



Domestic Abuse Employee Policy

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Domestic Abuse Employee Policy

1. Policy statement

Employee Policy is underpinned by external and internal procedures that robustly address issues of domestic abuse and related matters that are experienced by our personnel.

For the purpose of the policy where it refers to employees the definition of an employee is an individual employed by either the Chief Constable of Cleveland or employed by the Police and Crime Commissioner for Cleveland.

Our priority is staff safety, together with compassion and understanding for those affected; the effects of domestic abuse on the individual and any children within the relationship, whether directly abused or not, can have a devastating effect on their lives. Additionally, this can also affect extended family, friends and work colleagues who might become involved in the situation.

The contents of this document fairly, equally and consistently apply to all individuals irrespective of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or any other unjustifiable grounds.

2. Values and Aims

Cleveland Police has a responsibility to provide all staff and officers with a safe working environment and this policy represents our commitment to recognising the devastating impact of domestic abuse; in addition to providing support to staff and officers who may experience it. Domestic abuse is unacceptable in any circumstances and any abuse perpetrated by officers and staff will not be condoned. Any allegation, disclosure or conviction of domestic abuse perpetrated by an officer or member of staff will be robustly investigated.

Cleveland Police aims to:

- Use our domestic abuse champions who support employees in the workplace that may be experiencing domestic abuse.
- Protect people who experience domestic abuse and prevent further harm.
- Support police personnel in a sensitive and effective manner.
- Ensure that existing multi agency arrangements relating to investigations, information sharing and staff support are maintained and are in accordance with the Data Protection Act 2018.¹
- Maintain a professional, proportionate approach.

¹ Data processed for the purpose of Law Enforcement 'The prevention, investigation detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security'; is completed under Part 3 of the DPA 2018

² Data processed for the purposes of safeguarding is completed und Part 2 of the Act, General Data Protection Regulations, GDPR.

- Effective risk management and mitigation, of personal and organisational vulnerability.
- Promote a safe and secure environment for people to speak up, report domestic abuse and highlight concerns for colleagues.
- Hold perpetrators to account through the criminal justice system and internal misconduct procedures, whilst ensuring those that seek support to change are fully supported.
- Ensure that appropriate measures are in place to deal with police personnel who are arrested and detained in order to safeguard the integrity and effectiveness of the investigation.
- Signpost the individual to support groups (see Appendix 1).
- Eliminate discrimination, harassment and victimisation, whilst advancing equality of opportunity as outlined in the Equality Act 2010 [Review here](#)
- Ensure the Health and Safety of our staff is maintained.
- Employ common sense and discretion in decision-making and ensure all decisions and their rationale are documented.
- Employ best practice and highlight lessons learned.
- Seek to support people whom are looking for support to change their behaviour.
- Have an ethical workforce with people who are not afraid to challenge and report behaviours.

3. Raising Awareness

Raising Awareness

Cleveland Police is committed to zero tolerance of domestic abuse. The working environment should promote the view that domestic abuse against any person is unacceptable and that such abuse will not be condoned.

Cleveland Police will aim to raise awareness of domestic abuse through:

- Publicising its policy and procedures on dealing with Domestic Abuse.
- Including issues relating to domestic abuse in relevant in-house training sessions.
- Facilitating domestic abuse awareness training.
- Posting information on the Force Intranet and Internet.
- Publicising the internal support services available.
- Publicising Local Support Agencies (See Appendix 1).
- Using our DA Champions to raise awareness and offer support to colleagues in the workplace.

4. Definitions

The Home Office definition of domestic abuse is:

"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". This can encompass, but is not limited to, the following types of abuse:

Physical

A wide range of different behaviour can come under the heading of physical abuse and can include punching, slapping, hitting, biting, pinching, kicking, pulling hair, pushing and strangling. It can also include withholding access to medication, medical care or forcing alcohol or drug use.

Sexual

Rape and sexual abuse can feature in abusive relationships due to consent being ignored. Any situation where someone is forced to take part in unwanted, unsafe or degrading sexual activity is sexual abuse.

Psychological & Emotional

Emotional or psychological abuse can be either verbal or nonverbal, and can include threats to kill, stalking and harassment. This kind of domestic abuse chips away at the confidence and independence those whom experience it to make them compliant and limit their ability to leave their abuser.

Emotional abuse can include verbal abuse such as yelling, name-calling, blaming and shaming, isolation, intimidation, threats of violence and coercive controlling behaviour.

Financial

Economic or financial abuse limits those abused's ability to get help. The abuser controls finances; withholds money or credit cards; makes someone unreasonably account for the money they spend; exploits assets; withholds necessities; prevents someone from working or sabotages their job and deliberately runs up debts.

Domestic abuse can go beyond actual physical violence. It can also involve emotional abuse, the destruction of property, their isolation from friends, family, colleagues or other potential sources of support, threats to others including children, control over access to money, personal items, food, transportation and the telephone, and stalking. It can also include violence perpetrated by family members or any other person who has a close relationship with those that suffer abuse, it can also include violence inflicted on, or witnessed by, children. The wide adverse effects of living with domestic abuse for children must be recognised as a child protection issue. The effects can be linked to poor educational achievement, social exclusion and to juvenile crime, substance abuse, mental health problems and homelessness from running away.

