



## Domestic Abuse Employee Policy

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# Domestic Abuse Employee Policy

## 1. Policy statement

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Our priority is the safety and well-being of all Cleveland Police employees, together with compassion and understanding for those impacted; the effects of domestic abuse on the individual and any children (*a person under 18 years old*) 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. This can be even more stark where the perpetrator is within the organisation as there are likely to be impacts on employment and family income, which places an additional pressure on victims.

This policy will provide clear guidance on the definition of domestic abuse and the different types of abuse that this can encompass. The policy will provide advice and guidance around recognising the signs of domestic abuse and the reporting processes if a Cleveland Police employee discloses that they have been a victim of domestic abuse. Welfare and support measures, which are available to employees as victims, will be outlined as well as the investigative processes if a Cleveland Police employee is a perpetrator of domestic abuse.

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.

This policy will refer to employees throughout, which includes police officers, Special Constables, police staff, contractors, and volunteers.

## 2. Purpose

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Cleveland Police has a responsibility to provide all employees 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 those who may experience it. Domestic abuse is unacceptable in any circumstances and any abuse, perpetrated by Cleveland Police employees, will not be condoned. Any allegation, disclosure or conviction of domestic abuse perpetrated by an employee will be robustly investigated.

### 2.1 Aims

Cleveland Police aims to:

- Use our Domestic Abuse (DA) Champions to support employees in the workplace that may be experiencing domestic abuse.

- Protect victims who experience domestic abuse and prevent further harm by effectively engaging and communicating with the victim.
- Support employees in a confidential, sensitive and effective manner.
- Ensure that existing multi agency arrangements relating to investigations, information sharing and support are maintained and are in accordance with the [Data Protection Act 2018](#).
- Ensure effective risk management and mitigation of personal vulnerability.
- Promote a safe and secure environment for people to speak up, report domestic abuse and highlight concerns for colleagues, which remains confidential.
- Hold perpetrators to account through the Criminal Justice System and internal misconduct procedures, whilst ensuring that support can be made available for change.
- Ensure that appropriate measures are in place to deal with Cleveland Police employees who are arrested and detained in order to safeguard the integrity in domestic abuse cases.
- Signpost the individual (victim or perpetrator) to support groups ([see Appendix 1](#)).
- Eliminate discrimination, harassment and victimisation, whilst advancing equality of opportunity, as outlined in the [Equality Act 2010](#).
- Ensure that the health and safety of our employees is maintained.
- Employ common sense and discretion in decision-making and ensure that all decisions and their rationale are documented.
- Employ best practice and highlight lessons learned.
- Support employees that identify and take responsibility for changing their behaviour.
- Have an ethical workforce with people who are not afraid to challenge and report signs of domestic abuse.

## 2.2 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 the Domestic Abuse Matters training, in partnership with Safe Lives and the College of Policing.
- Posting information on the Force Intranet and external website.
- Publicising the internal support services available.
- Publicising local support agencies.
- Using our DA Champions to raise awareness and offer support to colleagues in the workplace.

## 2.3 Operation Assurance

Operation Assurance is an initiative created by Cleveland Police to monitor and tackle police perpetrated domestic abuse (PPDA) in response to the super-complaint made by the Centre for Women's Justice (CWJ). The super complaint concerns alleged risks and failures in relation to how policing responds to domestic abuse victims, who can be members of the public or police workforce members, when the perpetrator is a police officer or staff member. For more information, see [Appendix 2](#).

The primary objective is to ensure that there are no corrupt practices or bias shown during the investigation, which may place vulnerable individuals at further risk. This extends to protecting the organisation and partners.

Other objectives include:

- Ensuring bespoke welfare plans are in place for victims, including Cleveland Police employees who are victims of domestic abuse.
- Scrutiny from different areas of policing to ensure investigations are managed correctly.
- Ensuring multi-departmental co-operation and information sharing to allow for the smooth transition between criminal investigations to misconduct, likewise from misconduct to criminal.
- To correctly identify and manage officers who are a potential risk to the public and organisation.
- Ensuring Cleveland Police have the capability to identify and manage PPDA.
- Identify any organisational learning.

## 2.4 Definitions

Cleveland Police adopt the definition as described in the Domestic Abuse Act 2021.

### 2.4.1 Definition of 'domestic abuse'

A and B are each aged 16 or over and are personally connected to each other, and the behaviour is abusive.

Behaviour is 'abusive' if it consists of any of the following:

- a) physical or sexual abuse;
- b) violent or threatening behaviour;
- c) controlling or coercive behaviour;
- d) economic abuse (see [below](#));
- e) psychological, emotional or other abuse;
- f) and it does not matter whether the behaviour consists of a single incident or a course of conduct.

'Economic abuse' means any behaviour that has a substantial adverse effect on

B's ability to:

- a) acquire, use or maintain money or other property; or
- b) obtain goods or services.

For the purposes of the Act, A's behaviour may be behaviour 'towards' B despite the fact that it consists of conduct directed at another person; for example, B's child.

#### 2.4.2 Definition of 'personally connected'

Two people are 'personally connected' to each other if any of the following applies:

- a) they are, or have been, married to each other;
- b) they are, or have been, civil partners of each other;
- c) they have agreed to marry one another, whether or not the agreement has been terminated;
- d) they have entered into a civil partnership agreement, whether or not the agreement has been terminated;
- e) they are, or have been, in an intimate personal relationship with each other;
- f) they each have, or there has been a time when they each have had, a parental relationship, in relation to the same child (see [below](#));
- g) they are relatives.

