



Fire Brigades Union
The professional voice of your firefighters

Domestic abuse and sexual violence – Model Policy

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Foreword

The health and safety of firefighters is a principal concern for the Fire Brigades Union.

The health, safety and welfare of our members is one of the central reasons why we were established and why we continue to play an irreplaceable role in the fire and rescue service.

The FBU condemns domestic violence recognising it as repugnant and totally unacceptable. Perpetrators should feel the full weight of the law against them. We are committed to the health, safety and welfare of all members and we seek to support and assist any member, women or man, who are experiencing problems relating to domestic violence.

We are also seeking to raise awareness of domestic abuse and sexual violence and trying to help develop a workplace culture where domestic violence is recognised as unacceptable.

The National Women's Committee has developed this model policy to assist brigade officials to negotiate a local policy which will help to improve the lives for our members and raise awareness of the issues associated with domestic violence and sexual abuse.

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1 Introduction

Whatever form it takes, domestic abuse is rarely a one-off incident. More usually it is a pattern of abusive and controlling behaviour through which the abuser seeks power over their victim.

The impact of domestic violence can have a damaging effect on the recipient's mental and physical health, and this can result in poor performance and attendance at work. The cost to an organisation can also be considerable. It is therefore a major issue.

As an employer, [name of FRS] Fire and Rescue Service seeks to provide a supportive and compassionate environment where our managers understand issues of domestic abuse and sexual violence, and where any of our staff who may be suffering domestic abuse are able to rely on the Service for support and assistance if they choose to raise the matter at work.

As an employer we also wish to promote ethical behaviour amongst all our employees in the workplace and outside. The Service will support victims of domestic violence and will take action against any employee convicted of any form of domestic or sexual violence.

As a public body providing services to the people of [name of County], we have a statutory duty under the Crime and Disorder Act 1998 (as amended by the Police Reform act 2002) to contribute to reducing crime and improving the quality of life of people of [name of County].

Any employee of [name of FRS] Fire and Rescue Service who has concerns about domestic abuse or sexual violence occurring whilst they are involved in community fire safety activities or undertaking operational duties will refer their concerns to the Safeguarding Team [or equivalent] in line with the existing Service policy.

2 Statement of Intent

[Name of FRS] Fire and Rescue Service condemns domestic violence and recognises it is not just unacceptable, but a criminal offence. The Service is committed to the welfare of its employees and seeks to support and assist any employee, women and men, who are experiencing problems related to domestic violence. It also seeks to raise awareness of domestic abuse or sexual violence and develop a workplace culture where domestic violence is recognised as unacceptable.

3 Corporate Policy

This Organisational Procedure supports Corporate Policy [name of Corporate Policy].

4 Scope and Applicability

This procedure is applicable to all employees of the Service.

[Name of FRS] Fire and Rescue Service supports an environment of mutual respect and equality of opportunity. In accordance with the Equality Act (2010), this document has been Equality Risk Assessed to ensure all Protected Characteristics are considered. Should an employee perceive that an adverse impact does exist, it is their responsibility to bring it to the attention of the Diversity Officer [or FRS equivalent]. This document also complies with other relevant legislation.

5 Why is Domestic Abuse a workplace issue?

5.1 The Organisation – its legal and moral duty

With the introduction of the Gender Duty (April 2007) and an improved public image, Fire and Rescue Services (FRS) are demonstrating a powerful commitment to the principles of equal opportunities and community investment and to achieving equal opportunities in the workplace, particularly for women.

FRS' must be clear that domestic abuse should be treated with the same degree of seriousness as any other form of harassment, violence or abuse and will not be tolerated. It would be wrong, and possibly dangerous, to raise awareness of domestic violence and raise expectations that help is available then not to respond appropriately.

As an employer FRS' must recognise that under Health Safety & Welfare at Work Act 1974, they have a duty to provide a safe working environment for all employees. FRS' need to recognise that domestic abuse is a workplace issue and undertake to raise awareness of it and provide support for both survivors and perpetrators.

5.2 Business Case for tackling Domestic Abuse in the workplace

Developing good policies and practices on domestic violence makes good business sense. It can enhance employee well being and productivity and reduce abuse related costs.

