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 **Violence Against Women, Domestic Abuse & Sexual Violence (VAWDASV) Policy**

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| Mae’r adroddiad/canllaw yma ar gael yn Gymraeg, ac mae modd i chi wneud cais i'w weld mewn fformatau ac ieithoedd eraill hefyd. |
| This report / guidance is available in Welsh and, upon request, other formats, and languages |



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# **Introduction**

The Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 seeks to bring about an important public sector response to violence against women, gender-based violence, domestic abuse, and sexual violence.

* 1. This policy statement has been produced as the Council recognises that Violence Against Women, Domestic Abuse and Sexual Violence:
* Is unacceptable in any form.
* Can have a significant impact on the health, safety and wellbeing of those affected.
* As such may have an impact on the workplace, as the Council has a responsibility for the health, safety and welfare of its employees.
* May impinge on an employee’s work performance and ultimately on service provision.
* Can affect any individual irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sex, sexual orientation.

# **Policy Statement**

 Employees who are experiencing or have experienced Domestic Abuse and/or Sexual Violence or any other form of VAWDASV will be able to raise the issue with their manager, in the knowledge that the matter will be treated effectively, sympathetically, and confidentially. Alternatively, an employee may disclose to another employee or Human Resources who will only act with the full consent of the employee, unless the disclosure reveals concerns for the safety of children or vulnerable adults or where high-risk domestic abuse is identified. In this case the appropriate safeguarding procedures within the Council should be followed.

* 1. This Council is committed to working in partnership with other agencies or bodies in the statutory and voluntary sector to combat VAWDASV.
	2. As the largest employer in Rhondda Cynon Taf this Council will take all reasonable steps to deal with VAWDASV through the support offered to its employees.
	3. The core aims and objectives of this Policy are:
* To assist and support employees who approach their manager or any other colleague for help in addressing problems arising from VAWDASV.
* To remove fears of stigmatisation for employees who have experienced VAWDASV.
* To ensure employees seeking assistance are confident that any disclosure will be taken seriously and that their safety will remain paramount at all times.
* To ensure all employees are aware of the Policy and its implications

	1. To achieve the core aims and objectives of this Policy, the Council will raise the awareness of the VAWDASV throughout its workforce by, for example, utilising the RCT Source and Inform Intranet site and notifying all managers of the necessity to inform all employees at team meetings. Furthermore, specific guidance in respect of managing VAWDASV is attached to this Policy Statement, which outlines the support measures that can be taken.

	These include:
1. Access to confidential independent professional counselling.
2. Special paid time off to enable employees to attend, where necessary with support agencies, solicitors, for re-housing, to alter childcare arrangements or to attend Court proceedings.
3. Referral to the Council’s Specialist Domestic Abuse Service, other specialist support service and/or Occupational Health and Wellbeing Unit where appropriate.
4. Further information/signposting to other local advice and aid agencies and helplines such as Live Fear Free Helpline.

 The responsibility for implementing the requirements of this Policy, and for the preparation of an implementation strategy, rests with each Service Director or Head of Service.

 **Guidance for dealing with Violence Against Women, Domestic Abuse and Sexual Violence.**

# **What is meant by Violence Against Women, Domestic Abuse and Sexual Violence?**

* 1. For the purpose of this guidance, the following Welsh Government definition applies:

VAWDASV encompasses violence against women and girls, domestic abuse and sexual violence, including sexual exploitation, female genital mutilation, so called ‘honour’ based abuse and coercive control.

* 1. What is meant by Violence Against Women
	2. Violence against women is defined by the United Nations as ‘any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.’

	Violence against women encompasses but is not limited to the following:
* Physical, sexual and psychological violence occurring in the family including cultural or traditional practices that are harmful to women, non-spousal or non – partner violence and violence related to exploitation.
* Physical, sexual and psychological violence occurring within the general community including sexual assault of any kind, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking of women and forced prostitution.
* Physical, sexual and psychological violence perpetuated or condoned by state wherever it occurs.