For the purposes of (f) above, a person has a parental relationship in relation to a child if:

- a) the person is a parent of the child; or
- b) the person has parental responsibility for the child.

#### 2.4.3 Other definitions in this policy

- 'Child' means a person under the age of 18 years.
- 'Civil partnership agreement' has the meaning given by Section 73 of the Civil Partnership Act 2004.
- 'Parental responsibility' has the same meaning as in the Children Act 1989.
- 'Relative' has the meaning given by Section 63(1) of the Family Law Act 1996 (Section 63 of the Family Law Act says that a person's relative can be '(a) the father, mother, stepfather, stepmother, son, daughter, stepson, stepdaughter, grandmother, grandfather, grandson or granddaughter of that person or of that person's spouse, former spouse, civil partner or former civil partner' or '(b) the brother, sister, uncle, aunt, niece, nephew or first cousin (whether of the full blood or of the half blood or by marriage or civil partnership of that person or of that person's spouse, former spouse, civil partner or former civil partner).

## **Physical**

Physical abuse and violent or threatening behaviour can involve but is not limited to:

- Being, or threatened to be, kicked, punched, pinched, pushed, dragged, shoved, slapped, scratched, strangled, spat on and bitten;
- Use, or threats of use, of weapons including knives and irons;
- Being, or threatened to be, burned, scalded, poisoned, or drowned;
- Objects being thrown at or in the direction of the victim;
- Violence, or threats of physical abuse or violence, against family members;
- Causing harm by damaging or denying access to medical aids or equipment – for example, a deaf person may be prevented from communicating in sign language or may have their hearing aids removed and;
- Harming someone whilst performing 'caring' duties, which are often performed by relatives. This is especially relevant for individuals who are heavily dependent on others, such as disabled and older people and may involve force feeding, over-medication, withdrawal of medicine or denying access to medical care.

## **Sexual**

Victims of domestic abuse may experience behaviour that is sexually abusive. This abuse can involve:

- Rape and sexual assaults;
- Being pressured into sex, or sexual acts, including with other people;
- Being forced to take part in sexual acts because of threats to others, including children;
- Unwanted sexual contact or demands;
- 'Corrective' rape (the practice of raping someone with the aim of 'curing' them of being LGBT);
- Intentional exposure to HIV (human immunodeficiency virus) or sexually transmitted infections;
- Being pressurised or being tricked into having unsafe sex, including deception over the use of birth control;
- Forced involvement in making or watching pornography; and
- Hurting a victim during sex including non-fatal strangulation.

## **Psychological and/or 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 of 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.

## **Economic**

Economic abuse refers to behaviour that has a substantial adverse effect on an individual's ability to acquire, use or maintain money or other property, or to obtain goods or services. This can include an individual's ability to acquire food or clothes, or access transportation or utilities. These behaviours can include an attempt to control through restriction, exploitation and/or sabotage.

Economic abuse can make a victim economically dependent on the perpetrator, and/or create economic instability; thereby, limiting their ability to escape and access safety. This can result in a victim staying with a perpetrator and experiencing more abuse and harm as a result. Some forms of economic abuse may take place or persist after the victim has separated from the perpetrator. Children can experience the effects of economic abuse; this includes where it creates an environment where they lack essentials, and which, may in cases, escalate to severe forms of deprivation or child poverty.

Examples of economic abuse might include the following:

- Controlling the family income.
- Not allowing a victim to earn or spend any money unless 'permitted'.
- Denying the victim food or only allowing them to eat a particular type of food.
- Running up bills and debts, such as credit or store cards in a victim's name, including without them knowing.
- Refusing to contribute to household income or costs.
- Deliberately forcing a victim to go to the family courts so they incur additional legal fees.
- Interfering with or preventing a victim from regularising their immigration status so that they are economically dependent on the perpetrator.
- Preventing a victim from claiming welfare benefits, or forcing someone to commit benefit fraud or misappropriating such benefits.
- Interfering with a victim's education, training, employment, and career so that they are economically dependent on the perpetrator.
- Not allowing a victim access to a mobile phone, car, or utilities.
- Damaging the victim's property.
- Not allowing a victim to buy pet food or access veterinary care for their pet.
- Coercing the victim into signing over property or assets.
- Refusing to make agreed or required payments; for example, mortgage repayments or child maintenance payments and.
- Deliberately frustrating the sale of shared assets, or the closure of joint accounts or mortgages.