Identification of domestic violence at an early stage can lead to appropriate help being offered, which eliminates factors that adversely affect productivity and result in:

- Employee absenteeism and turnover
- Lost productivity
- Stress
- Workplace violence which threatens the safety of other employees
- Impact on other staff
- Financial costs

Recognising and addressing domestic violence at an early stage can prevent disciplinary action whilst at the same time benefiting the workplace environment and home/community environment.

6 Forms of Domestic Violence

6.1 Physical Violence

Physical violence includes slapping, pushing, hitting, punching, kicking, choking, pulling hair, cutting or scratching, withholding medication, burning or stabbing, attempting to drown or strangle, attempting to murder and murder itself.

6.2 Rape and Sexual Violence

Sexual violence includes rape, forcing a person against their will, to engage in any unwanted sexual act, forcing sex with friends, forcing sex in front of others, forcing a person to mimic pornography they have seen, forcing them to be photographed/filmed whilst abuse is taking place, forcing the person to look at pornography.

The legal definition of rape is as stated in The Sexual Offences Act (2003).

6.3 Sexual Harassment

There are two types of sexual harassment:

- unwanted conduct on the grounds of your sex and
- unwanted physical, verbal or non-verbal conduct of a sexual nature.

6.4 Crimes in the Name of (So-called) Honour

So-called honour based violence is a crime or incident, which has or may have been committed to protect or defend the honour of the family and/or community. Further information is available on this website <http://www.hennaoundation.org>

6.5 Psychological and/or Emotional Abuse

Psychological and/or Emotional Abuse is often a more subtle form of abuse, it can include humiliation in front of others; telling the person they are useless, stupid ugly, they are a hopeless mother/housewife, father/husband, making threats against her/him or his/her children. Isolating from friends and family, and preventing him/her from sleeping.

6.6 Economic/Financial Abuse

Economic/Financial Abuse can be a very powerful form of control. It can include denying him/her money for food, clothes even rent for themselves or the children. Stealing money from him/her.

6.7 If you are abused who can you turn to?

If a member of staff is being abused by someone they live with or have had a relationship with, there are things he/she can do. There are individuals and organisations that can give staff practical and emotional support, both inside and outside of the workplace. Staff members could talk to her/his Line Manager, HR Manager, Equalities Adviser, or her/his trade union representative for advice and guidance – see Appendix 1 for details of external bodies.

6.8 Recognising that an Employee May Need Help

It is not always easy to recognise that an employee is experiencing domestic violence and may require some assistance. Certain indicators such as a sudden change in behaviour, depression, inability to concentrate, obvious injuries or regular but unexpected absence from work may be indicative of a variety of problems, of which domestic abuse may be one.

Warning Signs

- Comes to work repeatedly with injuries.
- Unusual number of calls from home and strong reaction to the calls.
- Late for work and needing to leave early.
- Secretive about home life.
- Frequent absenteeism.
- Emotional reactions such as tearful, angry, depressed, nervous, confused.
- Partner exerts unusual amount of control over their life.
- Partner makes demands over their work schedule.
- May be extremely passive or aggressive.
- May seem chronically depressed or depressed in cycles.
- May isolate them at work.
- Uncharacteristic lateness.
- Inappropriate or excessive clothing.
- Repeated or unexplained injuries.
- Depression or anxiety.
- Difficulty in concentrating.
- Changes in quality of performance.

These are just a few characteristics. Different people will react in different ways. A more important sign is when an individual behaves in a way that is unusual for her or him.

Those who suffer domestic violence at home are often targeted at work; they may receive unwanted telephone calls or text messages or be assaulted on their way into or out of work. However, it is unlikely, in the first instance, that employees experiencing domestic abuse will inform other members of staff of their situation, or approach their manager with problems. It is far more likely that the manager will become aware of the situation through associated issues such as sickness absence monitoring or poor performance.

As with other welfare issues, identifying that an employee is experiencing difficulties at an early stage will lead to appropriate help being offered, and allow that employee to deal with their situation far more effectively.