Those who experience domestic abuse suffer on many levels - health, emotionally, psychologically, financially, housing, education - and lose the freedom to live their lives as they want, and without fear.

Domestic abuse cuts across social class, economic status, ethnicity and cultural background. Prevalence should be considered to reflect that of the community served. Therefore, it is acknowledged by the Employee Policy that some staff experience domestic abuse and also those that are perpetrators of domestic abuse work within Cleveland Police.

For some staff there are barriers to reporting domestic abuse. This is particularly pertinent to police personnel for a variety of reasons. These may include:

- Fear that their colleagues might discover their situation.
- Fear that they will know the investigating officer.
- Embarrassment and concern of how they will be perceived.
- Where the perpetrator is also an employee, fear that they might access reports or other information.
- The rank or position of parties involved affecting decision making or perceptions.
- Fear of repercussions if the perpetrator is convicted and loses their job/pension.

There may also be additional barriers in relation to culture, LGBT+, male, disabled and elderly victims. Domestic abuse can have a devastating effect on a victim's personal life. However, the effects of domestic abuse can extend to a victim's workplace; in fact, the majority of domestic abuse victims are targeted at work. According to Everyone's Business data 2018 -75% of those experiencing domestic abuse are targeted at the workplace, 58% of people enduring domestic abuse miss at least 3 days work a month due to abuse.

It is possible for perpetrators to use workplace resources, such as phones, e-mail or even their rank or position, to threaten, harass or abuse their victim.

There is a real cost to Cleveland Police in terms of lost hours and decreased productivity coupled with the effect on colleagues who may also fear for their safety, be protective of victims, or fail to understand the reasons for increased absenteeism. Cleveland Police as a responsible employer will ensure an effective and supportive response to personnel who may be experiencing domestic abuse, in order to prevent and reduce occurrences. We will ensure that decisions are properly documented and that risk assessments occur at relevant stages within the investigative process.

The European Court of Human Rights has made it clear that the police and other agencies with special powers to protect individuals from violence can be held liable for failure to use those powers e.g. *Osman v UK* [1998] and *Z and Others v UK* [2001] *Van Colle and Another v Chief Constable Hertfordshire Police* [2007]. These obligations are clearly applicable in cases where police officers are alleged to have committed domestic abuse-related criminal offences or where members of staff are victims.

We also have clear guidance on mandatory reporting on Home Office Counting Rules for when and what circumstances require the recording of a crime. [Review here](#)

5. Advice and Guidance

Recognising the signs of domestic abuse

Domestic abuse can affect anyone, irrespective of race, gender, ethnicity, religion, class, disability or lifestyle. Similarly, anyone can be a perpetrator. This guide should help you recognise the signs of domestic abuse in yourself and in others. It is essential however, that assumptions about a person's behaviour are not made from the existence or absence of any of these signs.

How do I know if I am experiencing abuse?

If you answer yes to one or more of the following questions, you may be in an abusive relationship:

- Has your partner tried to keep you from seeing your friends or family?
- Does your partner constantly check up on you or follow you?
- Does your partner constantly belittle or humiliate you, or regularly criticise or insult you in front of other people?
- Does your partner accuse you unjustly of flirting or of having affairs?
- Has your partner prevented you from continuing or starting a college course, or from going to work?
- Are you ever scared of your partner?
- Have you ever changed your behaviour because you are afraid of what your partner might do or say to you?
- Has your partner ever deliberately destroyed any of your possessions?
- Has your partner ever hurt or threatened you or your children?
- Has your partner ever kept you short of money so you are unable to buy food and other necessary items for yourself and your children?
- Has your partner ever forced you to do something that you really did not want to do, including sexually?

How do I know if my colleagues are experiencing domestic abuse?

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

Physical signs

- Visible bruising / single or repeated injury with unlikely explanations.
- A sustained change in behavior.
- A sustained change in the 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, increasingly, anxious, frightened, tearful or aggressive.
- Frequent self-certified sickness absences and/or frequent hospital visits.
- A change in a person's working patterns, for example frequent lateness or needing to leave early.
- Lack of confidence and very low self-esteem.
- A change in the use of the telephone, for example a large number of personal calls and strong reaction to these calls.
- Changes to the quality and quantity of work.
- Poor attendance or high presenteeism (working unnecessarily long days or volunteering to come in on days off) without explanation.
- Marked decrease in financial situation (although there may be many other explanations for this).

I am a victim reporting domestic abuse to my line manager. What will my manager do?

Staff members who disclose that they are experiencing or witnessing abuse, or have experienced it historically, should know that the information they provide may be

confidential. There are, however, some circumstances in which confidentiality cannot be assured. These circumstances occur when there are concerns about children or vulnerable adults, where high risk has been identified, or where the employer needs to act to protect the safety of members of the public, including other employees. There may also be circumstances where a crime WILL be recorded if required. Measures will however be taken to ensure the crime report isn't accessible to staff.

In line with the principles of the Data Protection Act 2018² only proportionate, relevant and accurate information will be shared with third parties. These decisions will be made on a case-by-case basis and all decisions to share information, and the rationale used, will be recorded appropriately.

I am a victim reporting domestic abuse via 999 or 101

Any incident recorded by Cleveland Police on Storm (or Niche) that identifies a member of staff will be restricted (i.e. anything that can identify the person as a police officer or a member of police staff). In addition, the information will be restricted if the caller asks for it to be, or if it identifies or has an impact on any other member of police personnel.

