

**I need to
know about...**

employee domestic violence

**human
resources**

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internet & email usage

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I need to know about...

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The CPS recognises that domestic violence is a challenging issue for society. Violence in relationships is unacceptable and it is against the law.

The CPS is committed to assisting and supporting CPS staff facing domestic violence, and challenging perpetrators to seek help, and where necessary considering disciplinary actions.

We want to ensure that those members of staff who experience domestic violence can raise the issue knowing that it will be dealt with sensitively, seriously and in confidence.

Confidentiality is crucial, as safety is a real concern and often lives can be endangered.



We recognise that domestic violence can affect all aspects of an individual's wellbeing — home life, health and work performance.

This policy therefore advises managers on supporting staff and details how they should explore with individuals the reasons, whether domestic or work-based, for changes in attendance, performance or

conduct and take them into account.

This policy forms part of the ongoing commitment to promoting dignity at work and our responsibility for the health, safety and welfare at work of all our employees. The CPS is a member of the Corporate Alliance against Domestic Violence (CAADV).¹

The CAADV is a group of progressive companies and organisations working individually and collectively to address the impact of domestic violence in the workplace. It aims to raise awareness and reduce the human and economic impact of domestic

violence through taking action in the workplace.

The booklet draws together existing policy as detailed in the Personnel Management Manual (PMM). Relevant chapters are listed on page 42 of this guide.



Ken Macdonald QC
Director of Public Prosecutions

¹For more information please visit CAADV website www.corporateallianceuk.com or look up Contacts section of this guide.

Domestic violence is a general term in common use to describe a range of behaviours often used by one person to control and dominate another with whom they have, or have had, a close, intimate or family relationship.

The British Crime Survey 2004-05 figures showed that there were over 400,000* violent incidents of domestic violence every year. Twenty-five per cent of women in the UK will experience domestic violence at some time, and that one in six men also report that they have experienced domestic violence.²

- 89% of victims suffering four or more attacks since the age of 16 are women³;
- Fifteen per cent of violent incidents were domestic violence⁴;
- On average two women a week were killed by a male partner or former partner in 2004-05⁵;
- 45% of all female homicide victims were killed by their current or ex-partner compared with 6% of male homicide victims⁶;
- Among women, risks of domestic violence do not differ significantly by ethnic origin⁷;
- Domestic violence is a primary indicator of child protection needs; nearly 75% of children on the child protection register live in the households where domestic violence occurs;
- People in lesbian, gay, bisexual and transgender communities experience domestic violence in a similar proportion to the rest of the population⁸.

* This needs to be addressed against the background of the BCS inter-personal violence module self-completion questionnaire (2001). The questionnaire indicated that in the previous 12 months there were 15.4 million non-sexual incidents of domestic violence (12.9 million faced by women).

²Walby, S. and Allen J. (2004) Domestic Violence, sexual assault and stalking: Findings from the British Crime Survey, Home Office Research Study No 276. London: Home Office.

³Ibid

⁴Walker, A., Kershaw, C. and Nicholas, S. (2006) Crime in England and Wales 2005/06. Home Office Statistical Bulletin. London: Home Office.

⁵Coleman, K., Hind, C., and Povey, D. (2006) Violent Crime Overview, Homicide and Gun Crime 2004/05 (Supplementary Volume to Crime in England and Wales 2004/05). Home Office Statistical Bulletin 02/06.

⁶ Ibid

⁷ Walby, S. and Allen J. (2004) Domestic Violence, sexual assault and stalking: Findings from the British Crime Survey, Home Office Research Study No 276. London: Home Office.

⁸Henderson, L. (2003) Prevalence of Domestic Violence among Lesbians and Gay Men. Sigma Research. London: Sigma Research.

The research estimates that the total cost of domestic violence for the state, employers and victims is estimated at around £23 billion. The entire cost to services (Criminal Justice, health, social, housing, civil legal) amounts to £3.1 billion, while the loss to the UK economy is £2.7 billion.

Within the legal system the cost amounts to nearly one-quarter of the criminal justice budget for violent crime; whereas the annual cost to the social services is nearly £2.5 billion. This is largely for children, especially those caught up in the re-occurrence of domestic violence and child abuse.



The CPS strives to create a working environment where violence against people is unacceptable.

This guide is intended for use by all staff of the Crown Prosecution Service, who may encounter or be the victims or perpetrators of domestic violence.

This guide, which outlines the policy and procedures aims to:

- Ensure the safety of all our staff whilst at work; including meeting our obligations as employers (under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1992) for duty of care and to assess the risk of violence to employees;
- Assist and positively support members of CPS staff requesting help in addressing problems they may be experiencing as a result of domestic violence;
- Provide useful guidance and support to managers and colleagues when supporting members of staff who disclose that they are experiencing domestic violence. The guide stresses the need for confidentiality at all times and sensitive handling of the disclosure and support needs for all those involved, across Areas, Business Centres and HQ Directorates;
- Increase the awareness of staff about how to support a colleague experiencing domestic violence who chooses to confide in them;
- Provide useful guidance and support to managers and staff when dealing with an employee who is a perpetrator of domestic violence, whether convicted or not.

the CPS policy on employee domestic violence

a) Providing information/raising awareness

The CPS intends to publish, maintain, and post in locations of high visibility, a list of resources for survivors and perpetrators of domestic violence.

b) Providing support to victims/survivors

The CPS intends to make support available to employees involved in domestic violence. The CPS will provide support through line managers, HR Advisors, our Employee Assistance Provider (currently "Care First") and our Occupational Health Advisors (currently Atos Origin).

c) Providing training

The CPS will develop a programme of training for all Business Partners/HR Advisors to raise awareness of domestic

violence and understanding of this policy and guidance. This will enable them to provide robust support to line managers.

d) Providing advice to perpetrators

It is recognised that some perpetrators of domestic violence may wish to seek help voluntarily. The CPS will provide access to such services. However, consideration of disciplinary actions may also be needed (see page 27).

