



Domestic Abuse Policy – ‘Sharon’s Policy’ – Guidance Notes for Employers and Line Managers

Dear Employer,

Thank you for taking this important step in helping to safeguard your employees from domestic abuse.

When I was living with an abuser my employer didn't realise the extent of what I was going through or understand how best to fully support me.

I've used my experience to help create this policy and I'm proud that it carries my name. I want other people to hear my story and to take action.

This policy will help you to spot the signs of domestic abuse and provide support to any of your employees who may be experiencing it.

By adopting this policy in your workplace you are helping to end the misconception that 'what happens at home isn't our business'. It *is* our business and we should all feel a responsibility to help those who feel afraid or unable to speak out.

Thank you for taking a stand against domestic abuse and for making a commitment to helping anyone in your workforce who may be suffering, to cope and recover from their ordeal.

Thank you for making a difference.

Sharon Livermore



Sharon's story

It was 2012 when I met the man who planned to take my life. I had two children, aged 9 and 7 and I was working full time as a recruitment consultant, a job I still love today. I was Sharon. A lover of life, a strong woman, never without a smile and always doing my best to help others. I was considered smart and successful. There is a common misconception that intelligent women or women in high powered jobs do not become victims of abuse.

At the time I thought I was living in a fairy tale; I'd finally found my knight in shining armour. A man who filled me with compliments, who understood my job, my life, and wanted to give me the world. The reality was, he was a man who had spotted my vulnerabilities and preyed on them like an animal.

My abuser thrived on confrontational behaviour and, with every disagreement between us, the level of his physical and emotional abuse deepened. Over time I lost myself completely. I was forced to dye my hair, wear the clothes he wanted me to wear, and my social life disappeared.

He verbally abused me in my place of work - calling me constantly and showing up uninvited at work events. My love for my children gave me the courage to finally seek help. I shared my story for the first time with my employer and a friend which resulted in his arrest. Despite the overwhelming list of abuse he had committed he was released from custody. It was during those few days after his release he carefully planned out my abduction and, as evidence suggests, my murder.

In November 2015, I left work with an old colleague. We had a running joke that hers was always the one car left in the carpark with a windscreen that needed clearing. On this particular evening, as fate would have it, her car was clear and she left the car park before me, leaving me wondering why my car was steamed up.

My senses were sharp that night. I smelt aftershave in the air and, for some reason, I felt compelled to reach under my drivers' seat where I found a picnic blanket that was usually in the boot of my car. My blood ran cold, and I instinctively got out my car and opened the boot to find my abuser lying in wait, armed with a knife. I fled the scene screaming, hoping to alert anyone still at the business park. I was literally running for my life. Fortunately one of my colleagues came to my assistance and my abuser fled the scene. He was found by the police and is now in prison, which is where our physical story ends. However the emotional trauma he left behind ran deep.

These guidance notes may be used free of charge. Selling without prior written consent is prohibited. In all cases these guidance notes must remain intact.



In the aftermath, I drew most comfort from finding myself again. Of course that took time - I had survived being treated in a way that many wouldn't even be able to imagine. But if you can live through that and survive it, you will find your strength again. Now my colleagues call me 'superwoman'.

My survival of abuse gave me the courage to set up my own company, Kameo Recruitment. I use the business as a platform to raise awareness of domestic abuse - the many forms it takes, and how to identify a victim in the workplace. I am now a proud ambassador for the Employer's Initiative on Domestic Abuse and for the Domestic Abuse Alliance.

Today, I can honestly say I love my life and I'm proud to say I've found myself again. The Sharon I told you about at the beginning of this story is back and she's not going anywhere. I want to live my life to the fullest, while I can, and you should too.

Sharon Livermore



Guidance Notes

It is important that all new and existing employees are aware that the company has a Domestic Abuse Policy in place and that the company will provide help and support should they ever need it.

Employers who adopt a Domestic Abuse Policy also make a commitment to keep up to date with changes to domestic abuse and workplace legislation, and to support Line Managers to undertake appropriate workplace training.

The Policy to which these Guidance Notes relates may be a particularly useful starting point for employers that are seeking to implement a Domestic Abuse Policy for the first time.

What is domestic abuse?

Domestic abuse is legally defined within the Domestic Abuse Act 2021.

