

It's not just a private matter": developing effective policy and procedure for addressing the impact of domestic abuse in the workplace

BENNETT, Anthony <<http://orcid.org/0000-0001-7082-2585>>, WIBBERLEY, Gemma and PATERSON, Anne

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‘It’s not just a private matter’: Developing effective policy and procedure for addressing the impact of domestic abuse in the workplace

Dr Tony Bennett

Sheffield Business School, Sheffield Hallam University

Visiting Fellow at iROWE (Institute for Research into Organisations, Work and Employment)

Dr Gemma Wibberley

iROWE, University of Central Lancashire (UCLan)

Anne Paterson

Sheffield Business School, Sheffield Hallam University

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Introduction

Domestic abuse is rarely recognised as a workplace issue; however, there is evidence that it is impacting employees, employers, and wider society. Furthermore, there are ethical, legal, and business drivers for organisations to address this impact.

It is important to understand the context of domestic abuse more generally, because it can be misunderstood as only encompassing physical violence or only affecting certain people.

In the UK it is 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. The abuse can encompass, but is not limited to: psychological; physical; sexual; financial; emotional. (Home Office 2012)

Domestic abuse has substantial societal impacts. In 2019/20 it was reported that an estimated 7.3% of women and 3.6% of men in England and Wales experienced domestic abuse (ONS 2020). Furthermore, 28.9% of women and 13.2% of men have experienced some form of domestic abuse since the age of 16 (ONS 2018). Women are also at a higher risk of experiencing more severe abuse (Hester 2009). However, it is important to recognise that abuse affects people of all genders, races, sexualities, incomes, occupation, and other personal characteristics.

During COVID-19, there have been substantial increases of cases, and barriers to accessing support or leaving perpetrators (Sánchez et al 2020), with the UN highlighting the existence of a 'shadow pandemic' (Mlambo-Ngcuka 2020). Therefore, there is a timely need for the UK Government's forthcoming Domestic Abuse Bill – a key aim of which is to challenge attitudes that underpin all aspects of abuse.

This paper draws on research of the experiences of trade union representatives in supporting staff experiencing abuse, and a review of workplace policies.

Domestic abuse is rarely recognised as a workplace issue

Domestic abuse is still too often perceived as a 'private matter', and its impact upon the workplace may not be recognised by employers. However, it is estimated that around 10% of workers in every organisation are experiencing domestic violence at any given time (EHRC 2010). Abuse can negatively impact an employee's productivity, absenteeism, and employment prospects (Wathen et al 2018). For many victims/survivors there remains a stigma or risks to disclosing their abuse (Reeves and O'Leary-Kelly 2009), which leads to many organisations wrongly assuming that it is not something that impacts upon their workplace. Concerningly, disciplinary sanctions are a common first response (de Jonge 2018), as workplace problems for victims/survivors are misinterpreted by managers and HR professionals (CIPD/EHRC 2020).

There are also ethical, legal, and business drivers to address the impact of domestic abuse in the workplace (de Jonge 2018). From an ethical perspective, as the TUC commented, *'supporting employees who are experiencing domestic violence is crucial. Without a job and a source of income, those experiencing the abuse are less likely to find a way of escaping the abusive relationship'* (TUC 2014). In the government review into domestic abuse in the workplace, employers are called on to *'burst the stigma'* preventing disclosure, by more fully supporting staff experiencing abuse (BEIS 2021). There is also a 'duty of care' as an employer under existing workplace health and safety legislation (Larrieta-Rubin de Celis et al 2017). Additionally, there is an economic cost of over £14 billion of *'lost output due to time off work and reduced productivity as a consequence of domestic abuse'* (Oliver et al 2019).

Workplaces can provide valuable support for employees who are experiencing domestic abuse (CIPD/EHRC 2020). Businesses that have implemented support have reported increased staff retention and productivity, survivors feeling valued by their employer, and enhanced reputation as a 'good employer' (EIDA 2020). For other organisations, addressing domestic abuse is challenging, and they may want to help but not know how.

