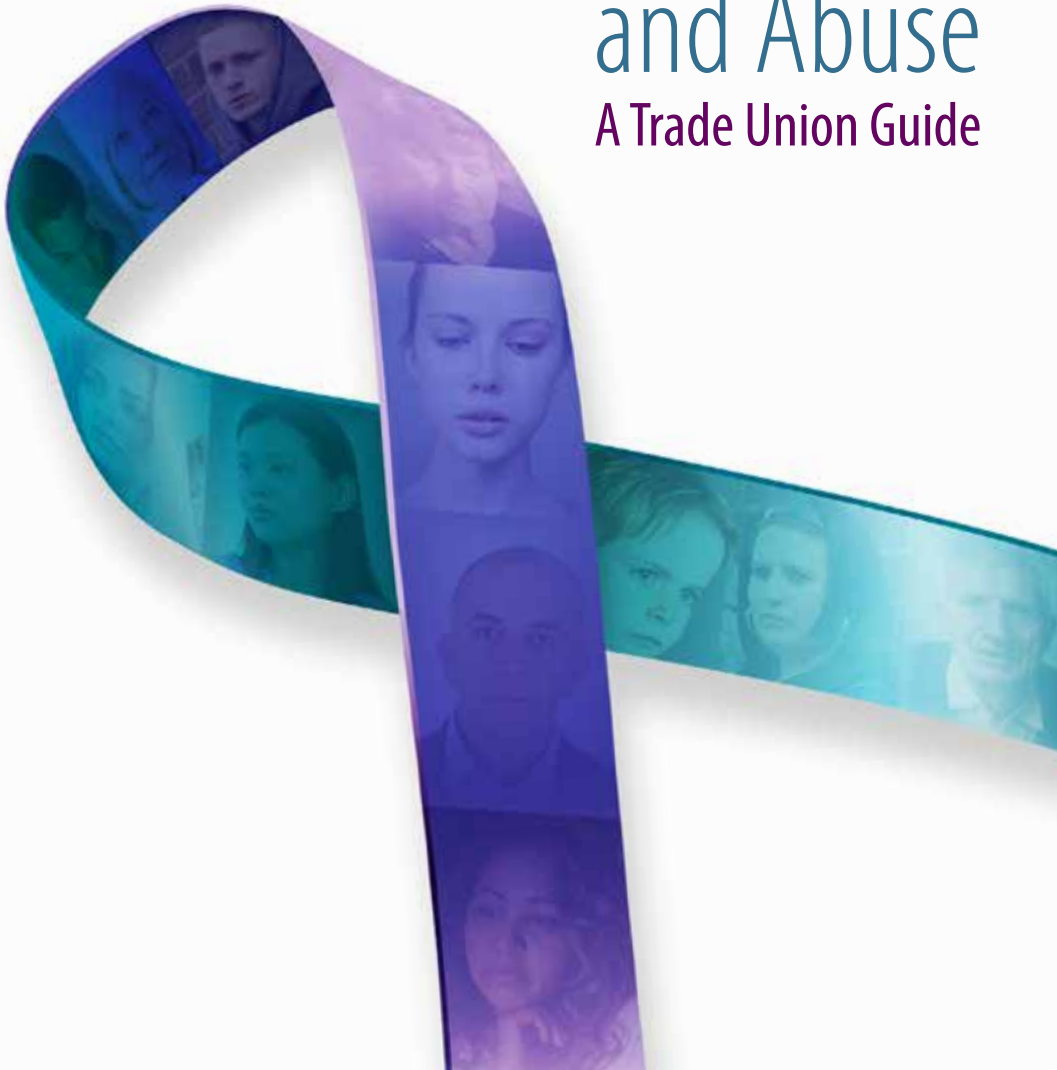




Domestic and Sexual Violence and Abuse

A Trade Union Guide



Contents

Foreword

Introduction.....	1
What is Domestic and Sexual Violence and Abuse?.....	2
The Legal Implications	5
Why is Domestic and Sexual Violence and Abuse a Trade Union Issue?	5
What should a Workplace Policy cover?	6
Key Negotiating Points	7
Action by the Branch.....	8
The Role of the Branch Officer	10
Ways to Help	10
NIPSA Welfare Fund.....	12
Appendix 1: NIPSA's Policy on Domestic and Sexual Violence and Abuse.....	13
Appendix 2 : Advice, Support and Helplines for those experiencing Domestic and Sexual Violence and Abuse.....	15