7 Protocols for Dealing with Domestic Violence in the Community

7.1 Community Safety activities

Service employees may witness, receive allegations of violence, or have concerns about domestic violence as they undertake community fire safety activities or operational duties. Under section 17 of the Crime and Disorder Act 1998, [Name of FRS] Fire and Rescue Service, as a public body, has a statutory duty to contribute to the reduction of crime and the improvement of the quality of life of the people of [name of County] through Community Safety Partnerships.

Any employee who witnesses domestic violence or suspects someone (including children) is in immediate danger or harm should telephone the Police on 999.

If employees are approached by a member of the community with a disclosure of domestic violence or who suspects that a member of the community is a victim of domestic violence they should refer their concerns to the Safeguarding Team [or FRS equivalent] following the guidelines in the appropriate existing Service policy.

7.2 Other effects on the Service

Domestic violence within the community can have other, often far-reaching, effects on Fire & Rescue Services in terms of higher risks of both accidental and deliberate fires and special service calls.

7.2.1 Accidental Fires

- Children feeling isolated by what is going on around them, possible heightened interest in playing with matches, lighters etc, also less adult supervision during periods of abuse.
- Increased occurrence of substance misuse (particularly alcohol, prescription drugs) by abused women as a coping mechanism.

7.2.2 Deliberate Fires

- There is often a real threat of arson attacks from the perpetrator to the victim
- Children seeking attention/cries for help by setting fires in their own home
- Children/young people setting secondary fires such as grass, rubbish etc.
- Children/young people stealing and setting fire to cars

7.2.3 Special Service Calls

- Predominantly involving teenagers, young people following truanting, underachieving, living rough etc.
- Research has found that children living below the poverty threshold are far more likely to be killed in a house fire or a road traffic accident – removal of finances often goes hand in hand with domestic abuse.

There are a number of agencies with whom it would make perfect sense to form strong partnership links – e.g. Multi Agency Risk Assessment Centres (MARAC), police, local

safeguarding units, Women's Aid etc. with a single point of contact (SPOC) within the FRS. It is also vital that different departments within the FRS work together and not against each other e.g. Home safety, Fire Crime/Arson Reduction – although they may have separate budgets and different managers, their aim should be the same – to make the community a safer place in which to live and work.

8 Roles and Responsibilities of Employees

8.1 Domestic Abuse

Domestic abuse is the actual or threatened physical, emotional, psychological, sexual or financial abuse of a person by a partner, family member or someone with whom there is, or has been a close relationship. This abuse also relates to the perpetrator allowing or causing a child to witness, or be at risk of witnessing, domestic abuse. Domestic abuse essentially involves the misuse of power and exercises of control by one person over another.

In 2008/2009 domestic abuse accounted for 68% of female homicides and 15% of male homicides in England and Wales. *[Would need to research/amend if used in Scotland/Ni]* Research shows that seventy-five per cent of those experiencing domestic abuse are targeted at work. It is often possible for perpetrators to use workplace resources, such as phones, email and other means, to threaten harass or abuse their current or former partner. For others the workplace can be a safe haven and provide a route to safety.

The Service recognises that violence can be experienced within a range of different types of relationships and although the vast majority of incidents of domestic abuse are committed by men against women the abuse can also occur in other relationships e.g. men to men, women to men, women to women and children to parents. The advice given in these guidelines is therefore applicable whatever the nature of the relations.

The Service also recognises that domestic violence exists in all social classes, racial, ethnic, religious and cultural groups and that it can be experienced at any age and irrespective of factors such as sexuality, marital status and disability. However, the service is aware that because of various types of discrimination, these are all factors that can affect a person's experience of seeking help and success in protecting themselves and their children from domestic violence.

It may seem that domestic violence is a personal matter and nothing to do with a person's employer. However, for those experiencing it, domestic abuse will affect their whole lives, including work.

9 The Role of the Employer

9.1 Health and Safety Laws

The Health and Safety Laws ensure workers have the right to work in a safe environment where risks to health and wellbeing are considered and dealt with effectively.

The five main areas of health and safety law relevant to violence at work:

- Health and Safety at Work Act 1974.

- The Safety Representatives and Safety Committee Regulations 1977.
- The Management of Health and Safety at Work Regulations 1992.
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.
- The Health and Safety (Consultation with Employees) Regulations 1996.