What happens after the phone call?

Domestic abuse incidents involving police officers and staff will be treated in the same way as those involving any member of the public. In addition, where police are called to a domestic abuse incident where a police officer is suspected of having committed an offence, a supervisor should attend and speak to the victim.

- The first priority is victim and child safety.
- First aid will be delivered if necessary.
- If needed, officers can force entry to a property.
- Victims and suspects will be spoken to separately, in private.
- Questions about what has happened will be asked. These will be recorded on BWV and a record of the incident made.
- Where legal powers exist, positive action will be taken.

What happens after the police have visited?

Victims reporting domestic abuse will be supported. A range of organisations and local support groups with further advice and practical guidance on domestic abuse will be provided. Your case may be investigated by uniformed staff, a specialist police detective or in some cases through DSE. The officer will help with:

- Witness Statement - the evidence that is used in court.
- Victim Personal Statement - your statement about how the crime has affected you and your family.
- Support through any subsequent trial.

What happens to the person who is arrested?

² Incorporates "applied" GDPR

If a person is arrested for suspected domestic abuse, they will be taken to a police station, where they may be:

- Interviewed about what has happened.
- Charged with a criminal offence.
- Kept in custody to go to court.
- Released on bail with conditions e.g. not to contact any victims or witnesses, or return to an address. If these conditions are not met, re-arrest is possible.
- Issued a caution in respect of admissions made.
- Issued with a DVPO or similar restrictive order (**hyperlink to new procedure to be added with Dc Neil Lamb has this finalised through the local courts**).
- Released with no further action taken.

Victims will be kept up to date about what is happening, and will be informed before suspects are released.

What happens in the workplace? Will my manager be told?

There is no blanket rule in relation to the notification of your line manager. You will be involved in any decision making in relation to any notification. Where notifications are made consideration ought to be given to protected characteristics and diversity. The rationale to any notification must be recorded. Cleveland Police will always try to do what is best to provide support for employees. This in most cases will ensure notification to line managers so that your ongoing welfare can be managed and monitored.

Where can I go for help & support?

Cleveland Police can give you the contact details of a range of organisations and local support groups that can help you and offer further advice and practical guidance on domestic abuse. In appendix 1 is a list of specialist organisations that provide advice and support for victims and suspects of domestic abuse.

I think my colleague may be a victim of domestic abuse

If you think that a colleague may be a victim of domestic abuse you have a personal responsibility to take action, this may be approaching the person and signposting to support agencies or speaking to a trusted department.

Asking difficult questions

If you suspect that an officer or member of staff is experiencing domestic abuse, you should facilitate a conversation to discuss this so that you can provide them with the appropriate support. Shying away from the subject can perpetuate the fear of stigma and increase feelings of anxiety. Often officers and staff will not feel confident in speaking up, so making the first move to begin a conversation can be key. You should ask them indirect questions, to help establish a relationship and develop empathy.

Below are some examples of questions that could be used:

- How are you doing now? Are there any issues you would like to discuss with me?
- I have noticed recently that you are not yourself. Is anything the matter?
- Are there any problems or reasons that may be contributing to your frequent sickness absence / under-performance at work?
- Is there anything we can work on together to move past you being absent quite a lot?
- Is everything all right at home?
- What support do you think might help? What would you like to happen? How?

Be a good listener and avoid victim blaming. It is important that you are able to provide a non-judgemental and supportive environment. Respecting boundaries and privacy is essential.

Because of the serious psychological effects of such abuse, it is extremely difficult for someone who has experienced domestic abuse to take the first step to talk about it and seek help or advice. A victim may make a number of attempts to talk to you about their experience before they are actually able to do so, so it is critical that you engage with them to stimulate conversation.

Proof of physical violence should not be sought, as the abuse experienced may be psychological, emotional or economic abuse. To press for proof could compound the effects and make it less likely in the future for the victim to seek help. Where physical injury is present, appropriate advice should be given regarding seeking medical treatment and documenting /photographing injury.

Recording Domestic Abuse

A decision to report domestic abuse may not have been made lightly. Police personnel reporting domestic abuse, will be afforded all the support and protection provided to the general public and must be aware that positive action will apply in relation to the arrest of the perpetrator where criminal offences are alleged. Officers are reminded of their duty under Home Office Counting Rules [HO CR](#) to record allegation(s) on a crime report and if necessary ensure it is transferred to the appropriate department or force. For further advice, contact the force crime registrar.

The crime report must be restricted in cases involving officers or staff whether they are the victim or perpetrator. In addition All STORM and Niche logs must be blocked. Those incidents which are blocked are done so to ensure privacy, but the person recording the blocked job must signpost the victim to the correct services (provided the victim consents to this), as this will not be possible via PPN once the incident is blocked.

Decision to prosecute

The Cleveland police Policy on prosecuting cases of domestic abuse recognises that sometimes, victims will ask the police not to proceed any further with the case and say that they no longer wish to give evidence. There may be a number of explanations for this. This does not mean the case will be discontinued. Managers and investigators should take into account issues involved in this and ensure that supportive measures remain in place and the risk assessment is reviewed regularly.