Note: For more information on what help is available for alleged perpetrators please refer to the Section on "Perpetrators", page 35 of this guide.



The government-wide definition of domestic violence, adopted by CPS in relation to criminal offences, is:

“any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality.”

An *adult* is defined as any person aged 18 years or over. (N.B. The CPS domestic violence prosecution policy also addresses cases involving individuals under 18 years of age.)

Family members are defined as mother, father, son, daughter, brother, sister and grandparents whether directly related, in-laws or step-family.

Domestic violence can be actual violence or the threat of violence, or sexual, psychological or emotional abuse. Its effects range from bruising to permanent injury, and can even result in death. It can be emotional, mental and verbal abuse, threats, belittlement, isolation or control of money or activities. Less visible effects include: diminishing self-esteem, fear, guilt, insomnia, depression, agoraphobia and difficulty in trusting people.

Domestic violence occurs irrespective of actual or perceived ethnicity, class, sexuality, age, religion, gender and mental or physical ability. There is no “typical” survivor or perpetrator of domestic violence; however research has shown that in the great majority of cases it is women who experience domestic violence from male partners, ex-partners or family members.

Domestic violence can also affect men and women in same sex relationships and men in heterosexual relationships. Domestic violence does not only relate to married or cohabiting partners: it can be experienced by partners who have never lived together or cohabited with their abuser. It often continues after any relationship has ended. In addition to violence from a partner or ex-partner, women and men can experience domestic violence directly or indirectly, through collusion by other family members and carers.

Domestic violence can be manifested as forced marriage, female genital mutilation, dowry abuse, or other so-called "honour crimes".

Forced marriage should not be confused with arranged marriage — in an "arranged

marriage" both parties freely give their consent, in a "forced marriage" one or both parties does not do so. Offences committed by family members, which abusers claim are an attempt to "restore honour" to a family group, are sometimes referred to as "honour crimes".

Whilst recognising that within the criminal justice system the term "victim" is used widely, people who experience or have survived domestic violence often refer to themselves as "survivors" and do not wish to be labelled as a "victim".

Care should therefore be taken to avoid the use of terminology such as "victim", which could potentially cause offence. If appropriate, when speaking with somebody who is experiencing domestic violence, it is recommended that you ask about preferred terms to avoid causing distress or offence.

There are some common signs which might indicate that a member of staff could be experiencing or has experienced domestic violence. The list below is not exhaustive, but is

indicative. However, it is essential that assumptions about a person's behaviour are not made from the existence or absence of any of those signs.

- Visible bruising/single or repeated injury with unlikely explanations;
- A change in the pattern or amount of make-up used;
- A change in the way a person dresses, for example clothes that do not suit the climate which may be to hide injuries;
- A change in a person's attitude, for example becoming insular/anxious/frightened/tearful/aggressive;
- Frequent self-certified sickness absences and/or frequent unexplained hospital visits;
- A change in a person's working patterns, for example frequent lateness or needing to leave early;
- A change in the use of the telephone, for example a large number of personal calls and strong reaction to these calls;
- Reduced quality and quantity of work;
- Conduct out of character with previous employment history.

It is important to remember that domestic violence has no barriers and anyone can be affected by this abusive behaviour. There is no standard experience of domestic violence and no typical person at risk.

Black and minority ethnic women or men, lesbian, gay, bisexual, transgender or disabled people may find it even more difficult to seek help for an abusive relationship due to actual or perceived institutional discrimination or prejudice (both historical and current).

People from some religious groups may also find it difficult to access services because of stereotypical views about the acceptability of domestic violence within certain religious groups.

Because of the serious psychological effects of domestic violence it is extremely difficult for someone who has experienced domestic violence to take the step to talk about it and seek help or advice. Therefore it is important that you believe their experience.

You should not seek proof of physical violence, as the violence experienced may be psychological and/or emotional abuse, which is as damaging as physical or sexual violence. To seek or require proof could compound the effects and make it less likely in the future for the victim/survivor to seek help.

Domestic violence is characterised by the perpetrator exerting power and control over the victim, often over an extended period of time.

Because of this, it is particularly important for people experiencing domestic violence to be able to make decisions for themselves.

It is therefore crucial that no action is taken without their full involvement and permission. Not to allow an individual to make their own decisions could replicate and compound the effects of the domestic violence they are experiencing.



Providing support for employees

The CPS offers support to employees involved in domestic violence.

The CPS recognises that a CPS employee may wish to speak to another member of staff/colleague regarding their situation, and this will be respected. Wherever possible, the employee will be offered the option of speaking to a person of their choice of a similar background, gender, ethnicity, sexuality or disability.

The CPS will provide support through line managers, HR Advisors, Employee Assistance Programme (Care First) and Occupational Health Advisors (Atos Origin).

◆ **“Care First”** the CPS’ Counselling and Information Advisory Service offers

independent external counsellors who are specially trained to offer counselling on a confidential basis to all members of staff.

◆ **Human Resource Advisors** are located in the National HR Advice Business Centre — Cardiff and around the country and are able to offer day-to-day support and advice to managers and staff concerning all issues of human resource management.

◆ **The Trade Unions (FDA and PCS)** have a number of equal opportunities representatives who may be able to offer support. Staff Networks’ representatives may also offer guidance. These include: ENABLE (for disabled staff); NBCPA (for Black and Ethnic Minority staff) and LGBT (the network for Lesbian, Gay, Bisexual and Transgender staff).

◆ **The Equality & Diversity Unit** at HQ is also able to offer general advice on this issue.