#### 2.4.4 Controlling and coercive behaviour

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of means needed for independence, resistance and escape and regulating their everyday behaviour. Coercive behaviour is an act or a pattern or acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten the victim. The following examples are within the range of behaviours that might be considered controlling or coercive behaviour. This list is not exhaustive:

- Controlling or monitoring the victim's daily activities and behaviour, including making them account for their time, dictating what they can wear, what and when they can eat, when and where they may sleep.
- Controlling a victim's access to finances, including monitoring their accounts, or coercing them into sharing their passwords to bank accounts in order to facilitate economic abuse.
- Isolating the victim from family, friends and professionals who may be trying to support them, intercepting messages, or phone calls.
- Refusing to interpret and/or hindering access to communication.
- Preventing the victim from taking medication, or accessing medical equipment and assistive aids, over-medicating them, or preventing the victim from accessing health or social care, which is especially relevant for disabled victims or those with long-term health conditions.
- Using substances to control a victim through dependency, or controlling their access to substances.
- Using children to control the victim, e.g. threatening to take the children away.
- Using animals to control or coerce a victim, e.g. harming or threatening to harm, or give away, pets or assistance dogs.
- Threats to expose sensitive information, e.g. sexual activity, or sexual orientation, or make false allegations to family members, religious or local community including via photos or the internet.
- Intimidation and threats of disclosure of sexual orientation and/or gender identity to family, friends, work colleagues, community, and others.
- Intimidation and threats of disclosure of health status or an impairment to family, friends, work colleagues and wider community, particularly where this may carry a stigma in the community.
- Preventing the victim from learning a language or making friends outside of their ethnic or cultural background.
- Threatening precarious immigration status against the victim, withholding documents, giving false information to a victim about their visa or visa application, e.g. using immigration law to threaten the victim with potential deportation.
- Using the victim's health status to induce fear and restrict their freedom of movement.
- Threats of institutionalisation, particularly for disabled or elderly victims.



## Contents

The list of contents below can be used to show each section of the policy should you wish to review a specific section.

Section	Contents
<b>3.1</b>	<b><u><a href="#">Signs of domestic abuse</a></u></b>
3.1.1	<u><a href="#">Who can be affected by domestic abuse?</a></u>
3.1.2	<u><a href="#">How do I know if I am experiencing abuse?</a></u>
3.1.3	<u><a href="#">How do I know if my colleagues are experiencing domestic abuse?</a></u>
<b>3.2</b>	<b><u><a href="#">Reporting</a></u></b>
3.2.1	<u><a href="#">Barriers to reporting</a></u>
3.2.2	<u><a href="#">Taking action</a></u>
<b>3.3</b>	<b><u><a href="#">Reporting domestic abuse</a></u></b>
3.3.1	<u><a href="#">I am a victim reporting domestic abuse to my line manager. What will my manager do?</a></u>
3.3.2	<u><a href="#">I am a victim reporting domestic abuse via 999 or 101</a></u>
3.3.3	<u><a href="#">What happens after the phone call?</a></u>
3.3.4	<u><a href="#">What happens after the police have visited?</a></u>
3.3.5	<u><a href="#">What happens to the person who is arrested?</a></u>
3.3.6	<u><a href="#">What happens in the workplace? Will my manager be told?</a></u>
<b>3.4</b>	<b><u><a href="#">Recording domestic abuse</a></u></b>
3.4.1	<u><a href="#">Decision to prosecute</a></u>
3.4.2	<u><a href="#">Confidentiality</a></u>
<b>3.5</b>	<b><u><a href="#">Support and guidance</a></u></b>
3.5.1	<u><a href="#">Where can I go for help and support?</a></u>
3.5.2	<u><a href="#">I think my colleague may be a victim of domestic abuse</a></u>
3.5.3	<u><a href="#">Asking difficult questions (colleague to colleague)</a></u>
3.5.4	<u><a href="#">Manager and Supervisor role</a></u>
3.5.5	<u><a href="#">Guidance for Human Resources Managers</a></u>
3.5.6	<u><a href="#">Checklist for managers</a></u>
3.5.7	<u><a href="#">Asking difficult questions (manager to colleague)</a></u>
3.5.8	<u><a href="#">Welfare and support</a></u>
3.5.9	<u><a href="#">Special leave and other supportive measures</a></u>

- 3.6**            **[Victim safety – factors to consider](#)**
  - 3.6.1    [The National Decision Model \(NDM\)](#)
  - 3.6.2    [Risk assessment on Niche for medium/high cases](#)
  - 3.6.3    [Risk management](#)
  
- 3.7**            **[Working with and investigating perpetrators](#)**
  - 3.7.1    [Perpetrators of domestic abuse](#)
  - 3.7.2    [Support for perpetrators](#)
  - 3.7.3    [I am suspected of domestic abuse](#)
  - 3.7.4    [Will my manager be told?](#)
  - 3.7.5    [Will I be suspended from work?](#)
  - 3.7.6    [How will my arrest be managed?](#)
  - 3.7.7    [I think I am a perpetrator of domestic abuse](#)
  - 3.7.8    [What happens if I tell my manager?](#)
  - 3.7.9    [I think my colleague may be a perpetrator of domestic abuse](#)
  - 3.7.10   [Immediate actions – investigating BCU and OCU](#)
  - 3.7.11   [Referring cases to the IOPC](#)
  
- 3.8**            **[Legal considerations](#)**
  - 3.8.1    [Law enforcement](#)
  - 3.8.2    [General data](#)
  
- 3.9**            **[Basis in law](#)**
  - 3.9.1    [The Human Rights Act 1998](#)
  - 3.9.2    [Children’s Act 2004](#)
  - 3.9.3    [Health and Safety at Work](#)
  
- 3.10**          **[Human Rights Certificate of Compliance](#)**

### **3. Underpinning procedures**

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[The Crime Survey for England and Wales](#) estimated that 2.1 million people aged 16 years and over (1.4 million women and 751,000 men) experienced domestic abuse in the year, ending March 2023.