It is within this context that trade unions can provide valuable support to both employers and employees (Wathen et al 2018). Unions can collectively negotiate for better support and policies (BEIS 2021). They run awareness-raising campaigns and offer resources for representatives and companies to support victims/survivors (Elger and Parker 2006). Representatives can also support individual employees, negotiating reasonable adjustments and ways to remain in work (TUC 2014). Yet, despite the beneficial role representatives play in handling domestic abuse in the workplace, there are limited studies in this field – which is why our research focuses on this group.

Impact of domestic abuse on staff and organisations

We undertook 57 in-depth interviews with trade union representatives to explore their experiences of supporting victims/survivors of abuse. Participants were mostly female and came from a range of unions and industries. Some also voluntarily disclosed they were survivors. We also undertook a preliminary documentary analysis of model domestic abuse workplace policies.

Our findings demonstrated the wide range of impacts domestic abuse was having upon work and workers. Respondents gave examples of staff suffering from all types of abuse and reinforced that it was happening to all types of employees, regardless of their occupation, seniority or personal characteristics, although women were overrepresented. Respondents highlighted that perpetrators may continue the abuse when the victim/survivor is at work, with examples of staff being stalked, harassed, and attacked at work or during their commute:

[P]artner turns up and smash their car... in the work car park... Having to take those kind of phone calls in work... having to rush out of work to take phone calls... that got her in to the place where she was leaving work before she should have left it and she was leaving pieces of work unfinished... It was a contributory factor that she was living in a violent situation and fear.

Unsurprisingly victims/survivors can feel fearful and stressed because of the abuse. This fear and other consequences of the abuse, such as recovering from injury or not being allowed to leave the house, can therefore reduce their attendance and performance:

[T]here is a need for companies... to actually look behind people's absences, people who have poor performance... may be on the brink of getting sacked for time off, or being late... they are getting beat up at home, or they are suffering mental torture.

Additionally, there are health and safety concerns for all organisational actors, including colleagues and clients. The following quote is from the retail sector, which, as with others, faces the challenge that their workplace is open to the public, and therefore unwittingly to perpetrators:

I knew about the things he was doing when he came into store... home time he'd come into [the store to] go home with her... he'd take it out on her but that's what he did, he controlled her... We couldn't ban him because he wasn't actually doing anything... She didn't want us to ban him.

Yet, despite the risks to individual employees and the wider workplace, several interviewees reflected that some employers continued to characterise it as a 'private matter'. Even more concerningly, victims/survivors could face disciplinary action or even dismissal because of the impacts of domestic abuse upon their work:

[Employee's] husband came to every disciplinary.... every phone call... he had been the one that was speaking to me and I said, 'Can you please put your wife on?'... he was shouting in the background. And it really raised a massive issue to me, but the strange thing is that when she was in the disciplinary meeting on her own... [her] manager said to her, 'Is there anything you want to share with me?' And it became quite apparent then that the manager had suspicions [of domestic abuse]... I said, 'Look, we can get you help.' ... She was just adamant. 'No, no... I'm fine. I'm absolutely fine.' ... She got dismissed.

Barriers to disclosure

Representatives explained that when questioned by HR or managers about their behaviour, employees are unlikely to tell them that they are experiencing abuse. It is necessary for organisations to understand why if they are to develop effective approaches to supporting employees:

[Employee] had to... say I'm being domestically abused in order for that policy to be triggered... [union] argument was that you can't be asking somebody to do that when they're not even telling their family, their friends, any of the authorities, not the police.

Significantly, respondents highlighted that work is important to victims/survivors and not just financially. Employees may fear that if they disclose, they will be perceived negatively by others and it will have detrimental career consequences. Victims/survivors also fear that if the perpetrator finds out, abuse may escalate. Understandably they may only disclose if 'a crisis occurs', such as facing disciplinary action or severe abuse:

They feel weak because they can't cope with it... mostly it's not understood either... [Worry] someone sees less of them as a person because they are putting up with it... there's a fear actually of leaving. How will I do on my own? How will I manage if there are kids? ... I think that's why people don't disclose so easily. And I think it is only when a crisis occurs or they've been badly beaten.