Practical assistance may include:

- confidential means for coming forward for help;
- resource and referral information;
- specific considerations at the workplace for employee safety;
- work schedule adjustments or leave necessary to obtain medical, counselling or legal assistance; and
- workplace relocation (if practicable) and ways to support staff if conduct and performance are affected.

In responding to domestic violence, the CPS will maintain appropriate confidentiality and

respect for the rights of the employee involved.

Local managers will actively provide support to employees to try and minimise the risk to their safety while at work, if it becomes known to us that they are experiencing domestic violence.

Further guidance is provided in the section entitled “Roles and Responsibilities of Management” of this guide at pages 17-27.

Safety at work

The CPS undertakes to ensure the safety of its employees. The CPS will actively provide support to employees to try and minimise the risk to their safety while at work, should they make it known to us that they are experiencing domestic violence — see pages 19-24.

Dignity at work

When addressing performance and safety issues, the CPS will make all reasonable efforts to consider all aspects of the employee's situation and/or safety problems when making decisions about an employee's capability. (Managers should refer to CPS Capability Policy for full guidance.)

The CPS is aware that employee work performance may be affected (e.g. increased absenteeism or lower productivity) as a result of domestic violence.

The CPS will treat fairly anyone who has been subjected to domestic violence, in terms of her or his existing employment or career development. Guidance for Managers has been provided on pages 24-27.

Absence options for employees experiencing domestic violence

The CPS will make every effort to assist an employee experiencing domestic violence.

If an employee needs to be absent from work due to the effects of domestic violence, the length of the absence will be determined by the individual's situation through collaboration and discussion with the employee and his/her line manager, Human Resources Advisor and union representative/staff network following advice from the representative (as appropriate). For example, if appropriate these situations will be handled in the same manner as disability absence — (Disability Special Leave).

(For more information on the range of advice and assistance available to CPS employees please refer to the Managers Section of this guide and the section entitled: *"If you are experiencing domestic violence — Your questions answered"*.)



I need to know about...

roles and responsibilities of managers

Taking domestic violence seriously

Tackling domestic violence is a service-wide commitment and a responsibility we all must share.

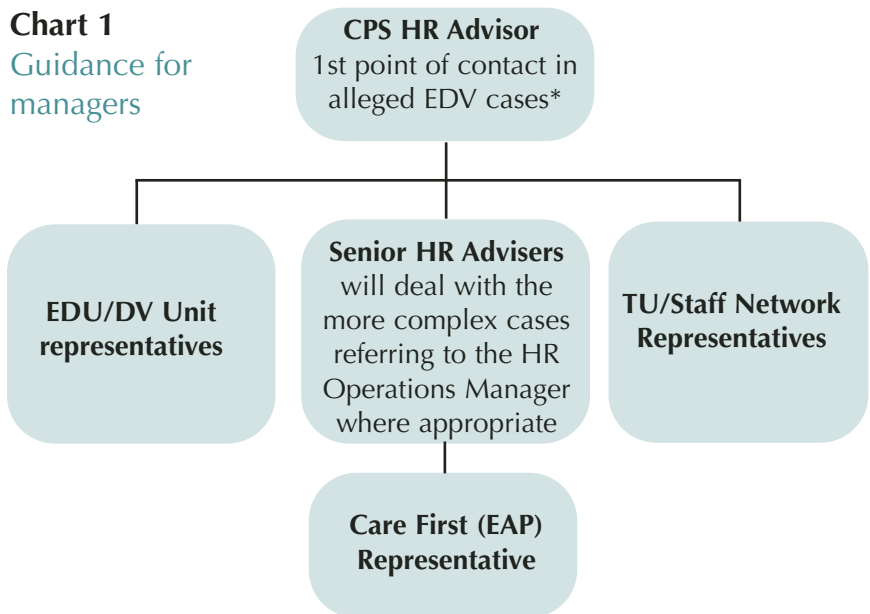
Managers should ensure that all staff are made aware of the issues surrounding domestic violence and the CPS Employee

Domestic Violence Policy as outlined in this guide.

Providing support for employees facing domestic violence

An employee who makes a report of involvement in domestic violence will be offered appropriate support. (See Chart 1 below for suitable list of contacts.)

Chart 1
Guidance for managers



*National HR Advisory Team in Cardiff is expected to liaise with other Advisory and HR team members in order to deal with cases effectively

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When/if a member of staff or colleague tells you they are experiencing domestic violence, some consideration will need to be given to the fact that people may want to speak to someone of a similar background. If this is the case, this should be respected.

Wherever possible they should

be offered the option of speaking to a person of their choice of a similar background, gender, ethnicity, sexuality or disability. The role of line managers, HR Advisors, our EAP (Employee Assistance programme, which is currently "Care First") and Occupational Health Advisors (Atos Origin) is to:

- Be available and approachable for those employees experiencing domestic violence;
- To listen, reassure and support individuals;
- To keep information confidential (subject to the requirements of child and adult protection);
- To respond in a sensitive and non-judgemental manner;
- To discuss the specific steps that can be taken to help the employee stay safe in the workplace;
- To ensure the employee is aware of the options available to them; and
- To encourage the employee to seek the advice of other relevant agencies by calling 0808 200 0247, the Freephone National Domestic Violence Helpline, run in partnership between Women's Aid and Refuge.

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Promoting a duty of care — practical steps

A form of risk assessment may be required with regard to protecting knowledge of move (home/workplace) to ensure the perpetrator is not able to trace the individual.

Below are some of the things you may need to consider in this situation:

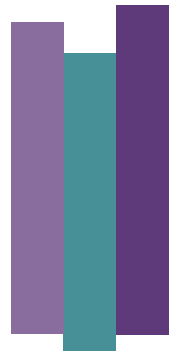
Ensuring safety

Employers have a responsibility under the Health and Safety at Work Act 1974 for the health and safety of people at work. Managers should take all reasonable steps to ensure the safety of all staff. Enhanced arrangements may be required

for an individual who is experiencing domestic violence so that they are able to work in a safe environment where the violent person is not able to contact them.

