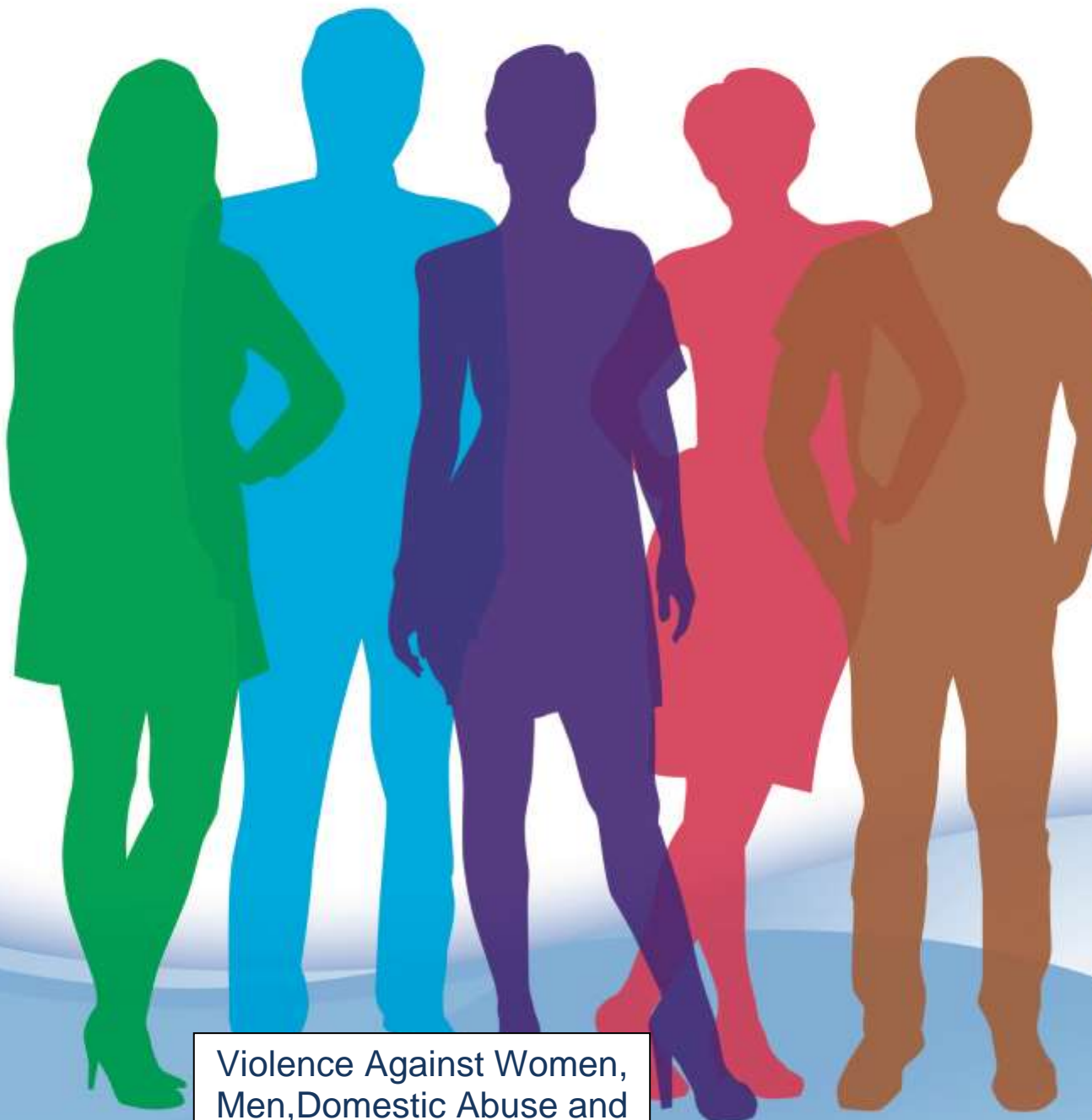


Merthyr Tydfil County Borough Council
Human Resources Department



MERTHYR TYDFIL
County Borough Council
Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL



Violence Against Women,
Men, Domestic Abuse and
Sexual Violence Policy
2023

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1.0 Introduction

1.1 Merthyr Tydfil County Borough Council recognises that Violence against women/men, domestic abuse and/or sexual violence prevention is central to improving health and well-being. It reduces crime and the harm caused by violent crime whilst safeguarding children and adults and promoting equality.

An estimated one in four women and one in six men experience domestic abuse at some point in their lives. Based on aggregated data from the 'Crime Survey for England and Wales' in 2009/10, 2010/11 and 2011/12, on average, 2.5 per cent of females and 0.4 per cent of males said that they had been a victim of a sexual offence (including attempts) in the previous 12 months. This represents around 473,000 adults being victims of sexual offences (around 404,000 females and 72,000 males) on average per year (Ministry of Justice, Home Office and Office for National Statistics, 2013). Whilst this policy recognises that men can be victims of domestic abuse, sexual violence and other forms of violence, such as honour-based violence, forced marriage and trafficking, these issues affect women disproportionately, and are therefore considered to be gender-based issues. It is important to note however that men can also be victims and women can be perpetrators.

