

Policy and Resources Scrutiny Committee

16.03.22

DOMESTIC ABUSE, DOMESTIC VIOLENCE & SEXUAL VIOLENCE POLICY

To consider and comment on the following issues:

To update the current policy in line with aims and objectives of the Authority and prevailing legislation - Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 and the new Domestic Abuse Act 2021.

Reasons: The Council's adopted Domestic Abuse and Sexual Violence Policy required revision in response to societal changes and the introduction of the Domestic Abuse Act 2021. This Act sets out further legislative and non-legislative actions to promote awareness of domestic abuse, domestic violence and sexual violence.

To be referred to the Cabinet / Council for decision: Yes

CABINET MEMBER PORTFOLIO HOLDER:- Include Cabinet Member name and portfolio

Cllr Philip Hughes

Directorate:
Chief Executives

Head of Service:
Paul Thomas

Report Author:
Linda Hutton

Designations:

Assistant Chief Executive

HR Advisor

Contact details:

PRThomas@carmarthenshire.gov.uk
01267 246123

LHutton@carmarthenshire.gov.uk
01267 246091

EXECUTIVE SUMMARY
POLICY AND RESOURCES SCRUTINY COMMITTEE
16.03.22

**Revised Domestic Abuse,
Domestic Violence & Sexual Violence Policy**

Wales led the way by introducing the VAWDASV (*Violence Against Women, Domestic Abuse and Sexual Violence*) Act in 2015 which placed statutory responsibilities on local authorities. New complementary legislation in the form of the Domestic Abuse Act 2021, provides a statutory definition of domestic abuse and recognises that domestic abuse is not just physical violence, but can also be emotional, controlling or coercive, and economic abuse.

This revised policy challenges attitudes towards domestic abuse, domestic violence and sexual violence. It aims to raise awareness and understanding of the devastating impact of these events, setting out how best to support survivors and how to deal with perpetrators of these forms of violence or abuse when they are employees of the Council. The policy now focuses more on how disclosures can be effectively and sensitively handled in the workplace, how to spot the signs of domestic abuse (whether the employee is in the workplace or at home), encouraging staff to offer informal support and to challenge inappropriate behaviour in the spirit of the White Ribbon campaign.

Guidance notes within the policy appendices are tailored to survivors, perpetrators, managers, and colleagues to give each employee the confidence to raise concerns, support one another and to know what to do.

The Council along with Welsh Government recognise that women and girls disproportionately experience repeat incidents of domestic abuse, all forms of sexual violence, harassment and other forms of abuse such as forced marriage and female genital mutilation. It is important to recognise the gender disparity in order to fully address the issues. However, we recognise that men and boys experience and are affected by domestic and sexual violence and abuse, and we must provide an effective response to *anyone* who experiences it.

In developing this policy early consultation with colleagues in community safety and regional VAWDASV roles has taken place to ensure the content dovetails into their areas of expertise. The policy has been written using gender-neutral language which applies to anyone and everyone in recognition of the Council's commitment, to recognise, respect and support its employees' life choices in a non-judgemental and inclusive way.

Globally and in Carmarthenshire, our lives and workplaces have dramatically changed as a consequence of the pandemic and related restrictions. There is evidence that there has been an increase in incidences of domestic abuse and domestic violence as a result of many employees having to work from home where escape routes, or time apart from an abuser, may be dramatically curtailed. The workplace is often a sanctuary or place to seek support for those experiencing domestic abuse and there have been limited opportunities for some to

reach out for help.

In promoting an open culture encouraging disclosures, the policy gives reassurances and reinforces the Council's commitment by identifying a suite of supportive measures for survivors of domestic abuse. Such as paid or unpaid time off under the Time-off Policy; occupational health, wellbeing and counselling services; access to external support agencies/specialist providers; flexible working arrangements; and partnership working with trade union colleagues.

This report also seeks authority to create 'Safe Leave' as a further supportive measure. With homeworking remaining a feature in the Council's Better Ways of Working strategy, the adoption of 'Safe Leave' will demonstrate the Council's ongoing commitment to thinking about how support can be maintained as employees work in different ways.

Those experiencing domestic abuse can find themselves isolated from friends and family and lose their independence. Safe leave will provide for up to 10 days paid time off, separate from special leave or sickness absence to anyone experiencing domestic abuse, domestic or sexual violence at a time when it is most needed.

Safe leave will allow employees to access help and support without the worry of it affecting their finances, using up their annual leave, struggling to do their work and accessing essential services, and would make a real and lasting difference.

Safe leave can be taken as a block of up to 10 days or as intermittent periods of absence, based on needs. For example, it will allow the employee to attend police interviews and legal proceedings, seek safe housing, visit legal or financial advisers or support agencies. If agreed, safe leave will be included in the Time-off Policy and cross-referenced to this policy.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Paul R Thomas

Assistant Chief Executive (People Management and Performance)

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	NONE	YES	NONE

1. Policy, Crime & Disorder and Equalities

The policy complements the Council's statutory duties as a public authority in reducing crime and disorder by supporting the most vulnerable people in our communities; and in working with our partners to raise awareness of domestic abuse and violence. (*s17 Crime and Disorder Act 1998 and the VAWDASA Wales National Strategy*)

The recommendations support the Authority's Strategic Equality Plan 2020-2024 in meeting its duties under the Equality Act 2010 and in 'Being a Leading Employer'. The Policy sets out our commitment to supporting our employees who experience the trauma of domestic abuse and violence.

2. Legal

The policy has been produced in accordance with the relevant legislation which includes the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 and the Domestic Abuse Act 2021.

7. Staffing Implications

People Management (HR) will provide advice to employees and people managers on the application of the Domestic Abuse, Domestic Violence and Sexual Violence Policy. People Management (OD) will assist services managers in delivering the mandatory National Training Framework (as set out by Welsh Government in the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015) to equip the public sector as specialist service providers.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Paul R Thomas Assistant Chief Executive (People Management and Performance)

1. Local Member(s) Not applicable

2. Community / Town Council Not applicable

3. Relevant Partners Not applicable

4. Staff Side Representatives and other Organisations Not applicable

CABINET MEMBER PORTFOLIO
HOLDER(S) AWARE/CONSULTED
YES

Include any observations here

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THERE ARE NONE