There are a number of ways in which a manager can discuss acceptable adjustments with an individual, which may assist them to feel safe at work. The individual will know their abuser better than anyone else and the individual should be allowed to decide what goes into the final plan.

Managers should draw up a safety plan with an employee, engaging assistance of a member of Area HR Advisory team in extreme cases.



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Consideration should be given to the following practical guidance:

● **Contact arrangements:**

- Identifying a work contact for support, and an emergency contact should the department be unable to contact the employee;
- With consent, advising colleagues of the situation, on a need to know basis, and agreeing what the response should be if the abuser or other named parties (e.g. abuser, family or friends) contacts the office.

● **Working arrangements:**

- Allowing the individual to change work patterns or workload;
- Allowing flexible working or special leave to facilitate any practical arrangements

that are required, such as for seeking legal advice, attending counselling, and to attend court — as reasonable and practicable.

● **Communication safety:**

- Diverting phone calls;
- Diverting emails to a separate folder;
- Reminding staff never to divulge information about other members of staff, especially personal details such as contact details an addresses, patterns of work etc. (even if the request comes from a partner or family member).

● **Identity issues:**

This is often needed when an individual experiencing domestic violence is attempting to leave the

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violent relationship. In these instances, advice should be sought from the National Human Resources Advice Business Centre — Cardiff at the earliest opportunity.

Where necessary additional support and advice will be sought from relevant agencies such as domestic violence organisations, Witness Protection and the Police.

- For example: not using the name in the personal records e.g. Personal File, Payroll records etc or in contact details on the CPS Infonet;
- CPS staff should be advised to do a “Google” search to determine their level of exposure on the open Internet (e.g. through “People finders” such as Friends Reunited/192.com etc). For more information, please see Security Circular No 2 by

the Departmental Security Officer, which can be found on the CPS Infonet. CPS Departmental Security Officers can provide further details;

- Not using photographs or descriptions that could identify an individual to their perpetrator in publications such as *CPS News*;
- Allowing staff to use an assumed name.

● **Security arrangements:**

- Alerting main entrance/reception staff (whilst stressing confidentiality) if the abuser is known to come to the workplace;
- Improving security measures with regard to access to buildings by informing the security entrance/reception staff of the circumstances and reminding them of their responsibilities;

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- With consent, providing reception colleagues or security guards with a photograph/description and relevant details of the perpetrator, such as car registration, to help maintain security;
- Ensuring that reception/security staff know when it is dangerous to identify that staff work for CPS and in specific venues;
- Providing a copy of any existing protection orders to the manager and security/reception staff at the reception area;
- In some cases where the individual's personal safety is seriously at risk it may be necessary for permanent measures to be put in place. ABMs (Area Business Managers) and/or line managers should raise any concerns with the DSO (Departmental Security Officer) prior to the consideration of any "permanent measures" being put in place including safe escape routes;
- Frontline reception staff should call the Police in the event that any threatening/violent/aggressive individuals cause a nuisance;
- Managers may need to liaise with reception/security staff in shared or other premises as not all CPS staff work on CPS premises. For example, the police and court services should be contacted to discuss how they can implement safety measures as outlined above.



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● **Travel:**

- Checking that staff have arrangements for safely getting to and from home;
- The DSO (Departmental Security Officer) and/or health and safety reps may be able to provide a leaflet and further information/advice on personal safety. (Please refer to “Personal Safety leaflet”, which can be found on the CPS Infonet.)

● **Personnel information:**

- Reviewing security of personnel information held, such as temporary or new addresses, bank or healthcare details;
- Ensuring communication is maintained with the employee during any absence, whilst maintaining

the confidentiality of their whereabouts;

- Recording any incidents which do occur in accordance with existing procedures, i.e. report of security breach, completion of accident book etc.

● **Transfers:**

- If appropriate, facilitating a transfer to another post and/or another location, particularly if the perpetrator also works at the CPS;
- Whenever possible, and where this would suit the individual, consideration should be given to redeployment, working from home, a change in working hours (start and finish times) or other temporary arrangements (which may be reviewed) which would enable the

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support to enable the person to move out of the situation. (For example: an advance of salary or an approach to the PCS Benevolent Fund);

- If difficulties are experienced in activating a transfer, which is necessary for reasons of domestic violence, the HR Directorate will give advice and ensure that the employee is able to transfer, if this is necessary.

Managers should not, however, make a personal rather than a managerial/professional commitment to resolve an issue for an individual.

Although managers should try to provide as much support as possible to the individual experiencing domestic violence, the employee needs to be provided with a clear

understanding of what is expected with regard to performance and attendance.

Impact on performance at work

The stress of experiencing domestic violence is liable to impact significantly on an individual's attendance and performance at work. The person is likely to have a range of concerns including fear of injury, financial worries and fears for the stability and welfare of any children involved. It is also likely to have a profound impact on their personal confidence and self esteem.

The CPS is aware that domestic violence victims/survivors may have performance problems as a result of their experience. When addressing performance

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and safety issues, the CPS will make reasonable efforts to consider all aspects of the employee's situation.

If the employee has acknowledged domestic violence as an issue for them, or this has come to the attention of managers through other members of staff and they are seen as taking reasonable steps to manage it, domestic violence should, where necessary, be taken into account during the performance management process. However managers need to be kept up to date with what steps the employee is taking to get help; (e.g. details of what support they are accessing outside work, regarding housing etc).

In cases when an employee feels unable to inform line manager of all the details, they should be able to speak to an

Area HR advisor who will then (with agreement), give the line manager as much information as necessary to allow them to deal with any performance management issues that may arise.

