work, the law covers:

- employees and workers
- contractors and self-employed people hired to personally do the work
- job applicants

THE SEXUAL OFFENCES ACT 2003

The Sexual Offences Act 2003 categorises many different types of sexual abuse and also defines offences including rape and sexual assault.

The Worker Protection (Amendment of Equality Act 2010) Act 2023

Outlines the employer duty to prevent sexual harassment of employees

Appendix 2: Signs that someone may be experiencing domestic abuse

(Some of these signs may reflect a range of sensitive issues.)

Work productivity signs:

- Change in the person's working patterns: for example, frequent absence, lateness or needing to leave work early.
- Reduced quality and quantity of work: missing deadlines, a drop in usual performance standards.
- Change in the use of the phone/email: for example, a large number of personal calls/texts, avoiding calls or a strong reaction to calls/texts/emails.
- Spending an increased amount of hours at work for no reason.

Changes in behaviour or demeanour

- Conduct out of character with previous employment history.
- Changes in behaviour: for example, becoming very quiet, anxious, frightened, tearful, aggressive, distracted, depressed etc.
- Isolating themselves from colleagues.
- Obsession with timekeeping.
- Secretive regarding home life.
- Worried about leaving children at home with abuser.

Physical signs

- Visible bruising or single or repeated injury with unlikely explanations.
- Change in the pattern or amount of make-up used.
- Change in the manner of dress: for example, clothes that do not suit the climate which may be used to hide injuries.
- Substance use/misuse.
- Fatigue/sleep disorders.

Other signs

- Partner or ex-partner stalking employee in or around the workplace.
- Partner or ex-partner exerting unusual amount of control or demands over work schedule.
- Flowers/gifts sent to employee for no apparent reason.
- Isolation from family/friends

Appendix 3: Examples of Direct Inquiry Questions

Safe Lives provides the following questions as ways to start the conversation:

- Are you happy?
- How are things in your relationship?
- Is anybody hurting you? (don't refer to 'partner' as it could be someone else)
- Are you or your children scared or upset?
- Do you feel safe at home?

Appendix 4: Workplace safety questions and examples of workplace adjustments

Questions for the employee

Q Does the alleged abuser know where the employee works?

Q Have they ever been followed on their way to/from work?

Q Is the employee frightened of anything specific that might take place at work or to and from work?

Q Does the abuser have their work email address and/or work telephone number?

Q What information can be shared with the wider team or relevant staff to ensure any changes are implemented and they can deliver an appropriate response?

Contact arrangements

- Retain both a work contact and an emergency contact at home (not the abuser).
- Arrange in advance when and who to contact if an employee doesn't come into work (family member/police/neighbour etc.).
- Maintain communication with the individual during any absence, while keeping their whereabouts confidential from the abuser and other agreed persons.

Safety to and from work

- Change the route to and from work (e.g. different bus or train time).
- Change the location of where they work or consider a transfer.
- Change the start and finish time of work hours.

Safety while at work

- Change the locks/codes to enter the workplace.
- Consider a personal or workstation alarm.
- Consider an alternative entrance to or exit from the workplace.
- Consider screening access to the workplace. If possible and required, enable reception/security to identify the abuser (photo, car registration), and advise them on what to do if the abuser arrives at the workplace.

Communication safety

- Review the security of all employee records and personal information.
- Change email addresses/work phone number or divert incoming phone calls and emails.
- Issue instructions to all staff NOT to reveal the employee's personal details or their whereabouts to anyone, including family members.

Managing responsibilities at work

- Consider flexible working or changing work patterns.
- Adjust workload (extend deadlines, reassign responsibilities).
- Consider additional support /supervision/debriefing sessions.
- Provide special leave or time off during the day to attend appointments or court.
- Provide a safe place to access support.

Appendix 5: Contacts and Local and National Helplines

Human Resources Team

Contact the People Advisory Team by calling 01952 641222 ext 2891 or email sath.hradvice@nhs.net.

Employee Services

Occupational Health referral – ask your line manager/HR Representative

Anyone experiencing domestic abuse or sexual violence at work can also get legal advice or contact their trade union. ([See ACAS webpage for further guidance](#))

Local Services

The **Bright Sky website** [Bright Sky](#) and App [Bright Sky app | Hestia](#) will provide all local and national service information.

Shropshire

See Shropshire Safeguarding Domestic Abuse Pathway: [Link](#)

Adult Social Care and Safeguarding Concerns

- Telephone: 0345 678 9044
- Out of hours: 0345 678 9040

Safeguarding Children

- Telephone: 0345 678 9021

Shropshire Domestic Abuse Service (local support and guidance, access to IDVA's and help including if you need to flee your home)

- Telephone: 0300 303 1191 (9am-5pm, Mon – Fri)
*for 24 hour helpline contact West Mercia domestic abuse helpline on 0800 783 1359
- Email: sdas@shropsdas.org.uk
- Website: shropsdas.org.uk

Telford and Wrekin

Telford and Wrekin Council Domestic Abuse Information

- **Webpage:** [Domestic abuse - Telford & Wrekin Council](#)
- **Cranstoun** in partnership with **West Mercia's Women's Aid** (local support and guidance, access to IDVA's¹⁰ and help including if you need to flee your home)

¹⁰ An Independent Domestic Violence Advocate (IDVA) is a specialist professional who works with a victim of domestic abuse to develop a trusting relationship. They can help a victim with everything they need to become safe and rebuild their life, and represent their voice at a Multi-agency Risk Assessment Conference (MARAC), as