Cleveland Police will still consider use of disciplinary proceedings against staff who are alleged to have committed domestic abuse, even if a criminal prosecution is not pursued. Perpetrator risk management measures will be reviewed by the line manager, and in conjunction with the DSE.

Confidentiality

Confidentiality must be afforded to the individual in line with the Data Protection Act 2018 and Article 8 of the Human Rights Act (subject to the requirements of child and adult protection) and where the options are provided and a decision made by the victim not to make an official report to police, a full risk assessment will be conducted by the line manager. In response to the risk; plans to keep the victim safe on route to work, whilst at work and when off duty will be discussed.

Officers and staff who disclose that they are a victim of domestic abuse can be assured that the information they provide is confidential and will not be shared with other colleagues without their permission (subject to circumstances below). In all cases, consider the necessity to inform the OCU Commander/ staff equivalent of the incident. It should not be subject to discussion with other Senior Leadership Team (SLT) colleagues except those involved in the safety plan.

This is intended to manage the risk posed by the perpetrator and not for sharing information on the victim. It should not be necessary to disclose the victim's identity for this purpose, even when seeking general advice from departments such as human resources (HR) and Occupational Health and may even be prejudicial, particularly where the parties are in an LGBT+ relationship but have not disclosed their LGBT+ status to their colleagues or family members.

There are however, some circumstances in which confidentiality cannot be assured. This may occur when there are concerns regarding children, vulnerable adults or where the force is required to protect the safety of their officers and staff. In these circumstances, the officer and staff will be informed why confidentiality cannot be maintained.

Confidentiality will generally only be broken in the following circumstances:

- If it is required by law, this can be statute or common law;
- If it is unequivocally in the public interest, where a failure to disclose information may expose the individual, or others, to risk of death or serious harm. In such circumstances you should disclose information promptly to an appropriate person or authority;
- If it will prevent a serious risk to public health and serious crime;
- If a child is involved, see below;
- If disclosure is clearly in the individual's interest.

An exception to confidentiality may arise if the member of staff indicates that their children are also experiencing abuse. In these circumstances, the manager must inform the member of staff that s/he will be referring the matter in accordance with the Child Protection Procedures.

Ensure steps are taken to restrict, sanitise or ensure confidentiality for the victim at all times and keeping the victim informed throughout. Where possible, all reports arising

should be classified as official sensitive, and where possible restricted. As mentioned previously in this policy NCRS should be applied in all cases and when required a crime report must be submitted. All measures will then be taken to block the crime and restrict access to any employees of Cleveland Police.

DSE should consider conducting checks regarding persons accessing the systems if breaches of information are suspected. Line manager, supervisory or Leadership Team status does not automatically give access rights to reports to breach confidentially without due reason.

Manager/Supervisor role

Research has shown that whilst victims of domestic abuse may be reluctant to disclose what is happening to them, often they are hoping that someone will realise something is wrong and ask them about it. Managers should therefore offer staff the opportunity to discuss personal issues that may be affecting their health, performance at work or attendance.

Questions about domestic abuse should be asked routinely during return to work interviews, following sickness absence, and at PDR/performance meetings. Managers can refer to the IDVA service, this can be made directly by any employee.

It is unlikely, in the first instance, that staff who experience domestic abuse will inform colleagues of their situation, or approach their manager with the problem. Instead, managers may become aware of the situation through associated issues including but not limited to increased sickness absence or poor performance. As with other welfare issues, identifying that a member of staff is experiencing difficulties at an early stage will lead to appropriate help being offered, and allow that member of staff to deal with their situation far more effectively.

Supervisors have a really important role to play regarding continuing safeguarding in cases of employee DA. Establishing information about the perpetrators access to firearms, previous violence and access to children are all key to ensuring a well-balanced response is taken to safeguarding the staff member. This will include taking personal ownership of criming the incident, restricting access and obtaining welfare support.

Guidance for HR managers

Everyone's Business is a nationwide project run by crisis support charity Hestia, one of the largest providers of domestic abuse support. It highlights the significant role that employers can play in responding to domestic abuse, and provides them with the tools to do so.

The Everyone's Business Advice Line is a free confidential support line where employers can get advice to respond effectively to disclosures of domestic abuse by their employees, particularly in light of Covid-19, and to signpost such employees into the appropriate local specialist domestic abuse services. HR managers are able to access advise Monday-Friday 10am-3pm on 07770480437.

Signs and symptoms

Domestic abuse may manifest into physical and or psychological symptoms and line managers must be alert to the following possible signs:

- Changes in character, for instance members of staff who are normally outgoing may become introvert or reserved.
- Deterioration in emotional wellbeing and mental health.
- Indications of self-harm or reduced self-esteem.
- A lack of participation with a reduction in normal performance.
- Conversely an increase in attendance or performance as an avoidance technique.
- Visible bruising or the wearing of clothing not conducive to weather conditions to cover injuries; excessive use of make-up to hide injuries may be an indication of physical abuse.
- Uncharacteristic lateness, last minute requests for time off or annual leave, regular periods of self-certified sick leave.
- The receipt of repeated upsetting telephone calls, e-mails or social media.
- Economic abuse - When one person deprives their partner of financial resources or the ability to make money, it's called economic abuse. This creates a financial dependency, which is a way to control them or prevent them from leaving the relationship.
- This list is not exhaustive; some victims will not display outward signs of violence or abuse. Where line managers fear that a member of staff does displays signs, they should sensitively enquire as to their well-being and offer support and advice where appropriate. Signpost the individual to Support groups listed in Appendix 1.