Line managers should consider previous work history during the decision-making process to identify if conduct, attendance or performance issues are unusual and therefore could be attributable to the circumstance and should take these issues into account when determining how to manage the situation. Referral to the CPS EAP (Employee Assistance Programme), "Care First", for counselling, information or advice may also be appropriate.

Absence options for employees experiencing domestic violence

The CPS will make every effort to assist an employee

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experiencing domestic violence. If an employee needs to be absent from work due to the effects of domestic violence, the length of the absence will be determined by the individual's situation through collaboration with the employee, their line manager and HR Advisor.

Employees and line managers must first explore paid leave options that can be arranged to help the employee cope with the situation without having to take a formal unpaid leave of absence.

Depending on circumstances, these options may include:

- Time off and flexible working — for example, arranging flexible work hours so the employee can seek protection, go to court, look for new housing, enter counselling, arrange child

care, etc, as well as considering favourable use of sick leave, temporary arrangements and part-time hours, paid leave particularly if requests are for relatively short periods.

- Consideration should be given to the approval of annual leave at little or no notice.

Financial help

In addition, given finance is often a difficulty, particularly if the person is leaving the abuser, an advance of pay may be considered in consultation with the Pay and Benefits Business Centre (Nottingham).

There are some external organisations (such as the PCS Benevolent Fund) which may be able to offer assistance, details of which can be found in the PMM (Personnel

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Management Manual). The FDA, PCS and Staff Networks may also be able to offer support (see Contact details of this booklet).

Help and advice

CPS policy aims to encourage any employee who is experiencing domestic violence to seek immediate support from the Freephone, 24-hour National Domestic Violence Helpline (0808 2000247) that can provide support and information.

Dealing with perpetrators:

Disciplinary actions

Managers should make certain that all staff are aware that being a perpetrator of domestic violence is a serious matter,

which may lead to criminal conviction and that such behaviour is also against the CPS's aims and values.

In line with the Personnel Management Manual Volume 2: Staff must notify ABMs and the Area HR Advisors via line management, at the earliest opportunity of any involvement they or a member of their family or household have with the police or other prosecuting authority which could, or does, result in a charge being brought or summons being issued against them. Failure to do so could result in disciplinary action.

If domestic violence has been admitted by a perpetrator, but there has been no involvement of the police or prosecuting authority, action will be at the discretion of the manager, trying to keep it in line with the

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conduct and staff rules, that state:

“...the extent to which any criminal offence may affect employment depends on whether the conduct and behaviour:

- makes the member of staff unsuitable for their type of work;
- may prove unacceptable to other employees;
- may reflect adversely on the Department’s public image or ability to perform its function.”

For example, if there are issues around employment performance, these should be addressed with appropriate procedures, timelines and objectives in mind, and if necessary appropriate support mechanisms need to be put in place.

Managers need to take into consideration the seriousness of the situation and any

appropriate action to ensure there is no conflict of interest in relation to the work of the member of staff.

For example, it may be considered inappropriate for staff to be involved in CPS work involving domestic violence cases and alternative work should be allocated with appropriately revised objectives and follow-up assessments.

Managers should also refer perpetrators to the RESPECT Phonenumber for help and advice.

If a member of staff is convicted of perpetrating domestic violence, disciplinary procedures will be implemented which could result in action leading up to termination of employment. (For more information please refer to CPS Disciplinary Policy and Procedure within PMM Vol 2 on the CPS *Infonet*.)

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Staff sentenced to immediate imprisonment are likely to be dismissed without notice or compensation in lieu of notice. (Please see the “Summary Dismissal” section of Disciplinary Policy for further information.)

The CPS also requires employees to notify their line management of any domestic violence-related civil court orders.

If perpetrators of domestic violence/abuse use workplace resources such as telephone, fax or email to threaten, harass or abuse their current or former partners, (including any incident happening during working time) and/or involve other colleagues who may or may not be aware of their motives in assisting them, disciplinary action will be implemented in line with the “Internet and email usage” guidance and CPS disciplinary procedure.

Any acts of domestic violence

perpetrated in the workplace will be considered a breach of discipline and subject to the disciplinary action.

Jokes, discussions and graphics that condone violent behaviour or domestic violence are unacceptable and will not be tolerated within the work environment as they too are considered a breach of discipline. “Dignity at work” outlines examples considered as “harassment”.

Managers must tackle behaviour of this type, which may be subject to disciplinary action.

Such abuse requires an effective employer response because it could be damaging and potentially dangerous for those being abused, as well as possibly bringing the organisation into disrepute if the abuse is allowed to continue.



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Prosecution

It is important to remember that any CPS member of staff has the same rights as any other individual with regard to criminal investigations and prosecutions for criminal activities arising from domestic violence.

For reasons of independence and confidentiality, such cases will be dealt with outside the Area in which the member of staff works. Advice should be sought from the Special Crime Division at Headquarters in each case.

Pressure must not be exerted on an individual to take any particular course of action, although one should be made to ensure they are fully informed about options available to them.

Performance and attendance

Managers should be aware of their departmental policies for dealing with unsatisfactory performance and attendance, and keep records of discussions as appropriate.

Safety

Where appropriate, action may need to be taken to minimise the potential for perpetrators to use their position or work resources to find out details or the whereabouts of their partner. This may include a change of duties or withdrawing access to certain computer programmes.

Help and advice

CPS policy aims to encourage employee who is an alleged perpetrator of domestic

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violence to seek immediate help from the RESPECT Phonenumber listed at the back of this booklet or on the *Infonet*.

N.B. In certain cases a management referral via “Care First” may be appropriate so that the employee can receive adequate professional counselling.