In this, domestic abuse is referred to as abusive behaviour which one person exhibits towards another. It must take place between two individuals aged 16 years or over who are connected to each other. This could, for example, include individuals who are (or previously have been) married or in a civil partnership or an intimate personal relationship, or who have a child together. It could include individuals who are related to each other.

Children are also legally recognised as potential victims of domestic abuse if they witness or experience the effects of domestic abuse of one parent by another.

This behaviour can be a single incident, or a pattern of behaviour and is considered abusive if it consists of any of the following:

- physical or sexual abuse;
- violent or threatening behaviour;
- controlling or coercive behaviour;
- economic abuse; and
- psychological, emotional or other abuse.

By way of example, controlling behaviour can be 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.'

Economic abuse means any behaviour that has a substantial adverse effect on an individual's ability to acquire, use or maintain money or other property or obtain goods or services. In the workplace for example, this could amount to: controlling working hours or someone's ability to participate in work-

These guidance notes may be used free of charge. Selling without prior written consent is prohibited. In all cases these guidance notes must remain intact.



related activities; making the victim late for work or controlling their travel to or from work; and/or isolating the victim from colleagues.

Domestic abuse can also include 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.

Domestic abuse can affect anyone, regardless of their gender, sex, age, race, disability, sexual orientation or background.

These guidance notes may be used free of charge. Selling without prior written consent is prohibited. In all cases these guidance notes must remain intact.



Employers are encouraged to follow the “4 Rs”:

1. Recognise the problem
2. Respond appropriately
3. Record the details
4. Refer to appropriate help and support

Recognise the problem

It may be difficult to spot the signs of domestic abuse as it is often a ‘hidden’ crime. Some signs may include:

- Regular interruptions from a current or ex-partner/family member at work including phone calls, texts, emails and turning up at the workplace or at external events. Employees may feel they must respond immediately to these interruptions for fear of retribution
- Gifts sent to an employee by current or ex-partner for no apparent reason
- Employee is displaying defensive behaviour or is being overly secretive about their private life
- Regular or sudden absenteeism including medical problems, or arriving late/leaving work early without explanation
- Obsession with leaving work on time
- Spending an increased number of hours at work for no reason
- Employee appears isolated from family and social networks
- Sudden and sustained changes in behaviour, performance at work (e.g., becoming quiet, withdrawn, emotional, or angry)
- Depression
- Insomnia/fatigue
- Substance use/dependence, which may be used to cope with the abuse
- Changes in appearance which could include heavy clothing in the summer, long sleeves and/or heavy makeup, which may be used to cover injuries
- Injuries with inconsistent or no explanation
- Employee does not want to engage with colleagues including during lunch breaks and on social occasions
- Insufficient resources, which may indicate financial abuse
- Uncharacteristic change in religious or cultural behaviour at the request of a partner

It is important to note that many of the above indicators may not be related to domestic abuse and should be considered on a case-by-case basis.

These guidance notes may be used free of charge. Selling without prior written consent is prohibited. In all cases these guidance notes must remain intact.



Disclosure

Consider nominating at least two appointed people within the workplace as a confidential first point of contact for those experiencing domestic abuse. Bear in mind that those experiencing domestic abuse may prefer to disclose to someone of the same gender. Consider implementing a non-verbal signal that employees can use on a video conference call to sign that they may need help.

There are many reasons why an employee experiencing domestic abuse might find it hard to disclose.

These include:

- A fear of not being believed
- A fear of the perpetrator finding out about the disclosure
- A fear of making things worse or of being judged
- Feeling embarrassed, humiliated and ashamed
- A fear of the impact on their professional standing
- A belief that the abuse is in some way their fault
- Concerns about confidentiality

Respond appropriately

It is a good idea to identify a 'quiet area' within the building, which can be used to have confidential conversations, should someone wish to disclose private, sensitive information. This may not always be possible depending on the size of the premises so a private off-site location may need to be sought.