The police recorded 889,918 domestic abuse-related crimes, excluding Devon and Cornwall, in the year ending March 2023, a similar number to the previous year.

### 3.1 Signs of domestic abuse

Domestic abuse can go beyond actual physical violence. It can also involve: emotional abuse; the destruction of property; 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 include violence perpetrated by family members or any other person who has a close relationship with those that suffer abuse; and 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, such as health, emotionally, psychologically, financially, housing, education, and lose the freedom to live their lives as they want, and without fear.

Some indicators of domestic abuse are listed below, but this is not exhaustive:

- Visible bruising or single or repeated injury with unlikely explanations.
- 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.
- 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, uncharacteristic or frequent lateness, last minute requests for leave or time off or regular periods of self-certified leave.
- Lack of confidence, very low self-esteem or indications of self-harm.
- Deterioration in emotional wellbeing and mental health.
- A change in the use of the telephone; for example, a large number of personal calls and strong reaction to these calls.
- The receipt of repeated upsetting telephone calls, e-mails, or social media.
- Reduction or increase in performance and attendance without explanation or as an avoidance technique.
- Lack of participation.
- Marked decrease in financial situation; although, there may be many other explanations for this.
- Changes in character; for instance, people who are normally outgoing may become introvert or reserved.

#### 3.1.1 Who can be affected by domestic abuse?

Domestic abuse can affect anyone, irrespective of race, gender, ethnicity, religion, class, disability or lifestyle. Similarly, anyone can be a perpetrator.

This policy 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.

### 3.1.2 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?

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

There are some common signs, which might indicate that a colleague could be experiencing, or has experienced, domestic abuse - see the list at 3.1 [here](#). It may be hard for victims of domestic abuse to separate home and work issues and this may impact greatly on their working lives. Where both survivor and perpetrator are employed by the same force, the perpetrator may also use the workplace as somewhere to perpetrate abuse and specifically target the victim's career and work reputation.

This list [here](#) is not exhaustive and there will be some victims who do not display signs of coercive control, violence, or abuse. However, where line managers fear that an employee is displaying signs, they should sensitively enquire as to their well-being and offer support and advice where appropriate.

## **3.2 Reporting**

Domestic abuse cuts across social class, economic status, ethnicity and cultural background. Therefore, it is acknowledged by the employee policy that some employees experience domestic abuse and also those that are perpetrators of domestic abuse work within Cleveland Police.

### 3.2.1 Barriers to reporting

For some, there are barriers to reporting domestic abuse. This can be particularly pertinent to those who work for the police for a variety of reasons.

These may include:

- Fear that 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 and/or pension.

The CWJ (2020) investigation revealed that concerns about gossiping, and lack of confidentiality appears to be a strong barrier to reporting for police victims.

There may also be additional barriers in relation to culture, LGBT+, male, disabled and elderly victims. Research found that victims of domestic abuse in same-sex relationships did not recognise themselves as a victim. As the narrative of domestic abuse is portrayed as predominantly a male perpetrator and a female victim, it can prevent them from recognising domestic abuse. One of the main reasons that men do not seek help is a fear of not being believed, embarrassment, and the feeling of being 'less of a man.'

Disabled people often suffer from marginalisation through misplaced views of their lives and experiences, which can leave them ill-equipped to recognise abusive behaviours, understand their rights and seek support (SafeLives, 2017). AgeUK (2021) suggests that domestic abuse experienced by older people is sometimes recorded as elder abuse due to a lack of understanding about the prevalence and nature of domestic abuse among older people.

There are barriers to reporting that are heightened for black, Asian and minority ethnic (BAME) and immigrant women, such as the fear that their children will be removed, fear of deportation, police brutality, racial discrimination, and lack of trust in formal services and systems. There are also issues with recognising level of injury due to skin colour, colloquialisms, and stereotyping.

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. 75% of those experiencing domestic abuse are targeted at the workplace and 58% of people enduring domestic abuse miss at least three days' work a month due to abuse.

According to CWJ (2020), PPDA victims may find it especially hard to report their abuse to police. They have extra and profound concerns that they will not be believed and not receive an impartial, supportive police response. Victims

working in policing themselves, particularly in the same force as their perpetrator, face a unique set of barriers to reporting. Concerns of feeling safe and able to disclose the abuse and those committing the abuse are identified and appropriately dealt with. There are also concerns about potential impacts on their own career and working life, including loss of privacy.

Along with the barriers to reporting domestic abuse, the CWJ (2020) describes 11 overarching concerns or 'themes' relating to how forces respond to cases of PPDA through speaking with women who had suffered PPDA:

- Difficulties in initial reporting.
- Failures in investigation.
- Improper manipulation of police processes.
- Improper responses to complaints or concerns.
- Accused officers' personal links with others in the Force.
- Accused officers using their police knowledge, status, and powers.
- Improper decisions on criminal charges.
- Incorrect approach to misconduct investigations and decisions.
- Abused women arrested.
- Employment difficulties for women who are police officers.
- Workplace victimisation of women who are police officers.

### 3.2.2 Taking action

Cleveland Police as a responsible employer will ensure an effective and supportive response to employees 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) and *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 employees 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, available [here](#).