9.2 Confidentiality

Confidentiality is essential for an employee who is experiencing domestic violence. It is important that employees know that whatever they tell you will remain confidential and will not be revealed to anyone without their permission. In some cases where a violent or abusive partner has discovered their partner has confided in someone, this has resulted in more violence and even death.

9.3 Child Protection

In relation to confidentiality the only exception to where information may be revealed is if there are children within the household. In this case you have a duty to report these concerns. The employee may then find the matter is taken out of their hands. It is therefore essential that you make the employee aware of your obligations in this area at a very early stage, so that they can decide exactly how much they wish to reveal.

9.4 Allowing Time Off Work

An employee who is experiencing domestic abuse will almost certainly need to take time off work to attend support sessions, court hearings or to make alternative living arrangements, etc. The conditions of service allow for absence with pay in cases of urgent domestic issues under the special leave provisions.

Please remember that a refusal to allow time off may often add to the anxiety of the employee concerned. Managers are expected to respond positively and sympathetically to such requests under these circumstances. An employee should approach his/her Line Manager or the HR Manager for further advice about allowing time off work.

It is recognised that an employee may not wish to disclose that they are experiencing domestic violence to their manager but will still need to take time off. In these instances the employee should be made aware that they should approach their line manager or the HR Manager for permission.

The Service's Occupational Health offers a confidential counselling service.

9.5 Adapting Working Arrangements

For some women, sticking to a routine and continuing to work will give them much needed confidence and the feeling of maintaining some sort of independence. The workplace could also provide the space to make any necessary arrangements and appointments without the perpetrator having access to their telephone calls and emails etc.

Employers owe a duty of care to their employees. It may be that the most effective way a manager can help an employee is to change their working arrangements, probably temporarily, but possibly on a permanent basis.

Perhaps the employee is being harassed by telephone calls from the abuser, in which case a colleague or answering machine could screen calls. At particular times the employer may need to be more flexible about starting or finishing times and lunch breaks to avoid unwelcome visits; a temporary relocation of workplace may be beneficial. Whatever the needs, it is important for managers to consider all options carefully and be as flexible as possible.

It should be recognised that domestic violence will probably have a negative impact on the performance of the employee concerned and it is important that the employee is supported and positive consideration is given to measures to temporarily alleviate work pressures. In certain exceptional circumstances the employee may require redeployment.

It is important to ensure that any action taken complies with the wishes of the employee concerned and that s/he does not feel blamed or punished in any way. To minimise the potential for conflict in the workplace, any changes to working arrangements should be communicated in an appropriate way to colleagues whilst maintaining confidentiality. Further advice about working arrangements can be obtained from the HR Manager.

9.6 Domestic Abuse and Sexual Violence Awareness Training for Staff

Key frontline staff working in the Service will be given Domestic Abuse and Sexual Violence Awareness Training. This training will be reviewed and refreshed at regular intervals.

9.7 Dealing with Perpetrators of Domestic Violence

In some cases the abuser may actually harass an employee at the workplace. In these circumstances both the victim and her/his colleagues may be at risk. If this person has no legitimate reason to be in the workplace he/she is trespassing and will be requested to leave the premises.

It is essential that any action taken complies with the wishes of the employee concerned. Do not agree to pass on messages from a perpetrator of domestic violence or disclose the address, telephone number, or whereabouts of any employee.

9.8 If a Member of Staff is a Perpetrator of Domestic Violence

As is the case with any employee who is convicted of a crime, if the Service views that there is a conflict between the conviction for violence, and the job they are employed to do, disciplinary action may be taken. Proven harassment and intimidation of staff by their partner or ex-partner who is also employed by the Service will be viewed seriously.

Serious consideration should be given to whether the actions of any employee who has a criminal conviction for domestic violence brings the Service into disrepute, and should be regarded as gross misconduct. This may result in dismissal.

9.9 Finance

An employee experiencing domestic violence and financial difficulties can contact the ACO People Services or the Head of HR directly to discuss what financial support the Service can provide. Employees might also wish to request a change in the method of paying their salary. This too can be arranged through the Payroll Department.

10 The Role of the Manager

Line Managers have a responsibility for the health and safety of Service employees at work, particularly those that you manage.

