

1. Policy Statement

NHSBT is committed to developing a workplace culture that recognises that some employees may be experiencing domestic abuse and that the workplace should be a place of safety, where appropriate support and guidance can be offered. It also recognises that alleged perpetrators of domestic abuse are responsible for their own behaviour and NHSBT will support them in addressing this.

Domestic abuse can be defined as “any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.”

Every employee who is experiencing or has experienced domestic abuse will be supported to raise the issue with their employer in the knowledge that it will be treated empathetically and confidentially, unless there is a [safeguarding](#) issue. This policy also covers the approach we will take where there are concerns that an employee may be the alleged perpetrator of domestic abuse. NHSBT aims to create a safe environment where employees feel listened to and protected. We do not believe that domestic abuse should be tolerated, and we will help and support our employees to take appropriate action when they feel a need to do so.

Domestic abuse can appear in many forms and can affect anyone. We therefore recognise the importance of our commitment to inclusion across race, gender, age, religion, gender identity, sexuality and experience.

This policy is to be read in conjunction with the Domestic Abuse Frequently Asked Questions Document.

2. Process

Supporting colleagues

While it is for the individual themselves to recognise they are a victim/survivor of domestic abuse, they may feel unable to seek support. We can all help support by recognising signs which may indicate a colleague may be a victim/survivor. These may include the following:

- individuals may confide in their colleagues/manager or approach someone else they trust. We respect that individuals have a right to make their own decisions about making them feel safe. As with other confidential conversations, we will maintain that, subject to maintaining our duty of care. Where information shared cannot be protected, because of our duty of care to the individual or a vulnerable person, we will advise where and how the information is being shared.
- colleagues may inform their manager or HR that they believe a colleague may be suffering from domestic abuse
- there may be obvious effects of physical abuse (it is important not to make assumptions)
- it may come to light because of enquiries into a drop in performance or a significant change in behaviour

- it may reveal itself as the background to poor attendance or presenteeism - where victims/ survivors prefer to be at work rather than at home.

Speak to your Manager

If you are experiencing domestic abuse and feel able to confide in your manager, they will address any concerns sympathetically and with sensitivity and will ensure that you are offered appropriate support whilst at the same time ensuring confidentiality, unless there is a [safeguarding](#) requirement. Your right to privacy will be respected and you will not be asked to share any information that you do not wish to. There are, however, some circumstances in which confidentiality cannot be assured. These occur when there are concerns about children or vulnerable adults or where, as your employer, we need to act to protect the safety of you and/or other employees. In these circumstances, NHSBT will seek specialist advice before acting. In certain situations there may be a requirement to take emergency action and instigate [safeguarding](#) measures.

Anyone suffering domestic abuse has their own unique set of circumstances and so it is important that you talk to your manager about your own situation so that they can carefully assess, support which could be offered, with your agreement. This may include:

- the possibility of some time off work for relevant appointments with support agencies; solicitors; to rearrange housing or childcare, and for court appointments
- the opportunity to discuss a temporary or permanent change to working times and patterns
- consideration for changes to specific work duties, if appropriate, for example to avoid potential contact with an abuser in a customer facing role
- considerations for redeployment or relocation (temporary or permanent) if this is a possibility and for reasons of employee safety
- additional measures to be put in place to ensure a safe working environment, for example, changing a telephone number to avoid harassing phone calls
- using other existing policies to give additional support, including Flexible Working, Time off work, etc.
- access to the Employee Assistance Programme
- access to Occupational Health support
- signposting to the Freedom to Speak Up Guardian
- signposting to Trade Union colleagues and their respective Unions
- signposting to our Network Groups

*This list is not exhaustive

We will respect your right to make your own decisions on the course of action at every stage and will avoid being judgemental. We recognise this is a difficult and challenging time and you may need time to work through the different options available to you before the most appropriate support can be agreed.

If you are experiencing abuse and you are able to make decisions and take action to keep yourself safe/reduce risk, your request for confidence will be respected. However, there may be situations where NHSBT will need to be alert and take actions to keep you safe, such as concerns surrounding physical/mental capacity and in these circumstances, we would need to consider breaking confidentiality if we feel it is in your best interests. Also, if there were significant concerns of criminal activity or immediate threats to the safety or welfare of you or others, NHSBT would be required to break confidentiality for public safety.