## **3.3 Reporting domestic abuse**

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

Employees who disclose that they are experiencing or witnessing abuse, or have experienced it historically, should know that the information they provide will

usually 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 is not accessible to those who have no reason to access.

In line with the principles of the [Data Protection Act 2018](#) 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.

### 3.3.2 I am a victim reporting domestic abuse via 999 or 101

Any incident recorded by Cleveland Police on Storm (or Niche) that identifies an employee 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 employee.

### 3.3.3 What happens after the phone call?

The initial response to domestic abuse incidents involving Cleveland Police employees 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 Cleveland Police employee or those employed by another force, a supervisor should attend and speak to the victim and:

- 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 body worn video (BWV) and a record of the incident made.
- Where legal powers exist, positive action will be taken.
- Victims will be given a choice as to the sex of the officer they speak to.

### 3.3.4 What happens after the police have visited?

Victims reporting domestic abuse will be supported. Details of a range of organisations and local support groups with further advice and practical guidance on domestic abuse will be provided.

The case may be investigated by Response Officers, those assigned to Prisoner Handling Team, CID, Domestic Abuse Unit or in the case of PPDA, it may be investigated by investigators from the Directorate of Standards and Ethics (DSE).

The officer will help with:

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

### 3.3.5 What happens to the person who is arrested?

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; or
- 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 or;
- Issued a caution in respect of admissions made or;
- Issued with a DVPO or similar restrictive order (guidance is available on the Force Intranet [here](#)) or;
- 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.

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

There is no blanket rule in relation to the notification of your line manager if you are involved in a domestic incident as a victim. 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.

If you are involved in a domestic abuse incident and recorded as the perpetrator, your line manager will be notified, as will your Senior Management Team.

## **3.4 Recording domestic abuse**

A decision to report domestic abuse may not have been made lightly. Cleveland Police employees 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.

The attending officers are reminded of their duty under Home Office Counting Rules, available [here](#), to record allegation(s) on a crime report and if necessary,



to ensure that 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 employees 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 that the victim has consented to this, as this will not be possible via PPN, once the incident is blocked.

#### 3.4.1 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 but this is the same for all domestic abuse victims. 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 employees 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 DSE.

#### 3.4.2 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 while travelling to and from work, whilst at work and when off duty will be discussed.

Employees 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, the necessity to inform the Silver Commander or staff equivalent of the incident will be considered. 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 employees. In these circumstances, it must be explained 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, 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'.
- If disclosure is clearly in the individual's interest.

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 only allow access to those who need it.

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 confidentiality without due reason.

### **3.5 Support and guidance**

#### 3.5.1 Where can I go for help and 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. [Appendix 1](#) provides list of specialist organisations that provide advice and support for victims and suspects of domestic abuse as well as other useful contacts.

#### 3.5.2 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 could be approaching the person and signposting to support agencies or speaking to your line manager or trusted department.

In some instances, a victim may disclose to a colleague that they are suffering domestic abuse. 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.

### 3.5.3 Asking difficult questions

If you suspect that an employee is experiencing domestic abuse, you should facilitate a conversation to discuss this so that you can provide appropriate support. Shying away from the subject can perpetuate the fear of stigma and increase feelings of anxiety. Often victims 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 often 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 and photographing any injury.

### 3.5.4 Manager or 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 the opportunity to discuss personal issues that may be affecting their health, performance at work or attendance.

Questions about domestic abuse should be considered routinely during return to work interviews, following sickness absence, and at PDR and performance meetings. Managers can refer to the Independent Domestic Violence Advisor (IDVA) service and this can be made directly by any employee.

It is unlikely, in the first instance, that those 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 difficulties at an early stage will lead to appropriate help being offered, and allow that employee to deal with their situation far more effectively.

Supervisors have a really important role to play regarding continuing safeguarding in cases of employee domestic abuse. 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. This will include taking personal ownership of criming the incident, restricting access, and obtaining welfare support.

#### 3.5.5 Guidance for HR Managers

The HR and ER team should request any further guidance required, from DA, DSE or Silver.

#### 3.5.6 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 the reporting person.

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.

#### 3.5.7 Advice for managers

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

- Take all allegations seriously, and listen to what is being said.
- Ensure that discussions take 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 they 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 an outside agency.

- Be honest and pragmatic about what can be offered.
- Be aware of any additional issues faced by the victim 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 employee.
- Ensure that the appropriate recording of the incident and/or crime on Cleveland Police systems is carried out in line with crime recording standards 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 colleagues in Domestic Abuse, Human Resources, DSE, Wellbeing and/or Child Protection. This needs to be balanced against confidentiality, so consultation should not go beyond what is required to gather in the information.

Managers should also be aware that the Domestic Abuse Solutions Team (DAST) 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. This can be done without compromising confidentiality.

An IDVA is available to support any employees within Cleveland Police, who are or have endured domestic abuse. This includes all types of abuse from partners, ex-partners and/or family members. Cleveland Police have their own IDVA who works within the DAST, based at Middlesbrough Police Station.

Referrals to the Independent Domestic Violence Advisor (IDVA) service can be made directly by any employee, or by Cleveland Police on behalf of the employee with their consent.

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. It is essential that Occupational Health understand that confidentiality cannot be kept in all instances, such as if there is a risk of harm.

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

### 3.5.8 Welfare and support

The needs of those 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.