Foreword

Domestic and sexual violence and abuse are serious crimes and cannot be tolerated in any society. It is the job of trade unions to fight for social justice in all dimensions. That includes speaking up for the victims of domestic and sexual violence and abuse. It also includes seeking to change attitudes in society for the good. We have moved from the days when no one wanted to intervene in a domestic situation. It is time to act to change attitudes to make sure that women, men and children are not subject to violence in their home or anywhere else.

For trade unions domestic and sexual violence and abuse is also a workplace issue. In today's world, unlike past generations, the victims, as well as the perpetrators of domestic and sexual violence and abuse are likely to be at work. For the victims the workplace must be a place of safety, a place for help and support. Trade unions must be in the forefront playing a key role in ensuring safety is provided. As for the perpetrators, they must come to realise that trade unions despise such actions and that we will continue to work with organisations like Women's Aid, Nexus, Men's Advisory Project, the Rainbow Project and others to raise awareness about this issue, to offer support to those experiencing domestic and sexual violence and abuse and to raise the issue with employers.

We hope you find this guide helpful in campaigning to improve services and in negotiating workplace agreements to help those suffering domestic and sexual violence and abuse.

Introduction

Domestic and sexual violence and abuse occurs right across our society and it has devastating consequences for the victims and their families. It knows no boundaries as regards age, gender, gender identity, race, religion, ethnicity, sexual orientation, wealth, disability or geography.

Did you know:

- one in four women and one in seven men will experience domestic and sexual violence and abuse at some time in their lives;
- one in four LGB&T people experience relationship abuse;
- Domestic and sexual violence and abuse accounts for one-third of all reported crime in Northern Ireland;
- More than 3,000 sexual violent crimes are reported to PSNI each year;
- 5 women will be killed every year as a result of domestic and sexual violence and abuse; and
- an incident of domestic and sexual violence and abuse occurs in Northern Ireland every 21 minutes.

This guide is to assist branches in negotiating workplace policies on domestic and sexual violence and abuse. It is intended that the guide be used in a practical way to give information and advice to union representatives in the workplace and to enable them to give consistent and effective assistance to those experiencing domestic and sexual violence and abuse.

What is Domestic and Sexual Violence and Abuse

For the purpose of this guide, domestic violence and abuse is essentially a pattern of behaviour which is characterised by the exercise of control and the misuse of power by one person over another within an intimate relationship or a family.

Sexual violence and abuse is any behaviour perceived to be of a sexual nature which does not have both parties consent. This can include: rape, sexual assault, sexual abuse, sexual exploitation, grooming or harassment.

The DHSSPS and DOJ Stopping Domestic & Sexual Violence and Abuse in Northern Ireland Strategy 2016 defines Domestic Violence and Abuse as:

“threatening, controlling, coercive behaviour, violence or abuse (psychological, virtual, physical, verbal, sexual, financial or emotional) inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability) by a current or former intimate partner or family member.”

The strategy defines Sexual Violence and Abuse as:

“any behaviour (physical, psychological, verbal, virtual/online) perceived to be of a sexual nature which is controlling, coercive, exploitative, harmful or unwanted that is inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability). Please note that coercive, exploitative and harmful behaviour includes taking advantage of an individual’s incapacity to give informed consent.”

Domestic violence and abuse is rarely a one-off event. It tends to escalate in frequency and severity over time. It can be physical and can include: slapping, punching, beating, kicking, knife wounds, often leading to permanent injuries and sometimes death.

It can be financial abuse, controlling a person's money and resources with the intention of increasing their dependency on the other person.

It can be sexual abuse, this could include being forced to have sex, sexual degradation and forcing sex in ways that hurt and injure.

It can be coercive control, which subjects an individual to psychological and emotional torment.

Domestic and sexual violence and abuse can also result in emotional and mental harm caused, for example, by:

- not being allowed to leave the house or spend time with friends or family;
- constantly being criticised, undermined;
- threatening to take your children away and/or not allowing you to see them;
- causing damage to your pets, your possessions or other things you care about;
- humiliating you in front of family and friends;
- depriving you of food, money or sleep.