1.2 Under the Health and Safety at Work Act 1974 employers have a duty to protect the health and safety of their employees. Merthyr Tydfil County Borough Council is committed to supporting and assisting employees experiencing violence against women, domestic abuse and/or sexual violence and whilst treating the matter effectively, sympathetically and confidentially.

1.3 The policy is aligned with the Equalities Act and ensures that all "protected characteristics" are fully addressed. These include, age, gender, sexual orientation, gender re-assignment, marriage or civil partnership, pregnancy/maternity, disability, race and religion/beliefs.

1.4 The Policy covers all staff within the Council, and covers all forms of "gender based violence" in recognition that both men and women are victims of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation and also forced marriage.

2.0 Definition

For the purpose of this policy, and in accordance with the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

1. Abuse means physical, sexual, psychological, emotional or financial abuse.
2. Domestic Abuse means abuse where the victim of it is or has been associated with the abuser.

A person is associated with another person for the purpose of "domestic abuse" if

- They are or have been married to each other.
- They are or have been civil partners of each other.

- They live or have lived together in an enduring family relationship (whether they are of different sexes or the same sex)
- They live or have lived in the same household.
- They are relatives
- They have agreed to marry each other or have entered into a civil partnership (whether or not that agreement has been terminated).
- They have or have had an intimate personal relationship with each other.
- In relation to a child, each of them is a parent of a child or has, or has had, parental responsibility for the child.

3. Gender-based violence means

- Violence, threats of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation.
- Female genital mutilation.
- Forcing a person (either physically or psychologically) to enter into a religious or civil ceremony or marriage (whether or not legally binding)

4. Sexual violence means sexual exploitation, sexual harassment, or threats of violence of a sexual nature.

Internationally, this has been specifically acknowledged by the Council of Europe, in the form of the Council of Europe Convention on preventing and combating violence against women and domestic violence, and the United Nations, in the form of their Declaration on the Elimination of Violence against Women and most recently in the UN Sustainable Development Goals 2030.

The UN Declaration defines violence against women as:

all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological, or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

This encompasses, but is not limited to:

(a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

(b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

(c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Whilst the Act covers all forms of gender based violence, domestic abuse and sexual violence as defined in Section 24 of the Act, this Strategy and its delivery over the next 5 years is informed by the global and national evidence that women and girls are disproportionately affected by domestic abuse, rape and sexual violence, sexual exploitation (including through the sex industry), modern day slavery, forced marriage, female genital mutilation, child sexual abuse, stalking and sexual harassment.

References in the strategy to “violence against women, domestic abuse and sexual violence” or “violence and abuse” should be read to capture all forms of gender based violence, domestic abuse and sexual violence.

3.0 Aims and Objectives

The core aims and objectives of this policy and the associated guidance for dealing with violence against women, domestic abuse and/or sexual violence are:

- Policy awareness- ensure all employees, including those employed in schools, are aware of the policy and its implications. This will include employee access to training and awareness raising as appropriate, as well as access to the policy document in a variety of formats including digital media.
- Support - assist and support those employees who approach the organisation for help in addressing problems arising from violence against women, domestic abuse and/or sexual violence.
- Increase disclosures - remove fears of stigmatisation for employees who have and are experiencing violence against women, domestic abuse and/or sexual violence.
- Confidentiality - ensure those employees seeking help are confident that their situation will be handled seriously, compassionately and confidentially by all those from whom they seek assistance.
- Perpetrators – to assist in holding perpetrators to account and protect victims. Employees should be aware that misconduct inside and outside of work is viewed seriously and can lead to disciplinary action being taken. Domestic abuse, sexual violence and Violence against women, domestic abuse and/or sexual violence are serious matters that can lead to a criminal conviction. However, it may also be appropriate to support employees who are seeking to address their behaviour.

4.0 Internal support

- 4.1 Employees experiencing violence against women, domestic abuse and/or sexual violence or should contact their line manager who will keep all information provided to them confidential and will signpost to all the available help and support that they can have access to.
- 4.2 Safer Merthyr Tydfil will provide support to employees experiencing violence against women, domestic abuse and/or sexual violence or whether the victim or the perpetrator.
- 4.3 **Up to 5 days paid leave** will be granted for appointments with support agencies or solicitors, to arrange re-housing, to change childcare arrangements and for court appearances. The five days paid leave can be taken in half days. For part time workers the five days leave will be pro-rated down and taken in hours. Unpaid leave will be granted should further days need to be taken.
- 4.4 Consideration of requests to change working patterns or to be moved away from customer-facing positions will be given. Phone calls can also be diverted to prevent the abused victim being targeted at work.