Employees 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 Wellbeing Team for advice or counselling and line managers or investigating officers can make a referral by contacting Wellbeing on the individual's behalf. This should be discussed with the victim first.

### 3.5.9 Special leave and other supportive measures

Managers will give consideration, and view sympathetically requests for special leave for those who have disclosed that they are experiencing domestic abuse.

These requests could include, but not limited to:

- Appointments with support agencies, such as domestic abuse support agencies, IDVA or social care.
- 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 those who are experiencing domestic abuse.

When leaving a partner, this may cause considerable financial hardship or there may be 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 it has been disclosed that their partner or ex-partner has access to their finances or, is exerting financial pressure upon them.

## **3.6 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. The following measures could help reduce the risk:

- Improving security measures, such as changing key pad numbers or ensuring that access to buildings is open to authorised staff only.
- General reminders to all not to divulge information about other employees, 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 reduce the risk at work and on their journeys to and from site. This could include changes to the office layout, to ensure that the victim is not visible from corridors or, from ground floor windows.
- Offering changes in specific duties, such as answering phones or working in particular districts or in exceptional circumstances, redeployment to another post.
- Agreeing with the victim what to tell their colleagues 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 front desks 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 some time may be needed to decide what to do and may try different options during this process.

### 3.6.1 The National Decision Model (NDM)

The National Decision Model (NDM) is a significant aid to when dealing with requests for disclosure of information under the scheme. Any requests for disclosure for employees 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.

### 3.6.2 Risk assessment on Niche for medium or 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 an 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 the victim or significant witnesses or a placement in a refuge or shelter in an location that is unknown to the suspect.
- **Reduce the risk:** by joint intervention and 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 Proactive Assessment and Tasking Proforma (PATP), or risk management panel format, such as Multi-Agency Risk Assessment Conference (MARAC) or Multi-agency Public Protection Arrangements (MAPPA).

### 3.6.3 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 their line manager or other appropriate person who is 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. When they become aware that any employee is a victim of domestic abuse, it may be easier to maintain the secure working environment if those within a particular area are aware of the problem and any potential risks. It is, however, essential that the



manager discusses this with the victim and they agree how much and what information, if any, others will be told.

Managers should remind their team members 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 person 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 others do not underestimate the dangers or assume that the fear of abuse by the victim is exaggerated.

In all cases, consider the necessity to inform the Superintendent or 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.

### **3.7 Working with and investigating perpetrators**

Any incident of domestic abuse involving an employee of Cleveland Police must be raised to the attention of Duty Silver who will then allocate the most appropriate resource with the most appropriate level of investigative skill.

#### **3.7.1 Perpetrators of domestic abuse**

If 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 employees who disclose they are a perpetrator of domestic abuse, disclosures will be treated with respect and only appropriate parties informed in a discreet manner.

#### **3.7.2 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 their abuse towards a partner or ex-partner.

#### **3.7.3 I am a suspect of domestic abuse**

When an employee is arrested, due consideration will be given as to which police station they are taken in order to ensure impartiality. This may mean that they are taken to a station that is not within their locality and often, they will be taken to a police station out of the Force area.

#### **3.7.4 Will my manager be told?**

It is the responsibility of employees to notify their line manager if they are a involved in a case of domestic abuse. The information will be shared with them

when it becomes known to Cleveland Police so if the employee does not share the information, their line manager and member of their senior leadership team will be made aware regardless.

#### 3.7.5 Will I be suspended from work?

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

#### 3.7.6 How will my arrest be managed?

Every incident of domestic abuse involving a Cleveland Police employee will be dealt with in accordance with the Domestic Abuse Policy.

#### 3.7.7 What happens if I tell my manager?

Domestic abuse perpetrated by Cleveland Police employees 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.

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.

#### 3.7.8 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 (guidance is available on the Force Policy SharePoint page [here](#)), 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 are 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 is a need for them to know this where they may be unaware they are at risk.

You may also consider:

- Telling a trusted line manager or department.
- Contacting DSE , either by email [REDACTED] or phone [REDACTED]
- If it is out of hours, DSE on-call details are available from the Force Incident Manager (FIM) in Force Control Room (FCR) on 1101.
- Break the Silence anonymous email system can be found [here](#).

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 Cleveland Police employee 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 applying a flag to Niche records and ensure that this record is restricted.
- Ensure that confidentiality is afforded to the suspect, unless it is strictly necessary to disclose information.
- Give due consideration to 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 their current role and the likelihood of 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.

### 3.7.9 Immediate actions – investigating BCU and OCU

Departments investigating a Cleveland Police employee 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 it is strictly necessary to disclose information. The incidents should all be restricted.

- Ensure any officer engaged in an ongoing investigation is not known personally to the victim or suspect;
- Ensure that DSE is notified as they will be the investigating team;
- Ensure information is passed to the on call National Police Chiefs' Council (NPCC) where the suspect is a Commander;
- If they are employed by another Force area, ensure the relevant Force is notified. This should be via the Force Control Room Senior Officer, DSE or Force Duty Silver.

Where a Cleveland Police officer or employee is arrested in another Force area, the relevant Force will be responsible for the handling of the domestic abuse incident and/or crime. They will generally contact the DSE via their own equivalent department. Cleveland DSE deal with any associated misconduct investigation.

