

Public Document Pack

Argyll and Bute Council **Comhairle Earra-Ghàidheal Agus Bhòid**

Executive Director: Douglas Hendry



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9 October 2020

SUPPLEMENTARY PACK 2

POLICY AND RESOURCES COMMITTEE - VIA SKYPE on THURSDAY, 15 OCTOBER 2020 at 10:30 AM

I enclose herewith **item 7 (IMPLEMENTATION OF DOMESTIC ABUSE POLICY)** which was marked to follow on the Agenda for the above meeting.

Douglas Hendry
Executive Director

ITEM TO FOLLOW

- * **7. IMPLEMENTATION OF DOMESTIC ABUSE POLICY** (Pages 3 - 12)
Report by Executive Director with responsibility for Customer Support Services

Policy and Resources Committee

Councillor Rory Colville	Councillor Robin Currie (Chair)
Councillor Lorna Douglas	Councillor Audrey Forrest
Councillor Bobby Good	Councillor Kieron Green
Councillor Yvonne McNeilly	Councillor Aileen Morton
Councillor Gary Mulvaney (Vice-Chair)	Councillor Douglas Philand
Councillor Alastair Redman	Councillor Elaine Robertson
Councillor Len Scoullar	Councillor Sandy Taylor
Councillor Richard Trail	

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ARGYLL AND BUTE COUNCIL**POLICY AND RESOURCES COMMITTEE****CUSTOMER SUPPORT SERVICES****15 OCTOBER 2020**

IMPLEMENTATION OF DOMESTIC ABUSE POLICY

1.0 EXECUTIVE SUMMARY

1.1 In accordance with the Council's Wellbeing Agenda, the new Domestic Abuse Policy sets out the Council's commitment to provide a safe and supportive environment at work for those who are being affected by, or who are at risk from, domestic abuse or violence.

1.2 The Policy aims to:

- Clearly state that the Council believes everyone has the right to live free from domestic abuse and that domestic abuse is unacceptable.
- Emphasise that the Council is committed to supporting employees' health and wellbeing at work and recognises that domestic abuse affects people in all aspects of life, including the workplace.
- Create an environment at work where employees feel safe to disclose their experience of abuse in order to access support and increased safety for themselves and others.
- Respect the rights of employees not to disclose.

1.3 RECOMMENDATIONS:

It is recommended that the Policy and Resources Committee approve the new Domestic Abuse Policy for onward transition to the Council.

ARGYLL AND BUTE COUNCIL

POLICY AND RESOURCES COMMITTEE

CUSTOMER SUPPORT SERVICES

15 OCTOBER 2020

IMPLEMENTATION OF DOMESTIC ABUSE POLICY

2.0 INTRODUCTION

- 2.1 In February 2018, the Domestic Abuse (Scotland) Act was passed, which initiated a review of the Council's position on Domestic Abuse and what support was available for its employees.
- 2.2 Following the implementation of the Wellbeing Agenda and the creation of a new Wellbeing Team, this review was finalised and the Domestic Abuse Policy was consulted on and completed. In developing the policy, it is noted that the particular circumstances of Covid-19 have resulted in an escalation of domestic abuse.
- 2.3 The policy is presented today to Policy and Resources Committee for consideration and approval.

3.0 RECOMMENDATIONS

- 3.1 That the Policy and Resources Committee approve the new Domestic Abuse Policy for onward transition to the Council.

4.0 DETAIL

- 4.1. The Domestic Abuse Policy sets out the Council's commitment to providing a safe and supportive working environment for those affected by domestic abuse. The policy document is attached at Appendix 1.
- 4.2 The aims of the policy are to:
 - Clearly state that the Council believes everyone has the right to live free from domestic abuse and that domestic abuse is unacceptable.
 - Emphasise that the Council is committed to supporting employees' health and wellbeing at work and recognises that domestic abuse affects people in all aspects of life, including the workplace.
 - Create an environment at work where employees feel safe to disclose their experience of abuse in order to access support and increased safety for themselves and others.