If we are aware of children in the environment NHSBT will seek advice regarding making referrals through to children's services and confidentiality cannot be maintained if it is in the best interests of the children.

Other Considerations

NHSBT has a commitment to ensure you feel safe in their workplace. We will prioritise your safety and the safety of your colleagues if you make it known to us that you are experiencing any form of domestic abuse.

Managers may have to consider incidents such as:

- An alleged perpetrator of abuse possibly visiting the workplace;
- The potential of receiving abusive phone calls
- The possibility of intimidation or harassment by the alleged perpetrator.

Situations such as these will need to be addressed in any safety planning and on a case by case basis. If you are being supported by a specialist support agency we will take their guidance (with your consent) to identify what actions can be taken to increase your personal safety, including potentially sharing information as well as address any risks there may be to colleagues, considering the duty of care to all of our employees.

Alleged Perpetrators of Domestic Abuse

While domestic abuse perpetrated by employees will not be condoned, NHSBT recognises that it has a role in encouraging and supporting employees to address violent, controlling, and abusive behaviour of all kinds.

If an employee recognises and confides to anyone at NHSBT about their possible abusive behaviour, we will listen, non-judgmentally, recognise honesty in raising and trust they wish to address their behaviours. We will provide signposting to information about the services and support available to them and will encourage them to seek support and help from an appropriate source.

NHSBT will treat any allegation, disclosure, or conviction of a domestic abuse related offence on a case-by-case basis with the aim of reducing risk and supporting change. If an act of inappropriate conduct by an NHSBT employee outside of the workplace is reported to NHSBT by a third party or by the victim themselves, it will be treated with confidentiality and considered in line with the relevant policy.

There are three potential strands in the consideration of an allegation:

- Does it involve a police investigation of a possible criminal offence?
- Does it possibly breach the NHSBT Code of Conduct and warrant an investigation to be considered?
- Is there a requirement to providing specialist, safety-focused counselling?

An individual cautioned or convicted of a criminal offence may be subject to the NHSBT [Code of Conduct](#). Should an employee's activities outside of work (whether or not it leads to a criminal conviction) have an impact on their ability to perform the role for which they are employed and/or be considered to bring the organisation into disrepute, NHSBT may need to consider taking appropriate steps. In some circumstances it may be deemed inappropriate for the individual to continue in his/her current role(s). In these circumstances the possibility of alternative duties or redeployment into an alternative role may be considered. Suspension may also be considered if all other options have been exhausted.

If a disclosure exposes an immediate threat to the safety or welfare of others, especially if children are involved, NHSBT would be required to take emergency action by informing the appropriate authorities and instigate [safeguarding](#) measures.

There also may be circumstances where violent or abusive behaviour by a regulated professional might indicate a potential risk to patients or service users, bring the profession into disrepute or breach a professional code of conduct. Where NHSBT is aware of such misconduct, there may be the necessity to report it to the appropriate regulator. There may also be a mandatory obligation on the regulated professional to self-refer if they receive any police caution or conviction, and for the police to report such action if they are aware an individual is regulated.

In these circumstances the employee will be:

- treated fairly and honestly in line with NHSBT's [Just Culture Guide for Managers](#).
- helped to understand the concerns expressed and processes involved given access to support available to them such as EAP and other related support.

Should no further action (NFE) be decided in court following an allegation of domestic abuse support will be offered with any safety planning that may be required.