### 3.7.10 Referring cases to the IOPC

Forces must refer, without delay, certain serious complaints and incidents which meet the mandatory referral criteria to the IOPC. The mandatory referral criteria are set out in legislation and in the IOPC's statutory guidance on the police complaints system available [here](#).

Under the mandatory referral criteria, forces must refer complaints and recordable conduct matters that include allegations of conduct which constitute:

- A serious assault.
- A serious sexual offence.
- Serious corruption, including abuse of position for a sexual purpose (APSP) or for the purpose of pursuing an improper emotional relationship.
- A criminal offence or behaviour, which is liable to lead to disciplinary proceedings and which, in either case, is aggravated by discriminatory behaviour on the grounds of a person's race, sex, religion or other status as identified in the [IOPC's statutory guidance](#);
- A relevant offence.
- Complaints or conduct matters arising from the same incident as one where conduct falling within the above criteria is alleged.
- Any conduct matter or complaint relating to a chief officer where the appropriate authority is unable to satisfy itself, from the complaint alone, that the conduct complained of, if it were proved, would not justify the bringing of criminal or disciplinary proceedings.
- Complaints which arise from the same incident about which there is a complaint alleging that the conduct complained of resulted in death or serious injury.

## **3.8 Legal considerations**

### 3.8.1 Law enforcement

Data processed for the purposes, as set out in this policy, is done so in the public interest and has a clear basis in law, as referred to in '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 Enforcement 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 categories of data for the purposes of Law Enforcement, then a condition [Schedule 8](#) must be identified.

### 3.8.2 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 9 [Data Protection Act 2018](#) and a condition under [Schedule 1 of the DPA 2018](#).

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

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 employees should normally attract an OFFICIAL – SENSITIVE marking due to the special category personal data involved. All police employees have a responsibility to protect personal data from unauthorised access and accidental loss ([Data Protection Act 2018](#)).

## **3.9 Basis in law**

### 3.9.1 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).
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)).

These obligations are clearly applicable in cases where Cleveland Police employees are alleged to have committed domestic abuse-related criminal offences or where Cleveland Police employees 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.

### 3.9.2 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.

### 3.9.3 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 employees at work; this duty also applies to those 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.

## **3.10 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 processes and outcomes of actions.

## 4. Appendices

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Appendix	Description
1.	Support services and resources
2.	Operation Assurance

## 5. Compliance and monitoring

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

## 6. Version control

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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
1.0	Sept 2020	Policy approved, final amends and published.	[REDACTED]
1.1	Oct 2020	New contact list included at appendix 1	[REDACTED]
2.0	08/05/2024	Publication following approval at Executive Management Board on 03/05/2024	[REDACTED]
2.1	October 2024	Update to EAP details in appendix 1	[REDACTED]



## DOMESTIC ABUSE INFORMATION

### DOMESTIC ABUSE SUPPORT

#### Local

ARCH Teesside [admin@archteesside.org](mailto:admin@archteesside.org) 01642 822331  
Harbour [info@myharbour.org.uk](mailto:info@myharbour.org.uk) 03000 20 25 25 (24 hours)  
My Sisters Place [reception@mysistersplace.co.uk](mailto:reception@mysistersplace.co.uk) 01642 241864

#### National

National Domestic Violence Helpline 0808 2000247  
Male Domestic Abuse Support (Monday - Friday 0900hrs - 2000hrs) 0808 8010327  
Galop (LGBTQ Support) [help@galop.org.uk](mailto:help@galop.org.uk) 0800 999 5428  
(Monday to Thursday 10:00am - 8:30pm Friday 10:00am - 4:30pm)

### EMPLOYEE ASSISTANCE PROGRAMME

The Employee Assistance Programme (EAP) is designed to help you deal with any personal or professional problems, which could be impacting your general Health and Wellbeing. The EAP is administered by an independent, external organisation that works to a robust, professional code of conduct.

The EAP is available 24 hours a day and contact details can be found via the Wellbeing SharePoint page [here](#).

### FORCED MARRIAGE / HONOUR BASED ABUSE

#### Karma Nirvana

UK Helpline 0800 5999 247

#### Forced Marriage Unit

[fmu@fcdo.gov.uk](mailto:fmu@fcdo.gov.uk) 020 7008 0151  
(Monday to Friday 0900 – 1700)  
Out of hours: 020 7008 5000

### WORRIED YOU ARE AN ABUSER?

#### RESPECT

A specialist referral & support service for anyone concerned about being abusive to their partners.

0808 802 4040

[www.respectphoneline.org.uk](http://www.respectphoneline.org.uk)

### SLEEP SUPPORT

- Contact your GP for advice & support with sleep
- [NHS Live Well Guides](#)
- [ShutEye Sleep app](#) to help you relax and track sleep cycle
- [RELAX & Sleep Well Sleep & hypnosis app](#)
- [Calm Meditation and sleep app](#)
- [Headspace 'Be kind to your mind'](#)

**Meditation, sleep, stress & mindfulness app**

Please Google if links do not work

### FURTHER SOURCES OF MENTAL HEALTH SUPPORT

- Contact your GP for advice & support re mental health support
- [Police Care UK](#) 0300 012 0030
- [Mind](#) 0300 123 3393
- [Samaritans](#) 116 123 [jo@samaritans.org](mailto:jo@samaritans.org)
- [SANE line](#) 0300 304 7000 (1630hrs - 2230hrs)
- [SHOUT](#) Text Bluelight to 85258
- [COPS MINDS](#) Support for police officers, staff and retired officers
- [Mental Health at Work](#) Toolkits for workplace mental health