- Respect the right of employees not to disclose.
- 4.3 The policy document sets out a series of aims and is accompanied by operational guidance for employees and managers that is a working document and will be kept updated as required.
- 4.4 Implementation of the policy will delivered via the following aims:
- Set out clearly the council's position in relation to addressing domestic abuse for employees.
 - Provide guidance on how the council can provide a safe and supportive working environment for those who are affected by domestic abuse.
 - Help raise awareness of the signs of domestic abuse and what internal and external support may be available to employees who are affected by this.
 - Ensure confidential and sympathetic handling of situations for employees arising from domestic abuse.
 - Provide a framework for managers to support those experiencing domestic abuse (Guidance for Managers on Domestic Abuse).
 - Provide a framework for addressing the behaviour of employees who may be perpetrators of abuse and who may pose a risk to other employees within the context of their work.
 - Work with partners and other professionals to ensure this policy remains current and relevant.
- 4.5 The policy provides details of the types of domestic abuse, recognising that this is not just limited to physical abuse and that employees may be subjected to other, more subtle, abuse such as psychological abuse, which they may not recognise as such.
- 4.6 The policy reflects the new legislation which came into force on 1st April 2019, the Domestic Abuse (Scotland) Act 2018, which creates for the first time a specific offence of domestic abuse that criminalises abusive behaviour towards a partner or ex-partner, including psychological and emotional abuse and coercive, controlling behaviour.
- 4.7 Further detailed information and guidance will sit alongside this policy for use by managers. (Guidance for Managers on Domestic Abuse).

5.0 CONCLUSION

- 5.1 The new Domestic Abuse Policy sets out the Council's commitment to provide a safe and supportive environment at work for those who are being affected by, or who are risk from, domestic abuse or violence.
- 5.2 Given the escalation in cases during the current Covid 19 pandemic, it is recommended that this policy is implemented as soon as possible, in order to provide support for those currently affected by domestic abuse.

6.0 IMPLICATIONS

6.1 Policy	The Domestic Abuse Policy sets a new policy position for the Council.
6.2 Financial	None
6.3 Legal	In accordance with Domestic Abuse (Scotland) Act 2018
6.4 HR	Provides a new HR Policy Framework and guidance for employees and managers.
6.5 Fairer Scotland Duty	
6.5.1 Equalities – Protected Characteristics	This policy provides specific guidance and support for those affected by domestic abuse, who are predominantly female, but also includes guidance for men affected by this issue as well as those in same-sex relationships/transgender.
6.5.2 Socio-Economic Duty	Positive impact anticipated
6.5.3 Islands	Positive impact anticipated
6.6	None
6.7	None

Executive Director of Development and Infrastructure - Kirsty Flanagan

Policy Lead – Rory Colville

4th September 2020

For further information contact:

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APPENDICES

- Appendix 1 – Domestic Abuse Policy

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ARGYLL AND BUTE COUNCIL

DOMESTIC ABUSE POLICY

POLICY ON DOMESTIC ABUSE

1. Definition

- 1.1 The UK government's definition of domestic abuse is '**any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse** between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to psychological, physical, sexual, financial or emotional'.

2. Policy Statement:

- 2.1 The Council believes that everyone has the right to live free from domestic abuse. Domestic abuse is unacceptable whether it be within or outwith the workplace.
- 2.2 The Council has developed this policy as part of its commitment to support employees' health and wellbeing at work and recognises that domestic abuse affects people in all aspects of life, including the workplace.
- 2.3 The Council has a duty of care for ensuring, so far as is reasonably practicable, the health, safety and welfare of its employees at work, and for creating an environment in which employees feel safe to disclose their experience of abuse in order to access support and increase safety for themselves and others.
- 2.4 However, the right of employees not to disclose must be respected and no employee should feel pressured into sharing this information if they do not wish to do so.

3. Aims:

3.1 In support of delivering on this policy statement, the Council aims to:

- Provide guidance on how the council can provide a safe and supportive working environment for those who are affected by domestic abuse.
- Help raise awareness of the signs of domestic abuse and what internal and external support may be available to employees who are affected by this.
- Ensure confidential and sympathetic handling of situations for employees arising from domestic abuse.
- Provide a framework for managers to support those experiencing domestic abuse (Guidance for Managers on Domestic Abuse).
- Provide a framework for addressing the behaviour of employees who may be perpetrators of abuse and who may pose a risk to other employees within the context of their work.
- Set out for employees generally the council's position in relation to addressing domestic abuse.
- To work with partners and other professionals to ensure this policy remains current and relevant.

4. Scope

- 4.1 This Policy and the associated 'Guidance for Managers on Domestic Abuse Policy' applies to all employees of the Council, as well as agency workers and individuals

who are training with the Council but not employed.

5. Implementation

- 5.1 Responsibility for developing, implementing, advising on and monitoring this Policy lies with the Head of Customer Support Services.
- 5.2 Executive Directors of departments will be responsible for ensuring that managers are aware of the policy and their responsibilities in relation to it, in order that advice and support on domestic abuse matters is available within their department.

6. Review

- 6.1 The Domestic Abuse Policy and associated Guidance for Managers will be monitored and reviewed regularly to ensure that they continue to meet the Council's aims and principles, as well as continued compliance with relevant legislation.
- 6.2 Any queries in relation to this Policy and the associated guidance, should be addressed to the HROD Wellbeing Team. wellbeing@argyll-bute.gov.uk

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