Sometimes it can be difficult to recognise domestic and sexual violence and abuse, especially when there is no physical attack. Just because someone doesn't have a broken nose or a black eye, doesn't mean they are not being abused.

It is well documented that domestic and sexual violence and abuse can cause lasting damage to the sufferers' physical and mental health and also their ability to work.

Impact on the victim

- diminished self-esteem;
- loss of self-confidence;
- lack of concentration;
- feelings of fear and guilt;
- insomnia;
- depression;
- agoraphobia;
- difficulty in forming or maintaining trusting and intimate relationships.

Impact on the workplace

Home and work issues cannot always be separated and domestic and sexual violence and abuse can impact greatly on the working life of someone who is being abused. Domestic and sexual violence and abuse can result in:

- a deterioration in an employee's performance;
- increased and unexplained absenteeism;
- poor timekeeping;
- threat to job security and prospects.

People experiencing domestic violence and abuse are especially vulnerable once they attempt to leave abusive partners and may become vulnerable going to or coming from work or while they are at work as the abuser knows where they can be located. People who have experienced sexual violence and abuse are also vulnerable. These can give rise to health and safety issues and an increased risk of workplace violence.

The Legal Implications

Employers have a duty of care under the Health and Safety at Work (NI) Order 1978 to ensure, as far as is reasonably practicable, the health and safety at work of their employees.

The Management of Health and Safety at Work Regulations (NI) 1999 also requires employers to assess the risks of violence to employees and make arrangements for their health and safety by effective planning, organisation and control.

Under the Human Rights Act all public bodies have an obligation to protect the human rights of individuals and to ensure that their human rights are not being violated. If an employer fails to tackle incidents of violence against employees, domestic abuse and sexual violence this could lead to an infringement of the Human Rights Act.

Under the Section 75 Equality Duty public authorities must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity for protected groups; and foster good relations. The scale and impact of domestic and sexual violence and abuse is so significant that it would be important for public authorities to prioritise this issue and have as a specific action the development of a workplace policy.

Why is Domestic and Sexual Violence and Abuse a Trade Union Issue?

All violence whether it happens at work, at home or in the community is a legitimate concern for trade unionists. The effects of domestic and sexual violence and abuse, as can be seen from the examples above, can be far reaching.

People who suffer domestic and sexual violence and abuse often feel isolated and unable to tell anybody of their plight for fear that they will not be treated sympathetically.

It is the role of trade unions to work with employers to create a safe and supportive working environment which gives victims the confidence to come forward. One of the most useful ways to provide this is to develop with the employer a policy on domestic and sexual violence and abuse.

What should a Workplace Policy cover?

- a policy statement that has clear aims and states the organisation's commitment to treat domestic and sexual violence and abuse seriously;
- a clear definition of domestic and sexual violence and abuse;
- an acknowledgement that the majority of victims are women but that men are also affected as are women and men in same-sex relationships;
- a clear statement that the organisation is committed to the principle that domestic and sexual violence and abuse is unacceptable behaviour and that everyone has a right to live free from fear and abuse;
- a statement that, where domestic and sexual violence and abuse occurs or has the potential to occur in the workplace, the paramount consideration of the employer is to ensure the health and well-being of employees and to ensure that perpetrators of abuse are challenged appropriately and held to account to reduce the potential for re-offending;
- details of the first point of contact for employees who need to discuss issues around domestic and sexual violence and abuse;
- a commitment to early intervention by identifying ways of creating a supportive environment and to creating confidential mechanisms for employees experiencing domestic and sexual violence and abuse to seek help and information in order to empower them to make their own decisions;

- a commitment to offering ongoing support to employees experiencing domestic and sexual violence and abuse including time off, for example, for counselling, visits to a solicitor or support agencies, for re-housing or re-organising childcare;
- the possibility of relocation or redeployment where this would be appropriate and supportive of the employee;
- a commitment to training and educating on domestic and sexual violence and abuse issues. This might involve some basic awareness training for all staff and more detailed training for certain staff e.g. personnel, welfare staff and managers;
- provision of resources within the workplace, such as posters, leaflets etc to raise awareness about the domestic and sexual violence and abuse helpline and other support services; and
- mechanisms for monitoring and reviewing the policy's effectiveness and for regularly updating information on help available and how to contact support services.