For more information on what help is available for perpetrators please contact Respect on 0846 122 8609. The Respect phone line provides information and advice to perpetrators of domestic violence, to professionals wanting information and to the friends and family (including partners) of perpetrators who want more information on what help is available for perpetrators:
www.respect.uk.net

The CPS provides a system through line management and/or our EAP (Care First), who offer independent counselling advice to all employees.

Partners and close relatives and colleagues are encouraged to access our EAP (Employee Assistance Counselling) Service if needed.



Things colleagues could do

A colleague could be the first point of contact for a person experiencing domestic violence. It is important that you are empathetic and understanding of their needs.

It is not the role of a colleague to decide how an individual experiencing domestic violence should act. To do so could replicate and compound the effects of the domestic violence.

If a colleague approaches another to ask for help there are a number of people and organisations they can put them in touch with. At the back of this booklet is a list of external contacts that will be able to offer you and them support and advice.

These external organisations have vast experience and provide extensive network of

support. You should tell the individual about their existence and the services that they could offer.

Additionally employees should direct any colleague experiencing domestic violence to a number of internal contacts who can offer help and support and you should tell the individual of their existence and what help they may be able to offer. (See Employee section, page 14.)

N.B. Please remember that any approach to either internal or external contacts by you on the individual's behalf should only be made with their full knowledge and agreement (see Confidentiality section below).

Confidentiality

If a member of staff or colleague discloses to you that

they are experiencing domestic violence, you must treat it in the strictest confidence. Breaches of confidentiality will be treated seriously and may be subject to disciplinary procedures being implemented.

Employees must only disclose this information to another member of management or staff with the individual's knowledge and permission. Disclosure in exceptional circumstances may be made, if the situation could result in injury or death. However, in these circumstances care should be taken not to allow any prejudices to influence your actions.

If permission is given, advice should be sought from National Human Resources Advice Business Centre in Cardiff or an HR Advisor before any action is taken, unless the threat of harm is imminent.

If permission is *not* given, you can discuss the matter confidentially with Care First, the CPS Counselling Information and Advisory Service.

N.B. If a member of staff believes that a child of a colleague is at risk of suffering harm, they should consider referring their concerns to their manager who will consider if the local authority social services department should be alerted. They should seek advice from and/or get confidential advice from its HR colleagues/specialist organisation listed at the back of this guide about what they might tell the colleague concerned, and when to do so.

Sensitivity

It is essential that neither you nor anybody else makes assumptions based on actual or

perceived age, disability, ethnic origin, religion, gender, class, sexuality, or family or other relationship status, including arranged marriages.

The appropriate access to advice, support and choices should be made available to every person in need of help and each case will need to be considered individually.

Leaving an abusive relationship can be a long process and it is often very difficult to make immediate decisions about the future, so try not to put on any pressure or judge. Reluctance to leave a violent partner or willingness to return to the abusive situation must not be taken as an indication that the violence was not severe, and must not affect the support you offer.

It should be noted that statistical evidence shows that the most

dangerous time for survivors, when the abuser is male, can be when an individual is attempting to leave a violent relationship and the weeks and possibly months afterwards. It is at this point that the potential for an attack resulting in severe injury or death is at its highest.



Violence in relationships is not acceptable in the CPS and is also against the law. Disciplinary procedures may be implemented against staff who are perpetrators and if subsequently convicted this could result in action leading to their termination of employment.

Employees who are perpetrators of domestic violence, whether convicted or not, are encouraged to seek help to stop abusive behaviour. Contact details of an organisation that may offer you help and advice is provided on page 43 of this booklet.

Employees must notify their ABM (Area Business Manager) and the National Human Resources Advice Business Centre — Cardiff, via line management, at the earliest opportunity of any involvement, or the involvement of any member of an employee's family or household have with

the Police or other prosecuting authority which could, or does, result in a charge being brought or summons being issued against the employee. Failure to do so could result in disciplinary action. This should take place immediately to enable decisions to be taken as to how the matter should be dealt with.

Employees must also inform their line manager of any domestic violence-related civil court orders.

Further details of management action are provided on page 27 "Dealing with Perpetrators".



When considering domestic violence cases you should be aware of the impact on any children involved.

Key facts

Domestic violence against adults affects a great number of children both directly and indirectly as both victims and witnesses to violence.

There is also an increased direct risk to children. Male adults who are violent to their partners are also likely to be violent to their children. The overlap between men's violence towards women and the

physical abuse of children is estimated as in the range of 30 to 66%. This does not apply to female perpetrators.

People experiencing domestic violence may leave their home because of their concern about the well-being of their children.

It is extremely common for male perpetrators of domestic violence to threaten their victims with the removal of their child, including threats of reporting them to social services.

If a member of staff has genuine concerns that the child of a colleague may be at risk of suffering harm, they should speak to their manager who would get confidential advice about whether it is appropriate to take action from one of the specialist organisations listed at the back of this guide.



The CPS will raise awareness of domestic violence through the following measures:

- Corporate membership of the Corporate Alliance against Domestic Violence (CAADV)*.
- Publishing, maintaining and posting in locations of high visibility a list of external resources for survivors and perpetrators of domestic violence.
- Posting a list of internal resources for survivors and perpetrators of domestic violence (e.g. HR, occupational health, counselling/EAP services).
- Publicising a statement from the (HR Director/Chief Executive/DPP) communicating the Department's position on domestic violence to all employees publicising and distributing information on CPS's policy.
- Using the Infonet to promote organisations to provide advice on domestic violence. For example: a "Domestic Violence Newsletter" is now published bi-annually aimed at all staff as a resource of information on various projects and best practice on this issue.
- Appropriate training for HR staff.

*The CAADV is a group of progressive companies and organisations working individually and collectively to address the impact of domestic violence in the workplace. It aims to raise awareness and reduce the human and economic impact of domestic violence through taking action in the workplace.

