

EIDA Conference 2024 session summary

Safeguarding victim-survivors when dealing with a perpetrator employee

This is a summary of our 2024 Conference panel session on safeguarding victim-survivors when dealing with an employee who is accused of domestic abuse. The session was chaired by Emma Jacobs, journalist at the Financial Times. The speakers were: Bertie Tonks, Chief People Officer, Collinson; Caroline Dunne, Chief People Officer, Rothesay; Dani Saadu, Head of People & Culture, Wavemaker UK; Jo Broadbent, Employment Law Counsel, Hogan Lovells; and Jo Todd CBE, CEO, Respect. You can watch the session [here](#).

The panel session focussed on the following case study: An employee approaches her manager, as she is concerned by the behaviour of her partner, who works in another department in the business. Her partner is controlling her money, isolating her from friends, and has threatened to hurt her physically. She is planning to leave him but is worried about how he will behave at work.

What advice do you have for employers facing this situation?

Dealing with this type of situation is extremely challenging for any organisation. It is important to put the safety of the victim-survivor first and to be led by them to the support that they need, including potentially supporting them to go to the police. In practical terms, it will usually be important to ensure that the two people do not have to work in the same place or on the same projects while matters are being investigated. It is also important to stress the need for confidentiality to avoid colleagues becoming unnecessarily involved in the situation and taking sides. In terms of dealing with the alleged perpetrator, it will depend on what happens and how he responds when she leaves him. Great care needs to be taken in investigating the claims. It may be possible to signpost the alleged perpetrator to behaviour change programmes (although people will often not recognise themselves as a "perpetrator" of domestic abuse and the provision of these programmes is patchy across the country). After dealing with a situation like this, it is always useful to reflect on what has happened and to amend policies and procedures to take account of any learnings.

🚦 **Key EIDA Resource:** [Guidance](#) on developing a response to perpetrators of domestic abuse.

How can employers create a workplace culture where people feel safe to disclose their experiences of domestic abuse?

Employers can provide education about domestic abuse to provide a general level of awareness that enables employees to spot the signs of abuse and help those affected. Talking openly about domestic abuse, putting in place a policy setting out the support

available, and taking positive action on wellbeing, diversity, and inclusion can all help create an atmosphere of trust across the organisation where employees feel able to talk about their experiences and seek support. Signposting to the internal support available as well as to external specialist support during awareness raising and training is important.

✚ **Key EIDA Resource:** [How to handle domestic abuse disclosures](#) - Insights from law firm and EIDA Beacon, Hogan Lovells.

What should an employer do if the situation escalates and becomes unsafe?

As an employer, you have a duty of care to all your employees, with safety being a priority. Larger organisations may have an internal security team that can work with the victim-survivor and support them to keep safe. Employers should try to avoid exacerbating the situation and causing further harm. Although there is no general positive duty on employers to report concerns of domestic abuse to the police, if an employer has serious concerns that an employee or another person is at risk of immediate harm, they should contact the police and/or another relevant agency, such as social services.

What are employers' legal duties in dealing with alleged perpetrators of domestic abuse?

Employers should put themselves in the best position by making sure their domestic abuse policy and disciplinary policy state that action may be taken, including when the abusive behaviours occur outside the workplace. Let your duty of care to the victim-survivor guide your response when deciding whether and what formal action is necessary. Regulated sectors also need to consider their regulatory duties which may include a requirement to report to the regulator.

The tension employers often face in these circumstances is their duty of care towards the victim-survivor and the risk of a claim from the alleged perpetrator, particularly if disciplinary action leads to dismissal. This risk can be mitigated by ensuring there is a fair and reasonable investigation taking all evidence into account before any formal disciplinary action. The more serious the charges, the more rigorous the investigation needs to be. The investigator must also be educated about domestic abuse, both to safeguard the victim-survivor, and to mitigate the risk of potentially manipulative behaviour by a perpetrator during the investigation. Suspension of the alleged perpetrator employee should not be a default reaction and there should be reasonable grounds for any suspension, for example because it is necessary for the safety of the victim-survivor. Employers do not need to wait for police involvement or a criminal conviction before they take action.

✚ **Key EIDA Resource:** Network [event summary](#) on addressing perpetrators.

Who are the perpetrators of domestic abuse? What are Respect's recommendations for employers in addressing them?

Perpetrators are a diverse group that encompass all demographics. Many perpetrators are charming and likeable, and it can be very difficult to accept that people close to us may be causing harm. Workplace culture is also critical to preventing abuse – if all employees are trained to recognise domestic abuse, perpetrators will struggle to deny that their harmful behaviours constitute abuse.

Safety of employees is a business interest should be the leading principle of any organisation. In the UK, employers are still in the early days of developing a robust perpetrator response, and more businesses are needed to work with EIDA and Respect on creating these. Respect also operates the national perpetrator helpline which is staffed by experts in perpetrator behaviour, which employers can call to seek advice when dealing with these challenging situations.

Access the [Respect phonenumber here](#).

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