

## **Support in the workplace for victims of domestic abuse - call for evidence, response from the Domestic Abuse Commissioner for England and Wales**

### **Role of the Domestic Abuse Commissioner**

The Domestic Bill will establish in law the role of the Domestic Abuse Commissioner, to provide public leadership on domestic abuse issues and play a key role in overseeing and monitoring the provision of domestic abuse services in England and Wales.

The role of the Commissioner is to encourage good practice in preventing domestic abuse; identifying victims and survivors, and perpetrators of domestic abuse, as well as children affected by domestic abuse; and improving the protection and provision of support to people affected by domestic abuse from agencies and government.

### **Background**

Over two million adults are affected by domestic abuse each year. Workplaces can be a lifeline for survivors and a place of respite and safety. But equally, employers who fail to understand the dynamics of domestic abuse, how this affects survivors and what support is needed, can add to the anguish faced by those subjected to domestic abuse. Domestic abuse continues to remain a very ‘hidden crime.’ Employers that understand the dynamics and effects of domestic abuse will be better able to identify and support those affected, and create an environment where survivors feel supported to come forward. The UK Government’s current Ending VAWG Strategy describes responding to all forms of violence against women and girls, including domestic abuse, as ‘everyone’s business’; this includes employers.

I therefore welcome the Department for Business, Energy and Industrial Strategy’s consultation with the specialist domestic abuse sector, victims and survivors, and the general public to consider what further support victims of domestic abuse should receive in the workplace.

Women’s Aid’s research into economic abuse found that:<sup>1</sup>

- 18.1% (13) said their partner prevented them from having paid employment.
- 33.3% (24) said their partner was abusive towards them while at work or college (e.g. stalking/sabotaging/ sending abusive messages). (Survivor Voice Survey 2018)

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<sup>1</sup> Women’s Aid (2019) The Domestic Abuse Report 2019: The Economics of Abuse. Bristol: Women’s Aid

- One twelfth (six) said their partner had forced them to give up training, education or voluntary work experience.

Research carried out by Surviving Economic Abuse during the COVID pandemic found that 37% of the women they surveyed are concerned about their job security in the future, 22% are worried about their ability to find a new job, and 11% are concerned about their safety whilst working from home. It is estimated that around one in five victims of domestic abuse in the UK have to take time off work because of the abuse they have experienced.<sup>2</sup> Despite the high rates of domestic abuse, and the impact that it has on someone in the workplace, only 5% of employers have specific guidelines and policies in place to support people experiencing domestic abuse in the workplace.<sup>3</sup>

### **Good practice in the workplace**

There are a number of policies that employers can establish to help support victims and survivors of domestic abuse in the work place. Surviving Economic Abuse have identified the follow good practices, which I call on the Government to encourage through this programme of work:

- Flexible working arrangements (such as flexibility in working hours and other adjustments to suit individual cases) in particular with an emphasis on allowing victims to address their domestic situation while not letting it adversely affect their careers
- Taking domestic abuse into account in setting tasks and deadlines, and in performance management and appraisal
- Ensuring that wellbeing and financial wellbeing programmes (including employee assistance) reflect an understanding of abuse and economic abuse, to raise awareness generally and provide support for victims
- Considering how financial and non-financial benefits (such as pensions, loan, insurance, cars and discounts, as well as legal and care support services) are designed and delivered to ensure they contemplate victims and embed relevant support and appropriate safeguards
- Signposting to specialist support services and relevant employee assistance programmes - Having a mechanism for separate contact details for survivors, so that they are assigned unique email addresses and phone numbers, to minimise the possibility of contact by the abuser at the workplace and also the misuse of technology to monitor survivors

I also support recommendations from the Employers Initiative on Domestic Abuse (EIDA), who are working to promote awareness of domestic abuse with a network of over 400 employers across 40 industries. EIDA have produced a toolkit for employers, which offers guidance and support to deliver training and design workplace policies: [eida.org.uk/toolkit-for-employers](http://eida.org.uk/toolkit-for-employers)