The CPS is monitoring the implementation of this guidance to evaluate and assess the effectiveness of its support for employee victims/survivors who are facing domestic violence. All information will be kept confidentially and anonymously. A form will be available on the Infonet under the "People" section.

The CPS needs to provide anonymised data regarding implementation of the Employee Domestic Violence policy, training in connection with this policy, and the number of cases of employee domestic violence reported. Posters are being developed to publicise this booklet and awareness training on how to respond to domestic violence will be included in all management courses.

Staff who have any occasion to use the advice given in this guide are requested to complete the form entitled Employee Domestic Violence Monitoring, which is available on the Infonet. To preserve their

anonymity and confidentiality, it is suggested that staff may wish to print this form off and after completion they should send it to **Sarah Bailey** or **Gill Stillwell, Senior HR Advisers, 2nd Floor, Windsor House, Pepper Street, Chester CH1 1TD DX 20019 Chester**

In accordance with the Single Equality Scheme (SES), the CPS has a duty to monitor the implementation of all policies. Therefore managers should ask the member of staff or colleague reporting the matter if they would be prepared to complete the form which is on the CPS Infonet, in the People section and return it to the address above.

Please tell them how important it is that the CPS has this information and assure them that it will be kept confidential and secure and only used for the purpose for which it has been designed. No personal or identifiable details are needed on the form.

Your questions answered

Q1. I want some help. Who should I speak to?

A. If you are experiencing domestic violence and wish to seek support you can discuss the matter with anyone you choose. There is a list of contacts at the back of this booklet and it may be possible to speak to someone with specialist understanding of your situation.

Remember that the CPS Employee Assistance Provider, Care First, is available 24/7 to all CPS staff and their dependants — contact details for all staff at back of the guide and on the Infonet.

Q2. I don't want everybody to know what is happening to me.

A. Your right to confidentiality, safety and your decision making is paramount and no disclosure

or action will be taken without your express permission.*

** It is important to note that there are some exceptional circumstances where the decision may need to be taken out of your hands.*

These are:

- i. If it is believed that you are at risk of serious injury or death;
- ii. When there is a criminal prosecution — sometimes the decision may be taken to continue with a prosecution even if you have changed your mind about proceeding. This will be in circumstances where the public interest in proceeding with the case is so great that the case has to proceed (this will only happen if you report a case to the Police);

if you are experiencing domestic violence

iii. When it is believed that there is a substantial risk of harm to any children involved in or witnessing the abuse.

Q3. Should I approach my manager?

A. You don't have to speak to your manager, but you are encouraged to do so if your circumstances are affecting you at work. Your manager will be best placed to offer practical support.

If, for any reason, you feel that you can't approach your immediate manager you may wish to discuss your situation with a different manager you can trust or an HR Advisor.

Failing that, there are other agencies/contacts you may wish to approach all of which are listed at the back of this guide. Trade Union representatives and

Staff Networks may also be able to assist.

Q4. My circumstances are affecting my ability to do my job. What can I do?

A. When your line manager is aware of your circumstances, they may be able to offer some practical assistance and will also be able to take into account your circumstances if your attendance, performance or conduct is giving cause for concern.

There are a number of things a manager can provide:

For example, you may be able to take special leave to deal with a short-term problem or to make satisfactory longer term arrangements. They may be able to change your duties as appropriate or take some other action which will help to keep you safe. Please remember that

at all times, the needs of the service will have to be balanced with those of an individual. See relevant section on absence options in “Guide for Employees”.

Q5. If I ask for help will I have to report being abused to the police?

A. No. You will not be pressurised into reporting any violence. That will be up to you to decide.

Q6. What about prosecution?

A. As an employee of the CPS you have the same rights as anyone else regarding whether you choose to report the violence to the Police.

If a criminal prosecution takes place, for reasons of independence and confidentiality, the case will be dealt with in a different Area to the one in which you work. In these circumstances advice will be sought from Special

Crime Division at CPS Headquarters.

Q7. I work for the CPS — won't people expect me to want to have my abuser prosecuted?

A. No. You will not be pressurised into reporting instances of domestic violence with a view to your abuser being prosecuted. It is your choice whether you wish to address your circumstances through the legal process, and how.

Q8. My abuser works for the CPS. What will happen to them?

A. If a member of staff is convicted as a perpetrator of domestic violence disciplinary procedures will be implemented. If they are abusive towards you at work they may be subject to disciplinary procedures.

Personnel Management Manual (PMM)

Special Leave
PMM Vol. 4 Chapter 2

Discipline
PMM Vol. 2 Chapter 3

*Inefficiency —
Poor Performance*
PMM Vol. 2 Chapter 4

*Inefficiency —
Poor Attendance*
PMM Vol. 2 Chapter 4

Conduct and Staff Rules
PMM Vol. 2 Chapter 1

*Conduct and Staff Rules —
Criminal Offences*
PMM Vol. 2 Chapter 1

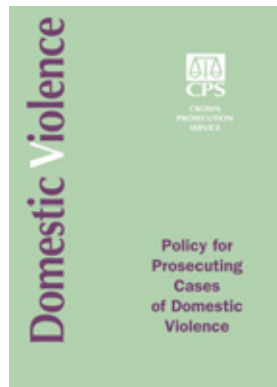
*Equality & Diversity Complaints
Procedure*
PMM Vol. 5 Chapter 7

The PCS Benevolent Fund
PMM Vol. 4 Chapter 12

Dignity at Work (information
booklet for staff)
Standards of Behaviour in the
Crown Prosecution Service,
reprint 2002 (also available on
Infonet)

*CPS Policy for Prosecuting
Cases of Domestic Violence* and
*Domestic Violence Guidance
on Prosecuting Cases of
Domestic Violence*
Both are available on the
Infonet.