- Websites: [Telford & Wrekin Domestic Abuse Service - Cranstoun](#) and [West Mercia Women's Aid](#)
- Support for survivors, telephone: 0800 840 3747
- Support for those using harmful behaviours, telephone: 01952 454759
- Self-referral form: [Referral Form - Cranstoun](#)

Adult and Children Safeguarding Concerns

- Telephone: 01952 385385
- Out of hours: 01952 676500

Shropshire, Telford and Wrekin

West Mercia Women's Aid (24 hour helpline and can offer support, safety planning, information and advice)

- Web: [West Mercia Women's Aid](#)
- Live Chat – is available via the above webpage via the 'Leave a Message' link (Mon-Fri 8am-6pm and Sat-Sun 10am-6pm)
- Tel: 24 hour domestic abuse helpline on 0800 783 1359
- Email: helpline@wmwa.org.uk
- Support for professionals – via the above helpline or email address

Glade Sexual Health Assault Referral Centre

- 18+ Self-Referral: 0808 1782058
This self-referral line is open 24 hours a day, 7 days a week, 365 days a year.
- 18+ Professionals: 01886 833555
- Paediatric Referrals: 0800 9534113
- Email: info@theglade.org.uk
Please note this email address is only monitored during office hours (Monday-Friday (9:00-17:00 excluding Bank Holidays)).
- Website: [The Glade - Supporting the victims of Rape or Serious Sexual Assault](#)

West Mercia Victim Support

- Telephone: 01905 726 896
- Out of hours Support Line: 08 08 16 89 111
- Free live chat service (available 24/7): [Live chat - Victim Support](#)
- Web: [West Mercia - Victim Support](#)

well as helping them to navigate the criminal justice process and working with the different statutory agencies to provide wraparound support. [What is an Idva? | Safelives](#)

West Mercia Police

In an emergency call 999 now *press 55 if you can't talk

- Webpage: [What is domestic abuse? | West Mercia Police](#)
- How to report domestic abuse: [How to report domestic abuse | West Mercia Police](#)

National Services

ACAS provide advice on employment law, HR processes and good practice at work to employees and employers. Guidance can be provided in both areas of domestic abuse and sexual violence. Their helpline number is: 0300 123 1100. Website [link](#)

The **Rape and Sexual Abuse Support Line** and [online chat](#) is a government funded service run by Rape Crisis England and Wales. The Support Line, which is open 24 hours a day, 365 days a year, for victims and survivors of any gender, can be reached by dialling 0808 500 2222.

As part of the Home Office campaign to tackle violence against women and girls, it has launched the **Enough** website to provide information on the steps people can take to safely challenge violence against women and girls. The website, which also includes campaign material and where to get help and support, is available [here](#).

Victim Support

- Helpline: 0808 1689 1111
- Webpages: [Domestic abuse - Victim Support](#) [Sexual harassment - Victim Support](#)

Refuge (women and children)

- National domestic abuse helpline - 0808 2000 247
- Website: [Home | Refuge National Domestic Abuse Helpline](#)
- Live Chat: [Live Chat Homepage](#)

Respect Men's Advice Line

- Helpline: 0808 801 0327
- Website: [\(mensadviceline.org.uk\)](#)

ManKind Initiative – helping men escape domestic abuse.

- Helpline: 01823 334244 (weekdays 10am-4pm)
- Website: [\(mankind.org.uk\)](#)

Respect provides support for domestic abuse perpetrators and those supporting them

- Website: [Respect UK](#)
- Telephone: 0808 802 4040 (Mon-Thurs 10am-8pm and Fri 10am-5pm)
- Email: info@respectphoneline.org.uk

Paladin – National Stalking Advocacy Service

- Website: [\(paladinservice.co.uk\)](#)

- Telephone: 020 3866 4017

Galop - national helpline for LGBT+ experiencing domestic abuse

- Website: [Galop](#)
- Helpline: 0800 999 5428
- Email: help@galop.org.uk

Karma Nirvana – support for Honour Based Abuse

- Website: [Karma Nirvana](#)
- Helpline: 0800 5999 247

Forced Marriage Unit

- Website: [Forced marriage - GOV.UK \(www.gov.uk\)](#)
- Telephone: 020 7008 0151 (weekdays 10am-5pm)
From overseas: +44 (0)20 7008 0151
Out of hours: 020 7008 5000
- Email: fmufcdo.gov.uk

PEGS supporting adults with child to parent abuse (supports parents and professionals)

- Website: [pegsupport.co.uk](#)
- Parent referral form: [link](#)

Government Guidance including information in several languages

- Webpage: [Domestic abuse: how to get help - GOV.UK \(www.gov.uk\)](#)

Applying for a court order (injunction)

The victim of domestic abuse can apply for an injunction to protect themselves or their child from being harmed or threatened (a 'non-molestation order'), or an injunction to decide who can live in the family home (an 'occupation order').

The person named in the court order can be arrested if they break it.

- **Website:** [Get an injunction if you've been the victim of domestic abuse: How to apply - GOV.UK \(www.gov.uk\)](#)

SafeLives provides guidance and support to professionals and those working in the domestic abuse sector

- **Website:** [Home | Safelives](#)

Blue Sky App is a mobile app and website for anyone experiencing domestic abuse, or for anyone who is worried about someone else.

- Website: [Bright Sky app | Hestia](#)