Checklist for managers

You may be the first point of contact for someone reporting domestic abuse. Being a confidant can confuse roles, so you should ensure that you make a managerial commitment rather than a personal one due to the importance of setting boundaries and avoiding future confusion whilst supporting your member of staff.

There are a number of steps that you can take to address the effects of domestic abuse. In many cases, it is about being aware and signposting to the organisations that provide specialist support.

Asking Difficult Questions

When dealing with situations of this nature, managers should develop a sensitive and non-judgmental approach. When dealing with any member of staff who is or has experienced domestic abuse, the manager should:

- Take the member of staff seriously, and listen to what's being said.
- Ensure that any discussion with a member of staff about their circumstances, takes place in privacy.
- Respect confidentiality as far as possible - the consequences of domestic abuse are serious, and managers and colleagues need to respect this.

- Understand that the member of staff may not wish to discuss any details with their line manager, and may prefer to involve a third party such as a colleague, Federation/trade union representative or outside agency e.g. IDVA.
- Be honest and pragmatic about what can be offered.
- Be aware of any additional issues faced by the member of staff due to any protected characteristics e.g. age, gender, sexuality, ethnic background or disability etc.
- Be aware of what support is available, and explore these options with the member of staff.
- Ensure appropriate recording of the incident/situation on Cleveland Police systems in line with crime recording standards is adhered to in order to maintain records of disclosures.
- When suspecting or being made aware of a case of domestic abuse, the manager may wish to seek help and advice from a Human Resources Advisor/HR Manager, Professional Standards Department, Occupational Health and Welfare Unit or Safeguarding Team.
- Safeguarding Teams can provide advice on legal processes and how police forces deal with reported incidents of domestic abuse. They can also liaise with other forces on the individual's behalf if any part of the incident took place outside the Cleveland Police area.
- Contact information in relation to the support mechanisms and Independent Domestic Violence Advisers are also available from safeguarding units.
- Referrals to the IDVA service can be made directly by any employee, or by Cleveland Police on behalf of the employee with their consent.
- An Independent Domestic Violence Advisor is available to support any employees within Cleveland Police, who are or have endured domestic abuse and/or sexual violence and abuse. This includes all types of domestic violence and abuse from partners, ex-partners and/or family members. Cleveland Police have their own IDVA Jackie Glackin who works within the Domestic Abuse Solutions Team (DAST) based at M8 (See Appendices).
- The Occupational Health Unit can provide support in relation to the individual's fitness for work, well-being and can arrange for in-house or external counselling. This can include external counselling through Alliance in buildings throughout the force area. It is essential that Occupational Health understand that confidentiality cannot be kept when staff or work colleagues are at high risk.

The HR Advisers/HR Manager can give advice to line managers and individuals in relation to temporary/permanent change of role, working hours, base of work, special leave and other related terms and conditions.

Colleagues

In some instances, a colleague may advise police personnel that they are suffering domestic abuse, or may have suspicions domestic abuse is taking place. Whilst colleagues may be able to lend support to the individual concerned, the importance of disclosing the information to a line manager cannot be over-estimated. Cleveland Police have just rolled out the Domestic Abuse Champions which means staff throughout the force have had additional training regarding not only best practice around crime investigations but also on safeguarding and how to support and signpost colleagues.

Welfare and Support

The needs of police personnel experiencing domestic abuse will be varied. There might be concerns in relation to child contact, financial implications or accommodation issues that will require that the victim be present at solicitors meetings, court hearings, etc. In addition, where criminal proceedings are pending there may be demands on them to comply with requests for statements, photographs, medical examinations or attendance at court.

Police Personnel should be afforded flexibility with requests for time off, varied duties, annual leave, compassionate leave or other requests to enable them to attend appointments. It may be necessary to adjust workloads. Reasonable requests for alternative or temporary postings, particularly where the perpetrator is also a member of Cleveland Police, should be considered.

Victims may benefit from or require the confidential services of the Occupational Health Unit for advice or counselling and line managers or investigating officers can make a referral by contacting Wellbeing on the individual's behalf.

Special Leave and other Supportive Measures

Managers will give consideration, and view sympathetically requests for special leave for staff who have disclosed they are experiencing domestic abuse. These requests could include, but not limited to:

- Appointments with support agencies such as Women's Aid, Social Workers or Counsellors.
- Medical appointments.
- Arranging re-housing.
- Meetings with Solicitors.
- Making alternative childcare arrangements, including meetings with schools.
- Court proceedings involving incidents of domestic abuse.
- Assisting with any police investigation, which should not occur in the work place.

Managers should explore other supportive measures, such as a temporary change in hours, where requested by staff who are experiencing domestic abuse. A member of staff leaving a partner may face considerable financial hardship or have concerns about finding suitable accommodation for themselves and their family.

Managers should consider approving a salary advance if needed, (e.g. to move house or to make other significant financial outlay). Additionally, consideration should be given to changing the method of salary payment if a member of staff has disclosed that their partner has access to their finances or, is exerting financial pressure upon them. As previously stated, it may be appropriate to refer the individual to the Occupational Health Unit for professional support.