I have recently supported the initiative that Peabody Housing Association have put in place to help support employees, contractors and volunteers in cases of domestic abuse

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<sup>2</sup> Trades Union Congress (August 2014), Domestic Violence in the Workplace: A TUC Survey Report

<sup>3</sup> Employers Initiative on Domestic Abuse “Why we exist” accessed:

<https://static1.squarespace.com/static/5cd83ed84d871178f0307100/t/5f57e2eb344ec81c51e635c5/1599595247379/EIDA+-+Submission+to+BEIS.pdf>

and Violence Against Women (VAWG). Their Domestic Abuse in the Workplace policy aims to support victims and survivors, as well as managers, in responding to abuse. They are able to offer a tailored response, depending on the individual's circumstances. This includes:

- Up to 70 hours of special paid leave
- Flexibility with annual leave, flexi-time or time off in lieu
- Temporary or permanent changes to working times and patterns
- Changes to specific duties
- Measures to ensure a safe working environment
- Re-deployment or relocation
- Review the security of personal information held
- Review how salary is currently paid and consider alternatives

To help support and better disseminate best practice in the workplace, I recommend that the Department for Business, Energy and Industrial Strategy builds on these existing initiatives and ensures employer's responses take into consideration both the prevalence and the gendered nature of this crime. This could include dedicated funding to support workplaces to commission specialist training for staff and policy design. I would also like to see the Government fund and commission a national helpline dedicated to supporting employers in their response to domestic abuse and to seek advice on how to best support their staff. In line with EIDA's recommendations to this review, I support the nomination of a champion within the Department to help promote these workplace initiatives.

#### **Further legislative change**

While there are a range of policies and good practice examples that could be implemented voluntarily by employers, without legislative change I am concerned that there will be an inconsistent approach to the way in which victims and survivors are supported in their workplace, and vital opportunities to provide protection and help for people fleeing abuse will be missed.

Currently the Domestic Abuse Bill does not include any provisions that relate to workplace support. I am supporting several amendments to the Domestic Abuse Bill in relation to support in the workplace for victims of domestic abuse.

- **Paid leave and guidance for employers**

Paid leave is one of the most effective actions that an employer can take to support workers who are victims of domestic abuse. I am therefore supporting a proposed amendment to the Domestic Abuse Bill to guarantee that employers are provided with guidance about the support they should provide to victims, including the provision of paid leave. Time off from work is essential in enabling victims and survivors of abuse to access medical assistance and to help find safe accommodation. Without this guarantee, many victims may stay in dangerous situations with their abusers, because they cannot risk losing their employment. Statutory paid leave for victims of domestic abuse was introduced in New Zealand in 2018, and the UK should follow this important example and can learn lessons from implementation there.

- **Extending Domestic Abuse Protection Orders (DAPOs) and Domestic Abuse Protection Notices DAPOs and DAPNs (DAPNs) to cover the workplace**

The Domestic Abuse Bill introduces a new civil Domestic Abuse Protection Notice (DAPN) to provide immediate protection following a domestic abuse incident, and a new civil Domestic Abuse Protection Order (DAPO) to provide flexible, longer-term protection for victims do so. Under the current wording of the Bill, a DAPO or DAPN may prohibit a preparator from coming within a certain distance of the premises lived in by the victim, but there is no mention of the victim's workplace. In 2016, four women were murdered in their workplaces by men. 47.3% of respondents to a TUC survey on domestic abuse said that their partner physically turned up at their workplace and 43.6% said their partner "stalked [them] outside their workplace."<sup>4</sup> I therefore support proposed measures to amend the Bill to extend the remit of DAPOs and DAPN.

I look forward to working closely with the Department for Business, Energy and Industrial Strategy as it develops its response to this important consultation and am very happy to lend further support during this process.



Nicole Jacobs

Domestic Abuse Commissioner for England and Wales

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<sup>4</sup> <https://safety.networkrail.co.uk/wp-content/uploads/2015/10/Trades-Union-Congress-DomesticViolence-Report.pdf>