



Domestic Abuse Policy – ‘Sharon’s Policy’

1. Introduction

This policy covers the internal and external support available to employees experiencing, or involved in, domestic abuse. Everyone has the right to live free from abuse in any form and the responsibility for abuse lies with the perpetrator. There is an increased awareness of the prevalence of domestic abuse in society and the Company understands that there may be colleagues who are experiencing domestic abuse, or who want to support friends, colleagues or family members who are going through it.

2. How to use this policy

This is a template policy which you are welcome to adapt and use within your organisation free of charge. You may wish to have a stand-alone domestic abuse policy, or to incorporate it into an existing policy, for example, on health and wellbeing. We encourage you to review your other policies to ensure that they consider domestic abuse, including those on sickness and absence, performance, and paid and/or unpaid leave, as well as your disciplinary procedures. As per the square bracketed wording within "About this policy" below, we encourage employers to apply the policy to the entire workforce. Please remove the square brackets if you are comfortable with this approach. Alternatively, if you would prefer the policy to apply to employees only, please delete the square bracketed wording.

3. About this policy

This policy applies to all employees, whether temporary or permanent [as well as consultants, workers, volunteers, and interns].

The aims of this policy are to:

- Raise awareness of the scope and prevalence of domestic abuse.
- Support all employees experiencing domestic abuse and promote their health, safety, and well-being at work.
- Recognise that an employee’s ability to work may be impacted directly by the perpetrator of domestic abuse, and also indirectly owing to the physical and mental impacts of domestic abuse.
- Enable employees experiencing domestic abuse to remain productive, efficient and at work.
- Aid Line Managers seeking to help staff who are experiencing domestic abuse.
- Assist colleagues of staff who are experiencing domestic abuse.
- Reinforce the Company's zero tolerance attitude towards domestic abuse.
- Where appropriate, signpost victims-survivors to specialist services and/or perpetrators who voluntarily wish to seek advice and support to address their behaviour.



4. What is domestic abuse?

Domestic abuse is legally defined as abusive behaviour by one person to another, where they are both 16 or over and they are personally connected. The abusive behaviour can be a single incident or a course of conduct. Behaviour 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.

5. Company support

It is the Company's intention to deal constructively, compassionately, and sympathetically with cases of domestic abuse. The Company will support all those who endure and/or witness domestic abuse, regardless of any protected characteristics. If you are concerned about your own personal situation or that of a colleague, you are encouraged to seek support.

You can speak in confidence to your Line Manager, your HR contact, or First Responders¹ who can provide initial support, signpost you to resources and help you with any disclosure conversations you would like to have with colleagues and, if you have not done so already, with your HR contact. Your HR contact will work with you to formulate a response including:

- (a) Discussing and agreeing ways to help you stay safe in the workplace.
- (b) Signposting you to the appropriate domestic abuse resources; and
- (c) Facilitating referrals.

Please refer to the paragraph below relating to confidentiality.

Line Managers have a role to play in enabling employees experiencing domestic abuse to seek help and support. The role of the Line Manager is to:

- Identify employees who may be experiencing difficulties because of domestic abuse, for example, employees coming to work with unexplained injuries, who appear distressed, have unexplained periods of time off work, or show an uncharacteristic deterioration in work performance.
- Provide initial help and support, including advice on the options available for the employee and referrals to appropriate sources of professional help, whilst supporting the employee to make their own decisions.
- Protect confidentiality as far as possible (see the paragraph on confidentiality below).
- Refer the individual to the appropriate sources of help, both internal and external.

¹ Note to Company – please define who the appointed First Responders are within your organisation. For example, this could be a nominated First Aider or Mental Health/Domestic Abuse Champion.



- Discuss measures to prioritise safety at work and ensure that the health and safety of all employees is protected.
- Enable the employee to remain productive, efficient and at work.
- Recognise that people who have experienced a traumatic event can experience long-term impacts.

6. Confidentiality

Where an employee has discussions with their Line Manager, an alternative Line Manager, an HR contact, or First Responder that they are experiencing domestic abuse, confidentiality will be maintained as far as possible in line with Company procedures. There are, however, some circumstances in which confidentiality cannot be assured. These circumstances occur when there are concerns about children or vulnerable adults, where high risk to safety has been identified, or where we need to act to protect the safety of members of the public, including other colleagues.

Where an individual or family members are in genuine danger this may be reported to the police. This will be subject to prior discussion with the employee wherever it is reasonably practicable to do so.

Personal data will be stored in accordance with the Company's data protection policy.²

7. Safety at work

We acknowledge our duty to protect the health, safety, and well-being of all employees at work, including those employees affected by domestic abuse. This includes situations where the perpetrator of the abuse is harassing the employee at work, for example, turning up at the workplace unannounced, constantly telephoning/e-mailing/texting the employee during the working day or harassing the employee's work colleagues.

Employees need to disclose to the Company that they are at risk from domestic abuse in order to receive this protection and the Company therefore actively encourages employees to disclose when they are experiencing domestic abuse. Other employees should also disclose to the Company if they are being harassed by a work colleague's current or former partner or family member.

We will not discharge or in any manner discriminate or retaliate against a colleague because of the colleague's status as a survivor of domestic abuse if the survivor has disclosed to the Company that they are at risk from domestic abuse, or the Company has actual knowledge that they are at risk. The Company will not retaliate against a survivor of domestic abuse for requesting leave, regardless of whether the request was granted.

² Note to Company – please include hyperlink to current data protection policy. Note that disclosures about domestic abuse should not be kept in an employee's personal record (e.g., within an HR system) unless linked to their employment (for example, if it forms part of a disciplinary disclosure, or if a perpetrator of domestic abuse is on bail / suspended from work because of domestic abuse.)



8. Perpetrators of domestic abuse

The Company will not tolerate or condone domestic abuse, regardless of the identity or seniority of the perpetrator. If the Company becomes aware that an employee is or may be perpetrating domestic abuse, it will take appropriate action, which could include disciplinary action under the organisation's disciplinary policy.

Any domestic abuse that endangers another employee or uses Company equipment to inflict that abuse, such as mobile phones or laptops, may result in disciplinary action under the Company's disciplinary policy up to and including dismissal for Gross Misconduct. Disciplinary action may be appropriate in some circumstances even where the perpetrator's behaviour takes place outside work.

The Company recognises that in some cases it may be appropriate to signpost to specialist services employees who disclose that they themselves are perpetrators of domestic abuse and who genuinely want to change their behaviour. This will be decided on a case-by-case basis.

9. Reasonable adjustments

Where an employee needs time off work to access support, manage any legal issues or family requirements, the Company will provide a reasonable amount of [paid]³ time off⁴ per year. Employees who need time off work should discuss this with their Line Manager and HR contact to agree how much leave is required, how and when it will be taken and whether leave will be paid or unpaid. Other examples of flexible working arrangements are outlined in the guidance notes that accompany this policy.

10. Guidance Notes

Please refer to the attached guidance notes for practical details on how to manage domestic abuse in the workplace.

ENDS

Hogan Lovells International LLP has reviewed and provided comments on this Domestic Abuse Policy in April 2024. 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.

³ This is for the Company to decide. There is no statutory obligation to provide paid leave in circumstances of domestic abuse, but it is best practice for the Company to do so.

⁴ Many businesses provide up to 10 days paid leave, and sometime more, per year for employees experiencing domestic abuse.