The Policy includes a list of
examples of behaviour that can
amount to criminal offences.



Internal contacts

*National Human Resources
Advice Business Centre - Cardiff*
Telephone numbers available
on the CPS Infonet (Contacts)
One call HR helpline:
029 2080 3923.
Email: HR.Advice@cps.gsi.gov.uk

*Care First Employee Assistance
Provider*
0800 174 319

Equality and Diversity Officers
Telephone numbers available on
the CPS Infonet under Contacts

Equality and Diversity Unit
020 7796 8066

Domestic Violence Team, EDU
0207 796 8687

*HR Policy, Strategy & Projects
team*
020 7796 8313

*Trade Union Representatives
Public and Commercial Services
(PCS)*
020 7924 2727

First Division Association (FDA)
020 7343 1111

External contacts

*24 hour Freephone National
Domestic Violence helpline*
0808 2000 247

This is run in partnership with
Women's Aid

Web address:

www.womensaid.org.uk

and *Refuge*

Web address: www.refuge.org.uk

Respect (phone line for
perpetrators) 0845 122 8609
Web address: www.respect.uk.net

*Information about concern for
children*

[www.bbc.co.uk/relationships/
domestic_violence/index.shtml](http://www.bbc.co.uk/relationships/domestic_violence/index.shtml)

Information for children:

www.thehideout.org.uk

(support for children and young
people with domestic violence
to learn what domestic violence
is, how to help a friend, how to
understand your feelings and
what you can do).

*Rape Crisis Federation for
England & Wales*

0115 900 3560

Web address: www.rapecrisis.org.uk

AHIMSA (The MALE helpline
provides a range of services
primarily at men experiencing
domestic abuse from their partner)

Web address:

www.mensadviceline.org.uk

Email :

info@mensadviceline.org.uk

Helpline: 0845 064 6800

RELATE Central Office

0845 456 1310

*Broken Rainbow (LGBT)*08452 60 44 60 and 020 7022
1890*The Association to Aid the
Sexual and Personal
Relationships of People with a
Disability*

07074 993 527

*GLAD (Greater London Action
on Disability)*

020 7022 1890

Web address: www.glad.org.uk*Chinese Information & Advice
Centre*

020 7323 1538

Web address: www.ciac.co.uk*Jewish Women's Aid helpline*

0800 59 12 03

Web address:

somethingjewish.co.ukEmail: info@jwa.org.uk*Southall Black Sisters*

020 8571 9595

Web address:

www.southallblacksisters.org.uk*Shelterline (access emergency
services)*

0808 2000247

Web address:

www.englishshelter.org.uk*IMKAAN (Asian Women)*

020 7434 9945

Web address:

www.imkaan.org.uk*Age Concern Information
Line*

0800 00 99 66

Web address:

www.ace.org.uk

The Tulip Trust (Parents being abused by their child)
0151 637 6363
Email: tulipgroup@hotmail.com

The Samaritans
08457 90 90 90
Web address:
www.samaritans.org.uk

NSPCC Helpline
0808 800 5000
Web address: www.nspcc.org.uk

Childline
0800 1111
Web address: www.childline.org.uk

Equality and Diversity Officers will be able to provide details of local organisations

Perpetrators who wish to stop being abusive
RESPECT Phoneline
0845 122 8609
Web address: www.respect.uk.net

EMPLOYEE DOMESTIC VIOLENCE MONITORING



No personal or identifiable information is needed

Thank you for agreeing to complete this form. It is very important for us to have information to enable us to monitor if this policy is working and whether there need to be any changes to help people in the future who are experiencing domestic violence.

You need only provide information you are comfortable with, however we need to monitor how consistently and fairly our policies are being applied and therefore we would appreciate as much information as possible. This is in accordance with the requirements of the Single Equality Scheme (SES).

Please be assured this form is **confidential** and will be kept safely in the HR Directorate and used to promote our duty of care towards CPS employees.

Gender: Male Female

Are you transgendered? Yes No

Sexuality:

Heterosexual Gay woman/lesbian Gay man Bisexual woman Bisexual man Other

Prefer not to say

Ethnic origin:

<i>White</i>	<i>Mixed</i>	<i>Black/Black British</i>	<i>Chinese/other ethnic group</i>
British <input type="checkbox"/>	White and Black Caribbean <input type="checkbox"/>	Caribbean <input type="checkbox"/>	Chinese <input type="checkbox"/>
Irish <input type="checkbox"/>	White and Black African <input type="checkbox"/>	African <input type="checkbox"/>	Any other <input type="checkbox"/>
Scottish <input type="checkbox"/>	White and Asian <input type="checkbox"/>	Other <input type="checkbox"/>	
Welsh <input type="checkbox"/>	Other <input type="checkbox"/>		
Other <input type="checkbox"/>			

Religion or Belief:

No religion Agnostic Atheist Baha'i Buddhist Christian Hindu
Humanist Jain Jewish Muslim Sikh Other

Age:

16-19 20-24 25-29 30-34 35-39 40-44 45-49
50-54 60-64 65-69 70-74 75+

Do you consider yourself to be disabled? Yes No

CPS Area / HQ Directorate:

Section 2: Your experience

Please provide a brief summary of those you approached for help and what help was provided (eg advice, practical help such as special paid leave, etc). You need not give individuals' names, just their positions (eg Line Manager / HR staff / Equality and Diversity Officer etc).

Please say if you felt the support was appropriate and how it helped you:

Please indicate what could be done to improve the service offered to staff who experience domestic violence:

Thank you very much for providing this information. When complete, please return this form to:

Sarah Bailey / Gill Stilwell
Senior HR Advisors
2nd Floor
Windsor House
Pepper Street
Chester CH1 1TD

DX 20019 Chester

If you have any further comments, please add them below

