



## **Domestic abuse and Sexual Violence Policy**

The Windsor Kindergarten recognises that any of our employees may be affected by domestic abuse, for example, as a survivor of domestic abuse, an individual who is currently living with domestic abuse, someone who has been impacted upon by domestic abuse or as an individual who perpetrates domestic abuse.

We are committed to developing a workplace culture in which there is zero tolerance of domestic abuse. We are also committed to ensuring that any employee who is the victim of domestic abuse has the right to raise the issue with their manager in the knowledge that they will always receive appropriate support and assistance, including specialist support where needed. We want to send out a strong message that domestic abuse is unacceptable in any circumstances.

Windsor Kindergarten recognises that domestic abuse is an equalities issue and undertakes to not discriminate against anyone who has been subjected to domestic abuse in terms of current employment or future development. We are also particularly committed to ensuring that any children/parent we identify who are or have been affected by domestic abuse receive appropriate help and support. We will give ongoing domestic abuse training (see Domestic Abuse: A Toolkit for Employers (PHE 2021), to our staff to enable them to recognise the signs and symptoms of children who have been impacted in this way and take appropriate action.

### **Definition of Domestic Abuse**

For purposes of this policy, domestic abuse is defined as: 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

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

This definition, which is not a legal 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. It is also important to remember that most research also suggests that domestic abuse occurs in all sections of society irrespective of gender, race, culture, nationality, religion, sexuality, disability, age, class or educational level.

### **Identification of the problem**

Whilst it is for the individual themselves to recognise they are a victim of domestic abuse, there are signs which may indicate an employee may be a victim. These may include:

- The member of staff may confide in their colleagues/manager.
- Staff may inform their manager that a colleague is suffering from domestic abuse.
- There may be obvious effects of physical abuse.
- It may come to light as a result of enquiries into a drop-in performance or a significant change in behaviour.
- It may reveal itself as the background to poor attendance at work.

Managers who support staff in such matters should address the issue positively and sympathetically ensuring that the employee is aware that support and assistance can be provided.

The setting respects employees' right to privacy. Whilst we strongly encourage victims of domestic abuse to disclose the abuse for the safety of themselves and all those in the workplace, we do not force them to share this information if they do not want to.

### **Confidentiality and right to privacy**

Employees who disclose experiencing abuse can be assured that the information they provide is confidential and will not ordinarily be shared with other members of staff without their permission. There are, however, some circumstances in which confidentiality cannot be assured. These occur when there are safeguarding concerns about children or vulnerable adults or where the employer needs to act to protect the safety of employees. As far as possible, information will only be shared on a need-to-know basis.

All records concerning domestic abuse will be kept strictly confidential. No records will be kept of absences related to domestic abuse and there will be no adverse impact on the employment records of victims of domestic abuse. Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.

Where domestic abuse in a same sex relationship is disclosed, due regard will be paid to the double disclosure of confidential information.

### **Support for individuals**

Windsor Kindergarten recognises that developing a life free from abuse is a process not an event and we will provide ongoing support for employees who disclose abuse. We will respond sympathetically, confidentially and effectively to any member of staff who discloses

that they are experiencing domestic abuse. Where domestic abuse has been reported, line managers will treat unplanned absences and temporary poor timekeeping sympathetically.

Managers may offer employees experiencing domestic abuse a broad range of support. This may include, but is not limited to:

- Special paid leave for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments.
- Temporary or permanent changes to working times and patterns.
- Changes to specific duties, for example to avoid potential contact with an abuser.
- Redeployment or relocation.
- Measures to ensure a safe working environment, for example changing a telephone number to avoid harassing phone calls.
- Using other existing policies, including flexible working.
- Access to counselling/support services in paid time.
- Access to courses developed to support female survivors of domestic abuse, for example The Freedom Programme ([www.freedomprogramme.co.uk/](http://www.freedomprogramme.co.uk/)).

Managers will respect the right of staff to make their own decision on the course of action at every stage.

### **Organisational planning**

All employees will be made aware of this policy through a range of methods including induction, training and policy documents. We will remind staff of the importance of not divulging personal details of other employees, such as addresses, telephone numbers or shift patterns.

A member of staff trained in domestic abuse issues (see Domestic Abuse: A Toolkit for Employers (PHE 2021)), will be nominated as an additional confidential contact for staff. This person will also provide guidance for managers who are approached by staff who are being abused.

### **Training**

Windsor Kindergarten is committed to ensuring all managers are aware of domestic abuse and its implications in the workplace, including safety implications.

We use Hestia's free Employer's Advice Line and digital tool, Respond to Abuse ([www.hestia.org/respond-to-abuse](http://www.hestia.org/respond-to-abuse)), which supports employers to help staff experiencing domestic abuse to plan a route to safety.

Our managers and key staff undertake training with Safe Lives (<https://safelives.org.uk/training>) to help them to recognise the signs of domestic abuse, understand the issues and respond quickly and effectively when a victim needs help.

### **Raising awareness in the workplace**

The setting will raise awareness of domestic abuse through the following measures:

- communicating and making available a list of external resources.
- publicising a statement communicating the organisation's position on domestic abuse to all employees;

To support this policy, the Domestic Abuse: A Toolkit for Employers (PHE 2021) is available for staff and managers to use.

### **Additional support**

When an employee discloses domestic abuse, the manager will encourage the employee to contact a specialist support agency to undertake a Domestic Abuse Stalking and Harassment (DASH) risk assessment and make appropriate referrals where necessary.

We will work with the employee and a specialist agency (with the employee's consent) to identify what actions can be taken to increase their personal safety at work and at home as well as address any risks there may be to colleagues.

Windsor Kindergarten encourages all employees to report if they suspect a colleague is experiencing or perpetrating abuse.

### **Perpetrators of domestic abuse**

Domestic abuse perpetrated by employees will not be condoned under any circumstances nor will it be treated as a purely private matter. Windsor Kindergarten recognises that it has a role in encouraging and supporting employees to address violent and abusive behaviour of all kinds.

Employees should report if they suspect a colleague is a perpetrator of abuse. Windsor Kindergarten views the use of violence and abusive behaviour by an employee, wherever this occurs, as a breach of the Code of conduct for disciplinary purposes.

This policy should be read in conjunction with our Safeguarding children, young people and vulnerable adults policy and procedures, Code of conduct policy and Dignity at work policy.

### **Further guidance**

Anyone using this policy to respond to a victim or perpetrator of domestic abuse should refer to Domestic Abuse: A Toolkit for Employers (PHE 2021) at [www.bitc.org.uk/toolkit/domestic-abuse-toolkit/](http://www.bitc.org.uk/toolkit/domestic-abuse-toolkit/) for further guidance, using the helplines and supportive organisations as listed under Useful resources, as appropriate.

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