Victim Safety – Factors to consider

Cleveland Police employees have responsibility for the health, safety and welfare of persons at work as defined by the Health and Safety at Work Act 1974, and the Management of Health and Safety at Work Regulations 1999.

Managers may have to consider additional factors if incidents involve domestic abuse. Such incidents may involve partners or ex-partners visiting the workplace, violence, abusive phone calls, economic abuse, intimidation or harassment by the alleged perpetrator. These issues could be addressed by the following measures:

- Improving security measures such as changing key pad numbers or ensuring that access to buildings is open to authorised staff only.
- General reminders to staff not to divulge information about staff, especially personal details such as addresses, telephone numbers or shift patterns (disclosing personal data is likely to lead to disciplinary action).
- Offering temporary or permanent changes in the workplace, work times and patterns, to make the staff member less at risk at work and on their journeys to and from site. This could include changes to the office layout, to ensure that the staff member is not visible from reception point or, from ground floor windows.
- Offering changes in specific duties, such as answering phones or working in reception or in exceptional circumstances, redeployment to another post.
- Agreeing with the victim what to tell other staff and how they should respond if the perpetrator rings or attends the workplace. Providing colleagues with a photograph of the perpetrator, and other relevant details e.g. car registration numbers, may help to maintain security in the workplace.
- Allowing flexible working or special leave to facilitate any practical arrangements that are required, such as for seeking legal advice, attending counselling or attending court.
- Considering the approval of annual leave at little or no notice.
- Alerting reception / security if the perpetrator is known to come to the workplace and ensuring arrangements are in place for safely travelling to and from work.
- Providing additional support if the individual's performance is affected.

It is recognised that a member of staff may need some time to decide what to do and may try different options during this process.

All material recorded as part of the investigation is governed by Management of Police Information, Protective marking has been replaced by the GSC. Cases involving Cleveland Police personnel should normally attract an OFFICIAL – SENSITIVE marking due to the special category personal data involved. All Police personnel have a responsibility to protect personal data from unauthorised access and accidental loss.³

Risk Assessment

The National Decision Model (NDM) is a significant aid to officers and staff when dealing with requests for disclosure of information under the scheme. Any requests for disclosure for personnel who are victims or perpetrators, needs careful consideration by the Chief Information Officer/Crown Prosecution Services, HR or senior line management in conjunction with the Director of Legal Services. Assume responsibility for and continually identify, assess and manage risk. Continually seek to identify, assess, reduce, mitigate and manage risk Record DASH.

³ Data Protection Act 2018 and the General Data Protection Regulations, GDPR

Risk assessment on NICHE for Medium/High cases.

Supervisors should ensure that any cases graded medium to High are completed and sent directly to the safeguarding hub. This is where a secondary risk assessment will take place and factors such as escalation or referral into MARAC will be considered.

If confidentiality is an overriding factor tasking to the hub can be avoided as long as rationale is recorded and all safeguarding has been addressed.

Use the RARA model when compiling safety plans for victims. An example is below (not exhaustive):

- **Remove the risk:** By arresting the suspect and obtaining a remand in custody.
- **Avoid the risk:** By re-housing victim/significant witnesses or placement in refuge/shelter in location unknown to suspect.
- **Reduce the risk:** By joint intervention/victim safety planning, target hardening, enforcing breaches of bail conditions, and use of protective legislation and referring high-risk cases to Multi-Agency Risk Assessment Conference (MARAC).
- **Accept the risk:** By continued reference to the Risk Assessment Model, continual multi-agency intervention planning, support and consent of the victim and offender targeting within Pro-active Assessment and Tasking pro forma (PATP), or Risk Management Panel format (such as Multi-Agency Risk Assessment Conference (MARAC) or Multi-agency Public Protection Arrangements (MAPPA).

Risk Management

Investigators must consider the fact that the victim may work in the locality where the incident occurred and may not want to attend the local police station. The perpetrator may be employed in the locality where the incident occurred and the victim may wish to avoid contact with them or their colleagues. The varying circumstances are too many to list but it is important that in all cases the needs of the victim and their protection is a priority and every effort made to prevent contact with the perpetrator or to allay any embarrassment to them. It is important that intelligence in relation to risk assessment and risk management is imparted to those persons who might be part of the safety planning process. This may include line managers, work colleagues, Heads of Service Area; however, blanket sharing of this information should be avoided at all costs. Again, the wishes of the victim in relation to information sharing will be asparamount except in relation to child protection matters or high risk of harm or death to the victim or any other identified person e.g. current partner, relative, witness.

Where another force is investigating a case where the victim is a member of Cleveland Police it is important that the line manager or other notified member of staff, supporting the victim in the workplace, and where appropriate, has contact with the investigating officer regularly to ensure that there is holistic support for the victim and that issues of risk management are addressed throughout the criminal justice process.

Cleveland Police has a duty to maintain a secure environment for all staff. When they become aware that one of their members of staff is a victim of domestic abuse, it may be easier to maintain the secure working environment if all members of staff within a particular area are aware of the problem and the potential risks. It is however,

essential that the manager agrees with the member of staff concerned, how much and what information, if any, other members of staff will be told.