There may also be a lack of 'trust and confidence that the members have in their own management team', in understanding abuse and being able to take action to support the victim/survivor. These barriers to speaking up need to be recognised when creating domestic abuse policy and practice. If they require disclosure to access support, it should

not be assumed that employees will do this, as the quotes above have shown. Some will leave instead.

What can organisations do to support victims and survivors at work?

These are some of the key initiatives respondents suggested to support employees experiencing domestic abuse to continue in work, and to help raise awareness and reduce the stigma more widely.

Support and awareness-raising activities
Awareness-raising across organisation Enabling Domestic Abuse Champions (see resources) Putting information in workplaces in safely accessible places Partnerships with external support services such as refuges to raise awareness and offer mutual support Working with trade unions (i.e. model policies/resources) Training for line managers, HR colleagues, and union reps Creating domestic abuse policies (integrated with people management policies) Reps, HR, and managers working together on reasonable adjustments

Providing workplace adjustments to enable the employee to continue in work
Increased security at work and on commute Allow greater flexibility in hours Relocation Time off Adjusted absence and performance management Provide counselling Employee assistance programme Buddy systems/informal support

Review of employer domestic abuse policies

Recognising the importance of workplace domestic abuse policies from our qualitative data and literature (BEIS 2021, CIPD/EHRC 2020), we undertook preliminary desk-based research to explore the domestic abuse policy approaches. We focused on eight organisations, four in the public sector and four in the private sector. These were reviewed against the recommended approaches and model policies provided by specialist domestic abuse organisations and trade unions, for example EIDA, UCU, SafeLives (see 'Resources'). The research revealed varying approaches taken by different employers to managing their response to domestic abuse situations.

The private sector organisations surveyed initially focused on providing detailed policy aims and scope and definitions of domestic abuse. They then detailed the roles and responsibilities of different employees in managing domestic abuse, staff training, awareness-raising and workplace adjustments, with a focus on making the working environment safe for the employee experiencing abuse. The main support for victims/survivors was the provision of time off, although only one organisation made it clear

that this would be paid. Personal support was often provided through an employee assistance programme (EAP), external counselling and domestic abuse services. All the documents mentioned managing perpetrators in the workplace, but with more focus on disciplinary action and keeping other colleagues safe, rather than support for behavioural change. The overall feel of these measures was a practical solution-focused approach, to help victims/survivors to resolve their situation, supported by designated and trained individuals either internal or external to the organisation.

In contrast, the public sector organisations reviewed were all local councils that had developed domestic abuse policies that provided more extensive coverage of the full range of suggested employer support covered by the workplace guides and model policies. However, there were still gaps in: how domestic abuse might be disclosed; working with external agencies and unions; the role of colleagues in recognising, reporting, and providing informal support; and awareness-raising and training. All the policies started with clear drivers for development, for example legislative, wellbeing and safety. Like the private sector policies, there were clear policy statements, aims, scope, and definitions of domestic abuse. In contrast to the private sector policies, there was more focus on how abuse would be disclosed or reported and the roles of different organisational actors.

There was an emphasis on the line manager as the main contact in the public sector, but in the private sector, there was an equal emphasis on HR and/or trained champions/officers in addition to line managers. There was a focus on practical steps that employers can take to protect the employee at work, integration with other HR policies, the role of the manager and handling employees who perpetrate domestic abuse. The public sector emphasised record-keeping, but this was not mentioned by any of the private sector organisations reviewed.