Key Negotiating Points

NIPSA has been campaigning over the last number of years to ensure the issue of domestic and sexual violence and abuse is seen as a workplace issue. We have been working with employers to recognise having a workplace policy that supports employees experiencing domestic and sexual violence and abuse is also of benefit to them. It is a good investment, helping them to ensure the health, safety and welfare of the workforce and reduce absence-related costs and increase productivity.

While we have been successful in convincing some employers of this there are still a number of employers who remain to be convinced. Below are some key points that may help in negotiating a workplace policy.

Recruitment and Retention

Creating a team of trained and experienced staff costs money. Having a workplace policy is a good investment for an employer, helping to retain skilled, trained and experienced staff and thereby reducing the cost that occurs when staff leave. Also an employer who promotes family friendly policies will be attractive to a much wider pool of potential applicants.

Staff Morale and Productivity

A workplace policy on domestic and sexual violence and abuse can help create a positive working environment. If staff feel that they are fully supported and confident in approaching their employer for help then this can increase their morale, loyalty and commitment which in turn can have a positive impact on productivity.

Disciplinary Action

The effects of domestic and sexual violence and abuse can impact on attendance, punctuality, work performance, health and safety and productivity. A clear policy on domestic and sexual violence and abuse that enables employees to confide in workplace reps at an early stage can prevent unnecessary disciplinary action against an employee.

Public Image and Reputation

Employers who have a policy on domestic and sexual violence and abuse are communicating a powerful message to both employees, potential employees and the wider community that they are committed to supporting employees, the principles of equal opportunities and community investment.

Action by the Branch

If a member experiencing domestic and sexual violence and abuse talks to someone from the union it may be the first time that they have ever spoken about the abuse he/she and, where relevant, their children are experiencing. The first most important thing is

the person they talk to reacts sensitively and confidentially. The second most important thing is understanding. The third most important thing is information.

Branch Committees should allocate to one of their members the responsibility for dealing with cases of domestic and sexual violence and abuse. Such an appointment should be widely advertised so that any person wanting to get in touch knows who to approach directly, without having to ask other branch officers.

The Branch Committee also have a vital role to play in raising awareness around the issue of domestic and sexual violence and abuse and its effects on women, men and children. Effective ways to do this are:

- ensuring all members are aware of NIPSA's policy on domestic and sexual violence and abuse (see Appendix 1);
- distribute copies of this guide throughout the Branch;
- ensure that domestic and sexual violence and abuse is included as a standing item on the agenda of Branch Health and Safety Committees;
- hold a special meeting on domestic and sexual violence and abuse or as part of a general branch meeting or branch AGM. Invite a speaker from within the union or someone from an outside organisation which deals with domestic and sexual violence and abuse;
- raise public awareness by developing and maintaining contacts within your local community, such as local Women's Aid group who can provide expertise and experience when developing local branch strategies for action.

The Role of the Branch Officer

The role of Branch Officer is to offer support, encouragement and guidance to the victim of domestic and sexual violence and abuse; it is not their role to act as a counsellor as such a task can only be undertaken by a professionally qualified person. In dealing with a member who seeks help to escape domestic and sexual violence and abuse, the Branch Officer should:

- assure the member that the matter will be dealt with in a sympathetic and confidential manner – it is important to advise the member if they disclose anything of a criminal nature e.g. child protection issues, this will have to be reported to the appropriate authorities;
- adopt a non-judgemental attitude – don't pity them or make them feel different;
- encourage the member to seek professional help and provide details of the support systems that are available (a list of such agencies is attached at Appendix 2);
- if an agreed policy is in existence they should discuss with the member the various options open to them and agree a way forward;
- if no agreed policy exists they should offer to accompany the member, with their agreement, to management with the request that they treat the matter as a request for urgent help under normal welfare provisions.

