How do you help an employee you suspect is the victim of domestic abuse?

This week marks National Work Life Week, an annual campaign to highlight the importance of balancing work and personal life. From our perspective we often see issues arise where an employee's personal circumstances begin to impact their work. Some of these personal issues can be relatively harmless, but what if they are more serious? For example, what if you suspect that someone at work is being subjected to domestic abuse at home?

Most employers are aware of their obligations to prevent abuse and violence in the workplace, but since the increase of home working with lines blurring between the home and the office, should employers support those suffering at home?

During the lockdown periods, there was a significant surge in victims seeking support for domestic abuse. Indeed, in January 2021 Business Minister Paul Scully MP wrote an open letter to all employers urging them to consider what can be done to help survivors of domestic abuse. The open letter rightly pointed out that domestic abuse is still a taboo subject, and few employers have any coherent workplace policy or support framework to deal with the possibility that its workers could be victims of domestic abuse.

Given the strides forward so far as mental health at work is concerned, why shouldn't the same apply in relation to domestic abuse? Employers wishing to develop a workplace policy and support framework should consult the <u>guidance on</u> <u>managing and supporting employees experiencing domestic</u> <u>abuse</u> published by the Chartered Institute of Personnel Development (**CIPD**) and the Equality and Human Rights Commission (**EHRC**) in 2020 (the **Guidance**).

The Guidance sets out tips on how to develop a workplace domestic abuse policy setting out useful guidance and information on how to access support. In addition to a policy, employers should consider offering training to staff to help them spot the signs and know what to do if they suspect a colleague is being subjected to domestic abuse. More generally, employers should send a clear message that all staff should feel comfortable raising these issues and in doing so that they will be supported. A poster, email or information on the intranet, with details of support groups is a great start. Small things can make a big difference.

As far as developing a support framework is concerned, the Guidance recommends that the following four key steps are taken.

Recognise the problem

Employers are in a unique position to identify changes in their employees' behaviour which could indicate abuse. For example, if an employee is suddenly more withdrawn, overly critical of themselves and their work, there is an unexpected dip in their performance or change in the way they dress, for example, excessive clothing on hot days. These cues may be subtle to begin with, but, over time, may build to reveal the reality of incredibly difficult personal circumstances.

If an employee makes indirect references to their partner's (or other family member's) abusive or controlling behaviour, it is important to respond by asking open and empathetic questions to try to get them to open up further about what is happening. However, extra care should be taken when raising things with people working from home, as the abuser might be monitoring the employee, which might trigger further abuse.

It is also important not to make assumptions. Domestic abuse can happen to anyone – it can happen to men and it can arise in same-sex relationships. Abuse can also take many different forms including: coercive control, economic abuse, online or digital abuse, harassment and stalking, psychological and sexual abuse.

Respond appropriately to a disclosure

Where an employee makes a disclosure that they are a victim of domestic abuse, it is important to listen, show empathy and compassion and take care not to place blame on the victim. Acknowledge how brave it is to talk about domestic abuse.

The next step is to reassure the employee that the organisation understands how domestic abuse may affect their work performance and outline the support that can be offered.

Provide support

But it is not just about offering a shoulder to cry on, there are many practical ways for employers to offer help too, including taking the following steps.

 Ask line managers to check in frequently with employees so that they can raise any concerns or worries and offer support to them.

- Offer flexibility to enable an employee to sort out financial, housing, legal and childcare issues. This could even extend to offering a period of paid leave.
- Offer a private space for employees to make calls or do other administrative tasks that they may not be able to freely do at home.
- Be mindful of the employee's safety at work. Divert phone calls and email messages and change a phone extension if an employee is receiving harassing calls. Look at how non-employees access the building. Ensure the employee does not work alone or in an isolated area and check that arrangements are in place for getting safely to and from work.
- Consider whether you can offer financial support, such as providing interest-free loans to cover immediate financial costs. Ask if the employee would like salary payments to be made to a different bank account.

Refer to the appropriate help

Domestic abuse is a sensitive and complex issue. It is important to be clear on the role and responsibilities of HR and line managers and set boundaries to protect their own wellbeing. HR and line managers are not experts, nor are they counsellors. However, they should be able to signpost employees to specialist help.

Put together a list of national and local domestic abuse support services which can be given to employees when needed. Some national organisations that offer support and resources are listed below. These organisations can also provide advice and guidance to HR and line managers who are supporting domestic survivors.

Conclusion

Dealing with the possibility that an employee may be the subject of domestic abuse is a terrifying prospect and most employers would be fearful of getting it wrong. The primary way to begin tackling this deeply complex and frightening situation is by raising awareness, offering an open and trustworthy environment for victims and offering meaningful support.

Further support can be found here:

National Domestic Abuse Helpline: 0808 200 0247 or visit https://www.nationaldahelpline.org.uk/

Women's Aid: www.womensaid.org.uk

Rights of Women: <u>www.rightsofwomen.org.uk</u>

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

BDBF is a leading employment law firm based at Bank in the City of London. If you would like to discuss any issues relating to the content of this article, please contact Emily Plosker (<u>EmilyPlosker@bdbf.co.uk</u>) or your usual BDBF contact.