As a manager it is important to respond positively to an employee disclosing a problem with domestic violence. Discussing this issue will have taken a great deal of courage and your response may be a crucial factor in determining whether an employee seeks help.

There are a number of ways you can be helpful:

- Try to develop an understanding and supportive climate within the working environment.
- Make yourself approachable – give employees the opportunity to talk to you confidentially, both formally, through any regular one to one sessions you have, or informally.
- Display any publicity information prominently.
- Look out for warning signs of domestic violence and ensure information is available, do not however, pressure an employee to disclose information to you.
- Remember you are not an expert in this area, an understanding approach and offer of basic information is all that is required.
- Be aware that no advice is better than bad advice.
- Do not pressure a victim to leave the relationship, the nature of domestic violence is that the victim will often stay within the relationship or return to it. Respect their decision.
- Direct the individual to professional help as suggested at Appendix 1.

10.1 Protocols for Dealing with Domestic Abuse

Managers need to develop a sensitive and non-judgemental approach when dealing with staff who have experienced domestic abuse. These measures should include:

- Ensuring the immediate safety and security of self and others.
- Being non-judgmental – taking the matter seriously, listening to and believing the person.
- Ensuring that any discussion with an employee about their circumstances, takes place in private.
- Respecting confidentiality – the consequences of domestic violence are serious, and managers and colleagues need to respect this. Ensure any written documentation is filed securely and access limited.
- Understanding employees may not wish to approach their line manager, and may prefer to involve a third party such as a colleague or trade union representative.

- Finding out what employees want – being aware of what support is available, and exploring these options with the employee (a list of support agencies for women and men is listed at the end of this procedure and on the intranet).

11 Monitoring

[Name of FRS] Fire and Rescue Service will monitor anonymously the use of this procedure and use this to make future improvements within the procedure.

Appendix 1 – National Domestic Abuse and Sexual Violence Helplines

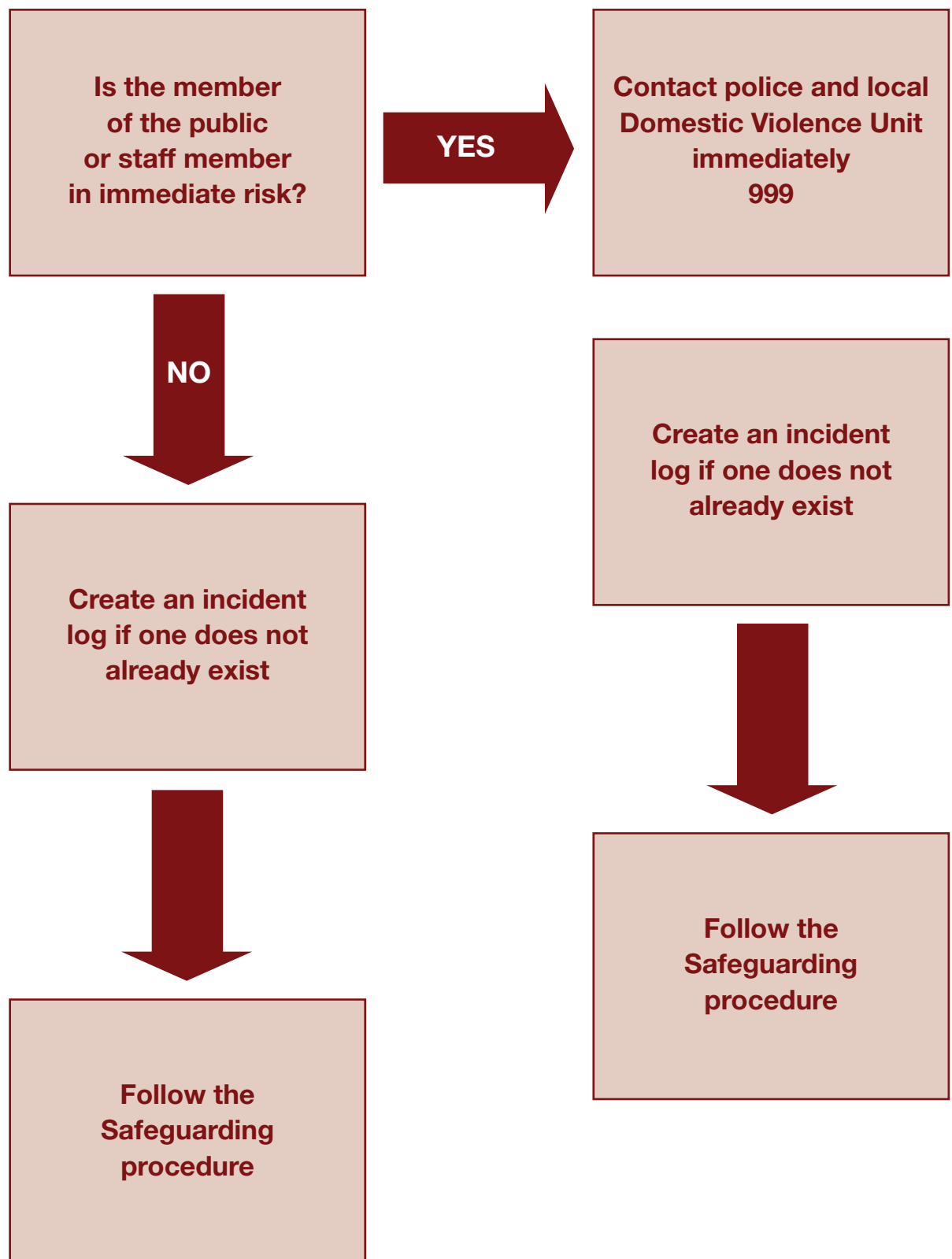
Any individual experiencing domestic violence can contact:

- **Women's Aid** – Women's Aid is a national umbrella organisation representing local women's aid groups situated through Wales.
www.womensaid.org.uk
- **BAWSO** – BAWSO are a specialist agency, which can provide culturally sensitive and appropriate information and service to black and other minority ethnic groups.
www.bawso.org.uk
- **Rape Crisis Centres**
<http://www.rapecrisis.org.uk>
- **Broken Rainbow** – Broken Rainbow provides support for lesbian, gay, bisexual and transgender people experiencing domestic abuse.
www.broken-rainbow.org.uk
- **Respect** – Respect is the UK association for professionals working with the perpetrators of domestic abuse.
www.respect.uk.net
- **Mankind Initiative** – A confidential helpline available for all men across the UK suffering from domestic violence or domestic abuse by their current or former wife or partner.
<http://www.mankind.org.uk>

There are also a number of web sites providing information on a range of domestic violence related issues and services. The web addresses provided in this procedure and on the intranet are a useful starting point.

Please note that if an abuser knows how to read your computer's history or cache file they may be able to see information you have viewed recently on the internet. The safest way to find information on the internet would be at a local library, friend's house or at work.

Appendix 2 – Control Procedure for making a Domestic Violence Referral



Appendix 3 – Crisis Planning

The most important step you can take if you are a victim of domestic abuse is to build a safety plan to protect yourself and your family from the abuser. When physical, emotional or sexual violence has occurred once in a relationship, it is likely to happen again. Since you know the abuser's actions and behaviours, you can use this knowledge and plan ahead.

During an incident of abuse or violence, get out if you can. Call 999 for the Police if you feel it is safe. If you cannot get out then stay away from the kitchen, bathroom, garage or other potentially dangerous rooms. Call for help; if your neighbours hear they may call 999.

If the abuser has left the home, you might need to change the locks and the telephone number and you might need to reinforce doors and windows.

Have a plan in case you encounter your abuser. Here are some things to consider in your safety plan:

- There may be a time when you have to leave your home in a hurry. It is helpful if you have already thought about how you would do it and made a plan to help you feel more in control. The following checklist provides some ideas.
- Teach your children how to dial 999.
- Arrange to have a safe place to go to. A Women's refuge is one option. It is best if the abuser is not aware of the location you go to.
- Find somewhere you can quickly and easily use a telephone – at work, a neighbour, a relative.

Only consider the final 3 options if it is safe to do so.

- Carry with you a list of telephone numbers of friends, relatives and emergency numbers.
- Try to save some money for bus or taxi fares if needed.
- Keep an extra set of keys for your home or car with someone you trust in case you need to leave immediately.



Fire Brigades Union

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