Ways to Help

In order to make the workplace a safer place for an individual who is suffering from domestic and sexual violence and abuse, changes to their working arrangements such as changing work patterns, workload or just providing support should be considered. Persons experiencing domestic and sexual violence and abuse know their abusers better than anyone else and when

it comes to their own safety they will know what measures are appropriate.

The following is a list of possible adjustments that could be considered to help individuals experiencing domestic and sexual violence and abuse:

- allowing flexible or more flexible working or special leave to facilitate practical arrangements that are required such as: seeking legal advice, attending counselling, attending support group meetings, arranging rehousing, attending court, or to alter childcare arrangements;
- offer financial support by way of an advance in pay;
- provide access to appropriate, confidential, independent professional counselling;
- allow the individual to change work patterns or workload;
- facilitating a transfer to another post or relocation for safety reasons;
- awareness training for all staff so that they understand why there is a need for a workplace policy and know how to behave and help in the situation;
- diverting telephone calls;
- diverting emails to a separate folder;
- with consent advising colleagues of the situation on a need-to-know basis and agreeing what the response should be if the abuser/alleged abuser contacts the workplace.

The Branch Officer should be aware that there may be additional issues facing employees and additional barriers to seeking help because of their ethnic background, religion, age, sexual orientation or disability which might make them feel more vulnerable when talking about their situation.

NIPSA Welfare Fund

The NIPSA Welfare Fund provides support to members at times of unforeseen financial hardship.

Help is available to members who meet our criteria and **urgent attention is always given in those cases where domestic and sexual violence and abuse is highlighted.** For example financial help may be given towards the deposit on rented accommodation if the member is escaping an abusive relationship.

In all circumstances, cases are handled with understanding, sensitivity and in complete confidence.

For further information you can contact:
NIPSA Headquarters
Executive Officer for Membership Services

Tel: 028 9066 1831

Appendices

Appendix 1

NIPSA's Policy on Domestic and Sexual Violence and Abuse

It is NIPSA's policy to publicise and promote the growing debate on the issue of domestic and sexual violence and abuse and to campaign for a number of improvements including:

- (a)** Public funding for a network of refuges and an expansion of availability to people in all areas.
- (b)** A policy of immediate rehousing of victims of domestic and sexual violence and abuse.
- (c)** Adequate benefit levels for people experiencing domestic and sexual violence and abuse who cannot work so that they are not financially coerced into staying within violent relationships.
- (d)** Extended paid leave and job security for employees attempting to escape domestic and sexual violence and abuse.
- (e)** Full redeployment rights on request.
- (f)** Training managers in order to support members experiencing domestic and sexual violence and abuse and intimidation.
- (g)** Provision of free, independent, confidential counselling for people suffering abuse.
- (h)** Work with employers to ensure a workplace policy on domestic and sexual violence and abuse is developed, reviewed and monitored.
- (i)** Publish and widely distribute guidelines for helping members affected by domestic and sexual violence and abuse.
- (j)** Ensure that domestic and sexual violence and abuse is included as an issue in NIPSA's training programme.

- (k) Ensure that further awareness courses, in partnership with Women's Aid/Nexus and other relevant organisations, are expanded and developed.
- (l) Widely distribute up-to-date material, including contact numbers, from Women's Aid and other relevant organisations to all branches and incorporate material in the new member's pack.
- (m) Ensure that domestic and sexual violence and abuse is included as a standing item on the agenda of Health and Safety Committees.
- (n) Liaise with the various Agencies in lobbying for change in the Law for appropriate sentences.
- (o) To establish a link on the NIPSA Website to the Social Security Offices and other Support Agencies.
- (p) Ensure members affected by Domestic and Sexual Violence and Abuse have immediate access to the NIPSA Welfare Fund and payments fast-tracked.

Area Domestic and Sexual Violence and Abuse Partnerships

NIPSA is represented on the Belfast, Southern and Western Area Domestic and Sexual Violence and Abuse Partnerships which brings together agencies, organisations, groups and individuals who want to improve services and support for all victims of domestic and sexual violence and abuse.

It includes representation from diverse directorates within the Trusts, Trade Unions, Women's Aid, Nexus, the Police Service for Northern Ireland, Public Prosecution Service, Probation Board, Education Authority, the Housing Executive, Men's Advisory Project/Men's Action Network, Solicitors/Barristers, Women's Groups, NSPCC and others.