Managers should remind their members of staff regarding confidentiality and that any information must not be discussed further with other colleagues and that any unauthorised breaches of this information could result in disciplinary action. This is important, as the consequences of breaching confidentiality could have serious effects for the member of staff experiencing domestic abuse. Statistics have shown that the risk of more serious assaults, permanent injury and murder take place when a victim of abuse decides to confide in others, decides to leave or leaves the relationship or immediately after leaving. It is therefore important that the manager and other members of staff do not underestimate the dangers or assume that the fear of abuse by the member of staff is exaggerated.

In all cases, consider the necessity to inform the Superintendent/ staff equivalent of the incident. It should not be subject of discussion with other Senior Leadership Team (SLT) colleagues except those involved in the safety plan.

6. Working with and investigating perpetrators

Any incident of Domestic Abuse involving an employee of Cleveland Police must be raised to the attention of the duty silver whom will then allocate the most appropriate resource with the most appropriate level of investigative skill.

Perpetrators of domestic abuse

If you are aware that you are abusing your partner, the first step is to face up to your responsibilities and seek help to change your behaviour. Although confidentiality cannot be assured for officers and staff who disclose they are a perpetrator of domestic abuse, disclosures will be treated with respect and only appropriate parties informed in a discreet manner.

Support for perpetrators

Perpetrators of domestic abuse can access help and support by contacting the Respect charity. Respect is a confidential and anonymous helpline for anyone concerned about his or her abuse and / or abuse towards a partner or ex-partner.

I am suspected for domestic abuse

When a police officer or member of police staff is arrested, due consideration will be given as to which police station they are taken in order to ensure impartiality. This may mean that you are taken to a station that is not within your locality or in some cases your force area.

Will my manager be told?

It is the responsibility of police officers or members of police staff to notify their line manager if they are suspected for a case of domestic abuse.

Will I be suspended from work?

Depending on the circumstances and the role that you perform, you may be restricted or suspended from work.

How will my arrest be managed?

Every incident of domestic abuse involving a police officer or member of police staff will be dealt with in accordance with Service Policy.

I think I am a perpetrator of domestic abuse

Domestic abuse is unacceptable in any circumstances. If you are aware that you are a perpetrator, the first step is to face up to your responsibilities and seek help in changing your actions.

What happens if I tell my manager?

Domestic abuse perpetrated by officers and staff will not be condoned under any circumstances nor will it be treated as a purely private matter. Cleveland Police will always take positive action. If there is a legal power and it is necessary to do so, then you may be arrested. This may also lead to disciplinary action being taken against an officer or member of staff.

If you disclose that, you are a perpetrator, your manager:

- May need to speak to other people within the organisation to ensure an effective safety plan is in place for anyone at risk and that you are supported.
- Will provide you with information about the services and support that are available.
- Will refer you to Occupational Health.
- Will refer you to DSE.

I think my colleague may be a perpetrator of domestic abuse

If you think that, a colleague may be a perpetrator of domestic abuse the following actions can be considered.

Consideration of the Domestic Violence Disclosure Scheme (DVDS) Clare's Law formalises processes, based on common law powers to protect people, to be followed when considering potential disclosure of information to individuals at risk of domestic abuse. There are two pathways in which applications can be made:

Right To Ask gives members of the public a right to ask police where they have a concern that their partner or former partner may pose a risk to them, or where they're concerned that the partner of someone they know poses a risk to that individual.

Right to Know gives police and partner agencies the right to provide information to an individual when there is risk from a partner (or former partner) and there's a need for them to know this where they may be unaware they are at risk.

You may also consider:

- Telling a trusted supervisor or department
- Calling the DSE staff member on call [check here](#)
- Call DSE internal department Click [here](#)
- By email – Standards & Ethics Standardsðics@cleveland.pnn.police.uk
- Contact DSE confidentially via the email system [Anonymous E-Mail](#)

In the absence of a criminal conviction, disciplinary proceedings may still take place, with the full range of disciplinary sanctions being available, including dismissal. When a

member of police personal is a perpetrator of domestic abuse, the following should be considered:

- When implementing disciplinary measures it is essential that the safety of the victim and their children is not compromised.
- Consider flagging is applied to NICHE records. Ensure this record is restricted.
- Ensure confidentiality is afforded to the suspect unless strictly necessary to disclose information.
- Give due consideration which police station you take the suspect to. They should not be taken to a custody office covering their place of work, or where the victim works, or where the integrity of the investigation will be at risk.
- Consider the officer/employee current role and the likelihood of their contact with the victim if they are also Cleveland Police employees. The protection of the victim is essential.
- Ensure any officer engaged in the investigation is not known personally to the victim or suspect.
- Ensure no police mediation is undertaken on behalf of victims and perpetrators.
- Offer welfare services to all parties involved in the matter and contact the Police Federation or Superintendents Association as appropriate, if requested.

Immediate actions – Investigating BCU/OCU

Departments investigating a member of police personnel as a suspect of domestic abuse should:

- Refer to Domestic abuse in the workplace policy in all cases and follow actions.
- Ensure confidentiality is afforded to the suspect unless strictly necessary to disclose information. Police indices should all be restricted.
- Ensure any officer engaged in an ongoing investigation is not known personally to the victim or suspect.
- Ensure that the Department of Standards and Ethics is notified.
- Ensure information is passed to the on call National Police Chiefs' Council (NPCC) where the suspect is a Commander.
- Where the officer/employee works for another Force area ensure the relevant Force is notified. This should be via the Force Control Room senior officer, DSE or force silver on duty.