Please Google if links do not work





## DOMESTIC ABUSE INFORMATION

### POLICE FEDERATION

- [Cleveland Police Federation](#)
- [REDACTED] [Fed Leaflets & downloads](#)

### UNISON

- [REDACTED]
- [REDACTED]

### SUPERINTENDENTS ASSOCIATION

### FINANCIAL ADVICE & GUIDANCE

- [Police Care UK](#) **0300 012 0030**
- [Money Saving Expert](#)
- [Employee Assistance Programme](#)
- [Police Mutual](#)
- [Citizens Advice Bureau](#)

### HUMAN RESOURCES SUPPORT

- For leave queries or references  
[REDACTED]
- For queries re sickness, retirement, maternity leave, paternity leave, grievances and flexible working [REDACTED]

### OTHER SUPPORT AVAILABLE

*Please Google if links do not work*

- [CALM Campaign Against Living Miserably \(Every day 1700hrs - 0000hrs\)](#) **0800 585 858**
- [Post Natal Illness](#)
- [Alcoholics Anonymous / For families & friends of alcoholics](#)
- [Anorexics and Bulimics anonymous](#)
- [Gamblers anonymous](#) **0808 801 0327**
- Cleveland Police Women's Network [REDACTED]
- [Narcotics Anonymous](#)

DIRECTORATE  
OF STANDARDS  
AND ETHICS



## Operation Assurance – Terms of Reference

## **1. Background**

Operation Assurance is an initiative created by Cleveland Police to monitor and tackle "Police Perpetrated Domestic Abuse (PPDA)". This is in response to the super-complaint made by Centre for Women's Justice (CWJ). The super-complaint concerns alleged risks and failures in relation to how policing responds to domestic abuse victims (who can be members of the public or police workforce members) when the perpetrator is a police officer/staff.

The College of Policing is leading the investigation of this super-complaint, in collaboration with IOPC and HMICFRS. Operation Assurance is a key operation in relation to the strategic aims and objectives of The Directorate of Standards & Ethics.

## **2. Membership & Accountability**

The Directorate of Standards & Ethics (DSE) will lead the operation and will be managed by the Detective Inspector within Complaints & Discipline. The other stakeholders involved are the Counter Corruption Unit (CCU), Domestic Abuse Unit (DAU) and Human Resources (HR).

To date, there have been initial meetings between the stakeholders and information has been shared. Specific DA incidents will be reviewed which fall into the criteria identified within the super-complaint made by CWJ. Stakeholders will have their input into these investigations and potentially be allocated actions in order to address any outstanding issues that have been identified during the meeting.

In 2022, DSE were given ownership of PPDA criminal cases, which was previously managed by DAU. DSE continue to retain ownership of the misconduct element.

### 3. Objectives

The primary objective is to ensure that there are no corrupt practices or bias shown during the investigation, which may place vulnerable individuals at further risk. This extends to protecting the organisation and partners. Other objectives include: -

- Ensuring bespoke welfare plan in place for victims, including police officers/staff who are victims of DA.
- Scrutiny from different areas of Policing to ensure investigations are managed correctly.
- Ensures multi-departmental co-operation and information sharing to allow for the smooth transition between criminal investigations to misconduct, likewise from misconduct to criminal.
- To correctly identify & manage officers who are a potential risk to the public & organisation.
- Ensuring Cleveland Police have the capability to identify and manage PPDA.
- Identify organisational learning

These objectives will sit within the overarching priorities identified within Cleveland Police's Domestic Abuse Policy which are: -

Cleveland Police priorities in relation to Domestic Abuse are as follows:-

- To protect the lives and wellbeing of both adults and children who are at risk of DA and any witnesses
- To investigate all reports of domestic abuse
- To facilitate effective action against offenders so that they can be held accountable through the criminal justice system
- To adopt a pro-active multi-agency, problem-solving approach in preventing and reducing domestic abuse.

#### 4. Method

The stakeholders will attend a bi-monthly meeting in order to discuss PPDA. This will be chaired by the DI within Complaints and Discipline & an agenda created.

The following processes have been added into Operation Assurance

- A case specific Operation Assurance meeting should be held within 48 hours, if not sooner, of all reported (criminal) domestic abuse incidents involving Cleveland Police Officers and staff. Appropriate supervisory representatives will be required from DSE and the DA Team to discuss and agree the investigative, safeguarding and welfare strategy. A case conference/Pro-active Scanning Meeting may be called which will take primacy. In this case, it will be the decision of the DI within DSE to hold an additional Assurance meeting.
- Bi-monthly Operation Assurance oversight meetings will continue, ensuring appropriate information sharing between DA, HR and DSE with a view to supporting and enhancing both the criminal and misconduct investigation.
- Whilst it is acknowledged the DSE have investigative primacy to the criminal element of the joint investigation, it is expected that DAU will support, advise and where appropriate professionally challenge investigative strategy and decision making. In serious and complex cases, it may also be prudent in involve the Appropriate Authority in the decision making.
- The bi-monthly Operation Assurance oversight meeting will include de-brief and lessons learned as part of the process.