Awareness-raising for all staff was mentioned by all organisations, but approaches varied for training different staff groups, with HR staff more likely to receive training in the private sector and line managers in the public sector. The public sector organisations provided a broader spread of supportive actions, including both security planning and provision of personal support to get advice and take action. Although, there was also reference to managers not being counsellors and a need for them to signpost and refer the employee to external support services. They also all made more reference to the integration of the domestic abuse policy with other HR policies, for example absence and performance management. The public sector organisations all provided detailed policy support guidance for the management of employees perpetrating domestic abuse and some included support for perpetrator behavioural change.

Although this was a preliminary review, the above has implications for supporting organisations in policy development, as it demonstrates that organisations will take differing approaches to the development of domestic abuse policy in their workplaces. The public sector seemed to focus more on the role of the line manager and use of both internal support mechanisms and local domestic abuse services. The private sector made more mention of the role of HR and seemed more likely to train specific staff to undertake DA roles or to outsource this to an employee assistance programme or private counsellor. Unions were only mentioned in two of the public sector policies and one of the private sector organisations, despite the valuable support that trade unions can offer to both employees and employers (Bennett et al 2019).

Summary

Overall, evidence shows that the impact of domestic abuse is a key issue for all organisations. Support is available, though, and our research reaffirms that unions have a key role in assisting employees and employers. Therefore, there is value in organisations working closely with unions from the development of policies, to raising awareness, through to providing support for victims/survivors to remain within the workplace and implementing reasonable adjustments. Additionally, our findings highlight that organisations should engage with all stakeholders in designing effective domestic abuse policy and practice. It is crucial that these policies are integrated with existing HR policies, such as absence and performance management, and effectively communicated to all staff to raise awareness. Employers should also ensure that all managers, HR, and representatives receive training to be better equipped to support victims/survivors. There is a clear moral, legal, and business case for employers to more fully support employees experiencing abuse, and it is important to realise that the workplace can ‘offer a lifeline to those experiencing it’ (CIPD/EHRC 2020).

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Resources for victims/survivors of domestic abuse and those supporting them

Freephone 24-Hour National Domestic Abuse helpline: 0808 2000 247

(Run in partnership Women's Aid + Refuge): 'The helpline is answered by fully trained female support workers and volunteers, who will answer your call in confidence. All calls to the domestic violence helpline are free from mobiles and landlines. We can support survivors of domestic abuse, friends and families, and professionals who are in contact with domestic violence survivors.'

For women

www.womensaid.org.uk

www.refuge.org.uk

www.hiddenhurt.co.uk

For men

Men's Advice Line: www.mensadviceline.org.uk or 0808 801 0327

www.survivorsuk.org

Workplace resources

CIPD/EHRC. (2020) [*Managing and supporting employees experiencing domestic abuse: a guide for employers*](#).

EHRC [*Domestic abuse: workplace policies and managing and supporting employees*](#) (including the business case for supporting victims/survivors).

Department of Health/SafeLives (2015) [Responding to colleagues experiencing domestic abuse: practical guidance for line managers, human resources and employee assistance programmes.](#)

Trades Union Congress (TUC):

[Domestic abuse – why staying home isn't safe for everyone and what you can do to help](#)

[Domestic abuse and coronavirus](#)

[Domestic Violence eNote: Interactive guide for union reps](#)

[EIDA](#) (Employers' Initiative on Domestic Abuse)

Business in the Community. (2021) [Domestic abuse: a toolkit for employers.](#)

Workplace Domestic Violence Champions (offer free training and awareness raising resources):

[Northumbria Police and Crime Commissioner](#)

[Merseyside Police and Crime Commissioner](#)

Trade unions (many have model policies and resources on domestic abuse, some have public resources):

[UNISON](#)

[CWU](#)

[USDAW](#)

[UCU](#)

[GMB](#)

[UNITE](#)

During COVID-19

[Domestic abuse: get help during the coronavirus \(COVID-19\) pandemic](#)



Chartered Institute of Personnel and Development
151 The Broadway London SW19 1JQ United Kingdom
T +44 (0)20 8612 6200 **F** +44 (0)20 8612 6201
E cipd@cipd.co.uk **W** cipd.co.uk

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