



Employment Guide: Dealing with Domestic Abuse

Note: This publication is intended to provide general guidance only. It does not constitute legal advice and should not be relied upon as doing so.

Advisory Officers, at the Employment Relations Service, can offer confidential and free advice on all aspects of employment law and employment relations.

Overview

What is Domestic Abuse?

Domestic abuse is a crime that can have a significant impact in the workplace, leading to problems with an employee's punctuality, attendance, health and safety, work performance and productivity as well as job prospects and career development.

Domestic abuse includes all forms of violent or controlling behaviour, physical assault, sexual abuse, rape, threats and intimidation, harassment, withholding finances, economic manipulation, isolation, belittling and constant, unreasonable criticism. This unacceptable conduct is often encountered through a continuous campaign rather than a one-off incident. Domestic abuse can occur in any relationship: men abusing women, women abusing men and abuse/violence in same sex relationships.

What can an employer do to assist with this complex and often hidden problem?

There is no legal obligation on employers to take action if they are made aware of an employee experiencing domestic abuse but employers will find it helpful to know what to do if a situation arises. The main responses are simple for an employer in whom the employee confides and are known as the three **Rs**:

Recognise

If an employee raises the issue with his/her employer, the employer should try to be supportive. The revelation by the employee can be of mutual benefit. The employee may be relieved to be able to confide in someone at work, particularly if by doing so, they could explain absences or deterioration in their performance. Remember, the workplace may be seen by the employee as a 'safe haven' in such circumstances and they may try to spend more time at work than usual.

React

The introduction of a workplace policy that allows employees the opportunity to confide in the employer may assist in identifying and managing the effects of domestic abuse in the workplace and ultimately help the employee through difficult circumstances. This will benefit the employer and employee. A human resources professional or a trade union representative could be the initial contact and those professionals would be able to refer the employee to the specialised domestic abuse agencies.

Refer

Any domestic abuse policy should clearly identify and list the names, addresses and contact numbers of these agencies that provide advice, support and help for the victim should they wish to seek voluntary help. Although small employers may not have the resources to deal with the effects of domestic abuse in the workplace, they can refer the employee to the support agencies and help with working arrangements for the victim.

Ultimately, an employer can only be supportive and assist those who are prepared to confide in the employer.

Working Arrangements

Consider offering revised working arrangements to help the employee avoid further conflict at home, or to allow them time to contact/visit doctors, lawyers, the police or other agencies. In circumstances where financial control is being applied, the offer of an advance on pay or negotiating alternative payment methods may be appropriate.

Safety in the Workplace

The health and safety of the employee, colleagues and the employer's business are all factors when dealing with the effects of domestic abuse. The perpetrator may work for the same employer as the victim. It is not uncommon for the perpetrator to visit the victim at work and attempt to put them under further pressure. Employers need to consider the security of other staff and premises and how they might deal with these eventualities.

A Word of Caution

It is important for the employer to assist victims by providing details of those professionals who can help, rather than becoming directly involved in giving advice to the victim themselves. Any attempt at intervention by untrained or unqualified personnel could make the situation worse for the victim and ultimately the employer's business.

Where to seek help and advice

Contact 'Options', a 24 hour helpline on 732299 where your call will always be answered and support is available.

Alternatively you can access help and information on the following link through Safer, Guernsey at: <http://safer.gg/>

Other Publications

Publications can be downloaded from the website on a wide range of employment relations matters including local employment legislation and best practice guidance on other employment related matters.

Contact Information

For further advice

- Check www.gov.gg/employmentrelations
- Email employmentrelations@gov.gg
- Contact the **Employment Relations Service**, Edward T Wheadon House, Le Truchot, St Peter Port, GY1 3WH
- Telephone number: **01481 220026**