# **What is meant by Domestic Abuse?**

* 1. The Domestic Abuse Act 2021 defines domestic abuse as

 Behaviour of a person (“A”) Towards another person (“B”) IS “domestic abuse” if –

a) A and B are each aged 16 or over and are personally connected to each other, and
b) the behaviour is abusive

Behaviour is “abusive” if it consists of any of the following:

1. Physical or sexual abuse

2. Violent or threatening behaviour

3. Controlling or coercive behaviour

4. Economic abuse (see subsection)

5. Psychological, emotional, or other abuse.

 And it does not matter whether the behaviour consists of a single incident or a course of conduct.

**Definition of Coercive controlling behaviour:**

 Controlling behaviour - is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

 Coercive behaviour – is and act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

**What is meant by Sexual Violence?**

* 1. Sexual Violence and abuse can be defined as any behavior perceived to be of a sexual nature which is unwanted and takes place without consent or understanding. Sexual assault covers any other sort of
	sexual contact and behaviour that is unwanted, ranging from touching to any other activity if it is sexual.
	2. It should be recognised that perpetrators of sexual violence may not always be the partner/ ex-partner of the individual experiencing it.
	3. Whilst it is recognised that it is overwhelmingly women who are disproportionally affected by VAWDVSV, these guidelines equally apply to any employee who requires help and advice, including males, trans, lesbian, gay, bisexual and non-binary.

**What is it meant by Honour base violence?**

* 1. Honour based violence can be distinguished from other forms of violence, as it is a cultural form of abuse committed with some degree of approval and/or collusion from family and/or community members. Managers should be aware that is an employee experiencing what may be honour based violence has a family or community member as support then care should be taken to ensure that professional translators are available if their first language is being used. This will avoid the possibility of misunderstandings or pressure being put on the employee. It is recommenced that managers seek advice from designated specialist services and support providers if they identify an employee may be experiencing honour-based violence. Such as [BAWSO](https://bawso.org.uk/en/services/)

**What is meant by Female Genital Mutilation?**

* 1. Female genital mutilation (“FGM”) involves procedures that include the partial or total removal of the external female genital organs for non-medical reasons. The practice is extremely painful and has serious health consequences both at the time when the mutilation is carried out and in later life.

	FGM has been a specific criminal offence in the UK since 1985 when the (UKwide) prohibition of Female Circumcision Act (“the 1985 Act”) was passed. The Female Genital Mutilation Act 2003 (“the 2003 Act”) replaced the 1985 Act in England, Wales and Northern Ireland.

# **Identifying the problem**

* 1. It is unlikely in the first instance, that employees who experience any form of VAWDASV including Domestic Abuse and Sexual Violence will inform colleagues of their situation or approach their manager with problems. It is far more likely that the manager may become aware of the situation through associated issues such as sickness absence monitoring or poor performance. As with other welfare issues, identifying an employee is experiencing difficulties at an early stage will lead to appropriate help being offered, and allow that employee to deal with their situation far more effectively. More information on the signs and symptoms that may indicate an employee is experiencing VAWDASV including Domestic Abuse and Sexual Violence is contained within the Managers Guidelines that accompany this policy.
	2. Managers need to develop a sensitive and non-judgmental approach when dealing with employees that have experienced VAWDASV including Domestic Abuse and/or Sexual Violence. These measures could include:
1. Ensuring the immediate safety, and security at work of employees.
2. Taking employees seriously, listening and believing them.
3. Ensuring that any discussion with an employee about their circumstances takes place in private.
4. Respecting confidentially – the consequences of VAWDVSV including Domestic Abuse and/or sexual violence are serious, and managers and colleagues need to respect this.
5. Understanding employees may not wish to approach their line manager and may prefer to involve a third party such as a colleague or trade union representative.
6. Finding out what employees want and whether a manager, another officer or another agency can help them achieve it. Being honest about what can be offered.
7. Being aware of the additional issues faced by employees, because of their age, disability, gender identity, sex, sexual orientation or race. (intersectionality).
8. Being non-judgmental - employees may need some time to decide what to do and may try many different options during process. Research has demonstrated that it can take a long time to break free from an abusive relationship. It should not be assumed therefore, that because an individual returns or stays in an abusive relationship, that the abuse is not severe or does not take place in particular, where coercive, controlling behaviour is present, employees should not be encouraged to leave the relationship without first seeking the support of a specialist agency (research supports that the risk to victims increases significantly when they have recently left an abusive relationship).
9. Being aware of what support is available and exploring these options with employees. However, if an employee does not wish the manager to contact other agencies, their wishes must be paramount (unless a safeguarding risk or high risk of harm is identified when the relevant safeguarding process must be followed).