5.0 External Support

- 5.1 External sources of help and support include:

- The corporate Alliance against domestic abuse, which provides background information for managers and professionals on the workplace implications of domestic abuse.
- **Local support** for male and female victims and perpetrators, and support for children and young people affected by domestic abuse is available through Teulu Multi Agency Centre (MAC): 01685 387 172 (www.mtcsp.org.uk/domestic-abuse.aspx). Agencies based at the Teulu MAC include Safer Merthyr Tydfil (www.smt.org.uk, 01685 388444), Llamau Merthyr Women's Services (Including access to safe accommodation and the Freedom Programme): 01443 693737 (www.llamau.org.uk), BAWSO: 01685 375394 (www.bawso.org.uk).
- Local support for sexual violence and trafficking is available through New Pathways: 01685 379310 (www.newpathways.co.uk)
- Dyn project- works across Wales to support men who experience domestic abuse. www.dynwales.org
- Specialist support for people from a black or minority ethnic background (including domestic abuse, forced marriage, honour-based violence, and other forms of violence against women, including an interpretation service) is available through BAWSO: 0800-731 8147 (Free 24 hr helpline).
- Deborah Evans (Violence against women domestic abuse and sexual violence Strategy Coordinator) on 01686 353999.

6.0 Manager's responsibility

The role of the line manager is to:

- Identify employees experiencing difficulties as a result of domestic abuse or sexual violence (e.g. via supervision, PPDP, or by using an open management culture. Some signs of domestic abuse could be;
 - Lateness or high absenteeism without sufficient explanation.
 - Increased hours being worked without explanation.
 - Excessive make up to disguise bruising or "crying" eyes.
 - Uncharacteristic depression, anxiety, distraction or problems with concentration.
 - Repeated injuries, unexpected bruising or explanations that do not fit the injuries displayed.
- Providing support and signpost to options available.
- Providing a copy of any existing orders against the abuser and a photograph of the abuser to reception and security staff.
- Review the employees next of kin - the ex-partner may still be listed.
- Protect confidentiality in all instances (except if child protection, vulnerable adults concerns are raised. See section 9.0)
- Enable the affected employee to remain productive and at work during a difficult period in his/her domestic life.
- If a manager suspects that an employee is not using the entitlements of the violence against women, domestic abuse and sexual violence policy correctly they should contact Violence against women,men domestic abuse and sexual violence policy 2023

Human Resources and Development Department. If following investigation, the scheme has been misused, then the **disciplinary procedures** of the Authority will apply.

7.0 Disclosure

If the victim feels unable to approach their manager for help or advice in the first instance, they may contact another manager, colleague, HR Advisor or trade union representative. Anyone contacted for support should take a non-judgmental approach and be prepared to listen, reassure and take seriously what is being disclosed.

In order for staff to be more able to identify signs of abuse and to increase disclosures, all public sector staff are required by the Violence against Women Domestic Abuse and Sexual Violence (Wales) Act 2015 to participate in awareness raising training. Some staff members will also be required to attend the level 2 national training framework 'Ask and Act' training. These will be individuals who are in a position to recognise the signs of abuse, talk to the individual sensitively and respond quickly and effectively.

8.0 Employees responsibility

Employees need to disclose that they are at risk from violence against women, domestic abuse and/or sexual violence in order for Safer Merthyr Tydfil to protect their safety and security at work. Should the perpetrator be employed at the organisation as well, the bullying and harassment at work policy can be referred to if appropriate.

All employees should be aware of the signs of domestic abuse so they can offer assistance, support or guidance to any colleagues they identify as possible victims of such abuse. They should also report any such suspicions confidentially to their manager.

9.0 Confidentiality

Once a member of staff has confided in their manager that they are experiencing violence against women, domestic abuse and/or sexual violence the manager should reassure him/her that this information will remain confidential, as far as reasonably practical. Confidentiality can only be broken in the following circumstances:

- With the consent of the individual
- If disclosure is clearly in the employee's interest but it is not possible or may have a significant effect it is not disclosed.
- If it is required by law
- If it will prevent a serious risk to themselves, public health and serious crime
- If a child or vulnerable adult may be involved.

If a member of staff is referred to the Multi Agency Safeguarding Hub or the Multi Agency Risk Assessment Conference their information will be shared with those partners that participate in the development of a Safety Plan. To participate in these activities these agencies must have committed to the relevant Information sharing protocol

10.0 Female Genital Mutilation

It is now a crime for Merthyr Tydfil County Borough Council not to protect a girl from Female Genital Mutilation (FGM) under the serious crimes Act. FGM in all its forms is a human rights violation. Merthyr Tydfil County Borough Council will therefore raise awareness around the harms of FGM including long term consequences by working in collaboration with others and highlighting services available for survivors. Merthyr Tydfil County Borough Council will ensure there are protocols for information sharing with clear referral pathways so that all professionals from GPs to teachers and social workers are clear about their responsibilities.