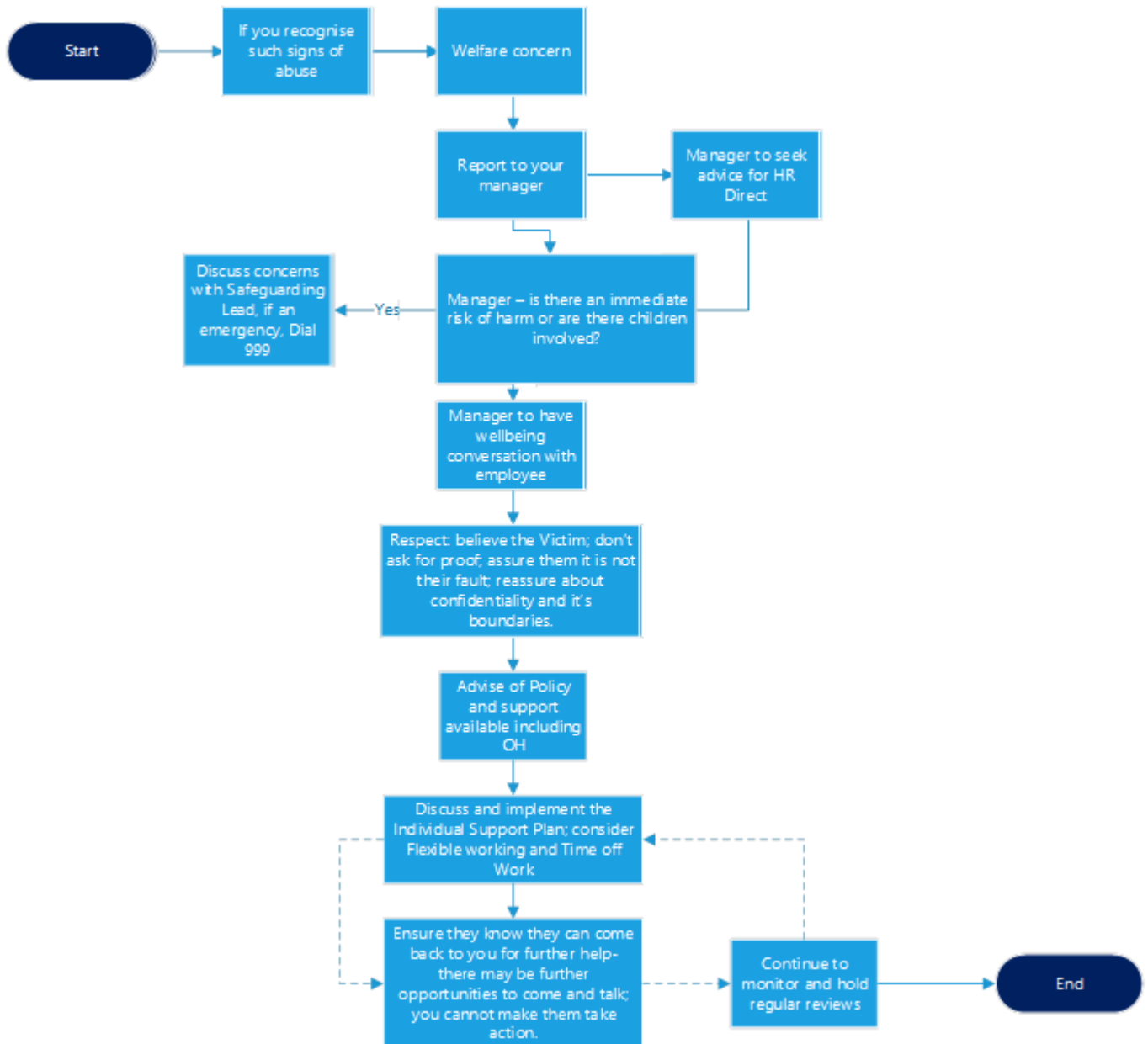
Support for Managers

If you are a manager who is requiring some additional help in supporting a team [member](#), please contact HR Direct. . If you believe that there may be a risk to someone's safety you can get specialist advice by contacting NHSBT's safeguarding team.

Managers can use the advice and guidance within this policy along with the FAQs document. Managers can also access an Individual Support Plan which has helpful guidance on the relevant questions to ask, advice on how to commence a sensitive discussion, suggestions on how to put together a safety plan, and more. Please access this via the People First Pages.

There is additional information listed on the People First pages, including contact telephone numbers for relevant charities, guidance documents and other relevant resources.

3. Flow Chart



4. Policy Approval and Review

Policy version	UCD/People/Domestic Abuse/039v1.0
Title	Domestic Abuse Policy
Approved by SPC	February 2023
EIA completed	28 th February 2023
Counter Fraud check	29 th August 2023
This document replaces	NEW
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Author	Joanne Brown/Kate Gittins/Daryl Hall
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