Where a Cleveland Police officer/employee is arrested in another Force area that Force will be responsible for case handling. They will generally contact the DSE via their own equivalent department.

Cleveland Police have worked closely with Route 2 to create a programme bespoke for any member of Cleveland police staff. Although Route 2 are recognised as a perpetrator programme the DSE department have tailored this scheme in collaboration with Route 2 to meet the needs of the individual. Further information on the scheme and the criteria for referral can be found at **(DSE to add the hyperlink in JULY 2020)**. Referral Form: [Here](#)

7. Legal Considerations

The Legal Basis

Law Enforcement

Data processed for the purposes set out in this Policy is done so in the public interest and has a clear basis in law, refer to "Basis in Law" below. It is therefore processed under GDPR Article 6 (e) "Public Task". However, where data is identified as falling under the Law Enforcement⁴ purpose Article 10 should then be used. Part 3 of the Data Protection Act 2018, sets out how data should be processed for the Law Enforcement purpose. If processing special categories⁵ of data for the purposes of Law Enforcement then a condition Schedule 8⁶ must be identified.

General Data

All data not considered as falling under the descriptor of Law Enforcement is considered as general data and should be processed under Part 2 of the Data Protection Act, GDPR. This will include data processed for the purpose of safeguarding. If processing special categories of data for general purposes then there must be a reason under Article 9⁷ and a condition under Schedule 1⁸ of the DPA 2018.

Data originally collated for Law Enforcement purposes can be processed under GDPR as long as it is authorised by law.

Basis in Law

The Human Rights Act 1998

The Human Rights Act 1998 gives effect to the European Convention of Human Rights in domestic law. It includes positive obligations on the part of public bodies to safeguard:

1. An individual's right to life (Art. 2),
2. An individual's right not to be subjected to torture, or to inhuman or degrading treatment (Art. 3) and
3. The right to private and family life (Art. 8) free from violence and intimidation.

The European Court of Human Rights has made it clear that the police and other agencies with special powers to protect individuals from violence can be held liable for failure to use those powers (e.g. Osman v UK [1998] and Z and Others v UK [2001] Van Colle and Another v Chief Constable Hertfordshire Police [2007].)

⁴ 'The prevention, investigation detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security'

⁵ personal data revealing racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; genetic data; biometric data (where used for identification purposes); health; a person's sex life; and data concerning a person's sexual orientation.

⁶ <http://www.legislation.gov.uk/ukpga/2018/12/schedule/8/enacted>

⁷ <http://www.legislation.gov.uk/ukpga/2018/12/part/2/chapter/2/crossheading/special-categories-of-personal-data/enacted>

⁸ <http://www.legislation.gov.uk/ukpga/2018/12/schedule/1/enacted>

These obligations are clearly applicable in cases where police personnel are alleged to have committed domestic abuse-related criminal offences or where police personnel are victims. Each decision must be taken bearing these obligations in mind. Protecting these rights may render proportionate the interference with another's right to privacy and or family life for example.

Children's Act 2004

Section 11 of the Children Act, 2004 creates a legal duty for the police "to ensure [their] functions are discharged having regard to the need to safeguard and promote the welfare of children". This duty has particular relevance to domestic abuse where children are often both direct and indirect victims. Protecting children will be at the heart of our response to domestic abuse.

Health and Safety at Work

Chief Officers as employers have a responsibility under the Health and Safety at Work Act 1974 to ensure the health and safety of employees. Chief Officers are under a duty to ensure that reasonable steps are taken to ensure the safety of personnel at work; this duty also applies to police personnel that are victims of domestic violence. The Management of Health and Safety at Work Regulations 1999 requires employers to:

- Consider the risk to employees (including reasonably foreseeable violence)
- Decide how significant these risks are and what to do to prevent or control the risk
- Develop a clear management plan to achieve this

Cleveland Police aims to support a work environment where an employee experiencing Domestic Abuse can seek practical advice and assistance, in confidence, with the knowledge that the response will be sensitive and effective.

Human Rights Certificate of Compliance

The policy has been checked for compliance with the Human Rights Act; with particular reference to the legal basis of its precepts: the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making process's and outcomes of actions.

8. Appendices

Appendix	Description
1.	For Support services follow this link

9. Compliance and monitoring

The Head of Safeguarding is responsible for the accuracy and integrity of this document. This policy will be continuously monitored, and updated when appropriate, to ensure full compliance with legislation.

The Head of Safeguarding will review this process to ensure that all aspects are being adhered to in accordance with the framework of this policy.

10. Version control

This policy will be reviewed and updated at least every three years by the owner, and more frequently if necessary.

The Corporate Services Department will ensure this document is available on the Force intranet, including any interim updates.

The following identifies all version changes.

Version	Date	Reason for update	Author
0.1	Jan 2020	New Policy	██████████
0.2	Feb 2020	Slight amends following consultation	██████████
0.3	Mar 2020	Policy checked and hyperlinks added	██████
0.4	Jun 2020	Final changes to the policy following consultation responses	██████████
0.5	Aug 2020	Policy for approval at Exec Board	██████████
1.0	Sept 2020	Policy approved, final amends and published.	██████████
1.1	Oct 2020	New contact list included at appendix 1	██████████