When speaking with an employee who is disclosing domestic abuse you should:

- Acknowledge the employee's courage and the difficulties they must be facing
- Have an open posture
- Use non-threatening questions to open conversations – examples could be: "How are you feeling?", "How are things in your life?"
- Be prepared for the employee to be upset and tearful
- Do not be judgmental. Avoid language that indicates blame or fault ("Why don't you leave?" / "How can you let this happen?" / "Why haven't you told anyone before?")
- Allow plenty of time and space for the employee to explain matters
- Be aware of the parameters of your role and make clear what you can and cannot provide
- Do not give advice to the employee – for example do not pressurise them into leaving without seeking appropriate specialist advice as this can increase risk
- Signpost employees to appropriate onward support. Some options are provided below.

These guidance notes may be used free of charge. Selling without prior written consent is prohibited. In all cases these guidance notes must remain intact.



Flexibility

This guidance recognises that it may not be possible or appropriate for employers to extend unlimited paid or unpaid leave to employees experiencing domestic abuse. However, it is recommended that employers look at each case individually and create a work plan that meets the needs of the employee and the business. This could include temporary adjustments to the employee's work patterns, hours or duties, as well as temporary flexible working arrangements outside of those offered as part of the employer's formal flexible working policy. For example, it might be that the employee can have a shorter lunch break to make up any required absences i.e. for counselling or legal appointments.

An employee may need to use sick leave in the event they have sustained injuries requiring time off, or they are struggling with their personal mental health.

It is important to remember that:

- Employees may want to attend work whilst dealing with the impact of their abuse. It is important that employers recognise this and work with their employees to create a suitable working pattern.
- Employees might need additional flexibility around their working pattern than is usually required, so that their perpetrator cannot track their movements if they have left the relationship. It is also important to check that the employee has a safe route to work/home.
- If an employee is working from home, their line manager may consider checking in with them remotely on a regular basis. However, employers should acknowledge that the employee may not be able to speak freely at home. Therefore, it may be appropriate to discuss a preferred method of communication with the employee, to ensure they can communicate in private.
- If an employee is asked to attend court to give evidence or to secure an injunction, consider allowing them to take this as compassionate leave. They may also need time to make alternative housing or childcare arrangements, and to attend appointments with solicitors or specialist support services.
- Children are often the ones who are impacted by domestic abuse and may need counselling to help them cope and recover. Children can also be direct victims of domestic abuse and may require additional support because of this. Some school and charities offer this support, but it is often provided during standard working hours. If parents/guardians are asked to attend, consider allowing them to mark this absence as compassionate/dependent's leave.
- Employers should be aware of the impact that domestic violence may have on work performance and attendance. In the event of absence management processes or redundancy selection matrices, any absence or performance concerns related to domestic abuse should not be used in the scoring process.

Record the details

These guidance notes may be used free of charge. Selling without prior written consent is prohibited. In all cases these guidance notes must remain intact.



It is essential to keep a written record of conversations with employees about domestic abuse, any incidents within the workplace and any workplace adjustments which have been made. These may be called upon as evidence in a civil or criminal court. These records need to be clear, accurate and should give dates, times and locations. Witnesses to such incidents should also be recorded. Under Data Protection law, the employee has the right to view all records pertaining to them, so ensure that all notes are clearly factual and do not contain opinions or additional information not disclosed in the meeting(s).

Employers should ensure that records comply with the requirements of the UK GDPR. Some details are likely to amount to special categories data, to which additional requirements apply.

These are some other points to consider:

- If the employee has a work number/mobile and is being harassed, consider changing their number if possible
- Ask the employee for an emergency contact should the organisation be unable to contact them
- Allow the employee to move to a different office/location to work, especially if they are in visible positions i.e. Reception
- Ensure the employee does not work alone or in isolated areas
- Agree a safe and confidential method of communication with the employee (e.g. email or face to face communication, which may be safer than phone calls or letters to the home). Where phone calls are necessary, it may be helpful to identify a phrase whereby the employee can indicate if they are not safe to talk
- Review the employee's next of kin information – the perpetrator may still be listed
- Set up security cameras in public entrances and in the area where the employee works
- With consent from the employee, alert reception and security staff and create a plan of action should the perpetrator be seen on the premises. Provide them with a copy of any existing non-molestation/restraining orders, a photo of the perpetrator, and details of the perpetrator's vehicle
- If an employee discloses abuse, they could be experiencing financial abuse, where their salary is paid into the perpetrator's bank account or a joint bank account. Having access to funds can be crucial when escaping from domestic abuse. If the employee consents, involving an appointed member of the payroll team may allow for more flexibility in assisting the employee, for example by allowing for:
 - a salary advance to deal with emergency liquidity issues;
 - changing bank account details for salary or emergency funds payments; and/or
 - a loan or one-off payment to assist the employee to become financially and physically independent from the perpetrator.