Appendix 2

Advice, Support and Helplines for those experiencing Domestic and Sexual Violence and Abuse

Police Service of Northern Ireland

Anyone who feels in immediate danger should dial 999

Domestic and Sexual Violence and Abuse Officers are available in all areas. Ask to speak to the local Domestic and Sexual Violence and Abuse Officer. Call **0845 600 8000**

Women's Aid

Women's Aid is the lead voluntary organisation responding to domestic and sexual violence and abuse in Northern Ireland. Its main aim is to create a safe and supportive society for women, children and young people affected by domestic and sexual violence and abuse.

Women's Aid Federation Northern Ireland 028 9024 9041

National Domestic and Sexual Violence Helplines

Northern Ireland 24 hour Free-Phone Helpline:

0808 802 1414

Email (all emails are answered within 24 hours)

24hrsupport@dvhelpline.org

Text 'support' to: 07797 805 839

Freephone from all landlines and mobiles. Translation service available. Open to all women and men affected by domestic and sexual violence. For further information on domestic and sexual violence visit: **www.womensaidni.org**

National Domestic and Sexual Violence Helplines

Republic of Ireland Helpline	1800 341 900
Scottish 24 hour Helpline	0800 027 1234
English 24 hour Helpline	0808 200 0247
Welsh 24 hour Helpline	08457 023 468

Local Women's Aid Groups

Antrim, Ballymena, Carrickfergus, Larne and Newtownabbey Women's Aid	028 2563 2136
Armagh and Down Women's Aid	028 3025 0765
Belfast and Lisburn Women's Aid	028 9066 6049
Causeway Women's Aid	028 7035 6573
Fermanagh Women's Aid	028 6632 8898
Foyle Women's Aid	028 7141 6800
Mid-Ulster Women's Aid	028 8676 9300
North Down and Ards Women's Aid	028 9127 3196
Omagh Women's Aid	028 8224 1414

Nexus

Nexus NI offer counselling and support to any survivors of sexual abuse, victims of sexual violence including those who have experienced rape and sexual assault.

Belfast	028 9032 6803
Derry/Londonderry	028 7126 0566
Enniskillen	028 6632 0046

Men's Organisations

Men's Advisory Project (MAP)	Belfast 028 9024 1929 Foyle 028 7116 0001
Men's Action Network	028 7137 7777
Men's Health Forum in Ireland	07715 164 796

Lesbian/Gay/Bisexual/Transgender Helplines

Cara Friend	Cara-Friend Helpline	0808 8000 390
	GLYNI (Cara-Friend Youth)	028 9089 0202
	(Thursday evenings)	028 9023 8668
Here NI		028 9024 9452
Rainbow Project		028 9031 9030
SAIL		028 9532 0023

Young People

Lighthouse 24 hr helpline	028 9075 5070
Childline	0800 1111

Other Useful Numbers

The Rowan (Sexual Assault Referral Centre NI) (for all ages)	0800 389 4424
Victim Support	Belfast 028 9024 3133 Lisburn 028 9267 5642
Disability Action	028 9029 7880
Citizen's Advice Bureau	028 9023 1120
Law Society of Northern Ireland	028 9023 1614

Other Useful Numbers

Relate	028 9032 3454
Samaritans	028 9066 4433
	Free Helpline 116 123
Parenting NI Ltd	0808 8010 722
Legal Services Agency NI	028 9040 8888
Age NI	028 9024 5729
	Freephone 0808 8087575
Children In Northern Ireland	028 9040 1290
PIPs (Suicide Prevention)	028 9080 5850
	0800 088 6042
Lifeline (Suicide Prevention 24/7)	0808 808 8000
NSPCC Helpline	0808 800 5000
	help@nspcc.org.uk
	text 88858



www.nipsa.org.uk

This booklet is available
as a PDF download from
the NIPSA Website



028 9066 1831 info@nipsa.org.uk www.nipsa.org.uk



Headquarters

54 Wellington Park, Belfast, BT9 6DP
Tel: 028 9066 1831

Regional Office

30 Great James Street, Derry, BT48 7DB
Tel: 028 7137 4977