Refer to appropriate help and support

These guidance notes may be used free of charge. Selling without prior written consent is prohibited. In all cases these guidance notes must remain intact.



If you believe an employee is in immediate danger call the police on 999.

Here are some links to websites and organisations who can provide useful information and support:

- National Domestic Abuse Helpline. Tel: 0808 2000 247. www.nationaldahelpline.org.uk (run by Refuge)
- The Men's Advice Line, for male domestic abuse survivors. Tel: 0808 801 0327 (run by Respect)
- The Mix, free information and support for under 25s in the UK. Tel: 0808 808 4994
- National LGBT+ Domestic Abuse Helpline. Tel: 0800 999 5428 (run by Galop)
- Samaritans (24/7 service). Tel: 116 123
- DeafHope, providing support for deaf survivors of domestic abuse. www.signhealth.org.uk
- Respond, a charity supporting people with learning disabilities, their relatives and professionals affected by trauma and abuse. Visit: www.respond.org.uk
- Southall Black Sisters, providing advice and information on domestic abuse, racial harassment, welfare and immigration, primarily for Asian, African and African-Caribbean women. www.southallblacksisters.org.uk
- Jewish Women's Aid, supporting Jewish women and children affected by domestic and sexual abuse and violence. www.jwa.org.uk
- Muslim Women's Network, supporting Muslim women and girls suffering from or at risk of abuse. Helpline: 0800 999 5786 / 0303 999 5786. www.mwnhelpline.co.uk
- Asian Women's Resource Centre, which provides a domestic abuse and advocacy service to women in need in the following languages: Bengali, Gujarati, Hindi, Hinko, Konkani, Marathi, Pashto, Patwari, Punjabi, Urdu, Farsi, Spanish, Portuguese, Italian, Kurdish, Turkish and Azerbaijani. Tel: 0208 961 6549
- IKROW, providing specialist advice and help to Middle Eastern and Afghan women and girls at risk of 'honour' based violence, forced marriage, child marriage, female genital mutilation and domestic abuse. Tel: 0207 920 6460.
- Employers Initiative on Domestic Abuse, a growing network of employers that come from a wide variety of sectors, working collectively to take action on domestic abuse. Visit: www.eida.org.uk
- Domestic Abuse Alliance, for free legal advice and protection. Tel: 0800 1010 7110 Visit: www.domestic-abuse.co.uk
- Bright Sky, a mobile app and website for anyone experiencing domestic abuse, or who is worried about someone else. Visit: www.bright-sky.org.uk

This is not an exhaustive list and there may be local charities and support groups in your area that offer help and advice to those experiencing domestic abuse.

The workplace may often be an employee's only safe space. Employers should consider allowing external support services to come in and discuss options with the employee in a confidential setting.

Perpetrator support

These guidance notes may be used free of charge. Selling without prior written consent is prohibited. In all cases these guidance notes must remain intact.



Although your organisation does not condone domestic abuse, in some cases it may be appropriate to offer support to employees who disclose that they themselves are perpetrators of domestic abuse, whilst ensuring the safety of other employees. However, you will also want to make it clear to employees that domestic abuse could give rise to disciplinary action under the organisation's disciplinary policy, up to and including dismissal for Gross Misconduct.

In appropriate cases, perpetrators should be signposted to specialist support to help understand and change their behaviour. As with all employee sensitive information, this should be kept confidential within the company and records should comply with the requirements of the UK GDPR.

In the event that you believe that the perpetrator may be placing their partner or family member(s) in genuine danger then you may report it to the police.

If a perpetrator is harassing another member of staff you should follow your organisation's bullying and harassment policy. You may also wish to refer to your organisation's conduct and disciplinary policies.

ENDS

Hogan Lovells International LLP has reviewed and provided comments on this Domestic Abuse Policy in May 2022. It is for information only. It is not intended to create, and receipt of it does not constitute, a lawyer-client relationship with Hogan Lovells International LLP.

These guidance notes may be used free of charge. Selling without prior written consent is prohibited. In all cases these guidance notes must remain intact.