# **Ensuring Safety**

* 1. The main responsibilities of employers, employees, and others for the health, safety and welfare of persons at work are defined by the Health and Safety at Work etc Act 1974, and the Management of Health and Safety at Work Regulations 1999. Furthermore, the Council has also developed guidance for managers to deal with incidents where employees are verbally abused or threatened or physically assaulted in the course of their duties. This is detailed in the Violence at Work Policy - HS13 which can be accessed from the RCT Source or from Human Resources.
	2. The Violence at Work Policy - HS13 will apply to most situations of violence in the workplace. The Council also has a Lone Working Policy HS22 which may apply to situations if an employee is lone working. Managers may have to consider additional factors if these incidents involve VAWDASV including Domestic Abuse and/or Sexual Violence. These incidents may involve violent partners or ex-partners visiting the workplace, abusive phone calls, intimidation or harassment of employees by the alleged perpetrator. These issues could be addressed by the following measures:
* improving security measures such as changing keypad numbers or ensuring that access to buildings is open to authorised employees only.
* Reminding reception/switchboard operators not to divulge information about employees, especially personal details such as work locations, work appointments, telephone numbers or shift patterns.
* Offering temporary or permanent changes in the workplace e.g. work times and patterns, helping to make the employee less at risk at work, and on their journeys to and from work. This could include changes to the office layout, to ensure that an employee is not visible from reception point or, from ground floor windows.
* Offering changes in specific duties, such as answering phones or working in reception or in exceptional circumstances, redeployment to another post.
* Agreeing what to tell employees, and how they should respond if the abuser rings or calls at the workplace. Providing colleagues with a photograph of the abuser, and other relevant details such as car registration numbers, which may help to maintain security in the workplace.
* Making sure that the systems for recording employees whereabouts during the day are adequate, and if the work requires visits outside the office, considering how risks can be minimised (e.g. changing duties or allowing another colleague to accompany them on certain journeys).
* Recording any incidents of violence in the workplace, including persistent phone calls, emails, or visits to an employee by their partner/ex-partner. Details of any witnesses should also be recorded. These records could be used if employees wish to press charges or apply for an injunction against the alleged perpetrator. The Council could also apply for an injunction if the action of the alleged perpetrator impinges on the health and safety of other employees.
* Managers may have to take account of whether the measures detailed above are operationally feasible, bearing in mind that ensuring employees are safe should be of primary consideration throughout the process.

# **Confidentiality**

* 1. Once an employee has confided in their manager that they are experiencing VAWDASV including Domestic Abuse and/or Sexual Violence, the manager should reassure them that this information will remain confidential. Specialist advice should be sought from a specialist VAWDASV service provider. The consequences of breaching confidentiality could have serious effects for the person experiencing VAWDASV. Statistics have shown that the risk of more serious assaults, permanent injury, and even murder takes place when a victim decides to leave the relationship or immediately thereafter. It is important therefore not to underestimate the risks present or assume that any fear of violence is exaggerated.
	2. Exception to 7.1 above are:
* Where child protection issues are identified where an employee gives information that suggests that their child or another child is at risk of harm or abuse (whether physical, emotional, sexual or from neglect.) In these circumstances the manager will need to seek immediate advice from the Council’s children services duty team and make an appropriate Child Safeguarding referral.
* On occasions, following advice from Children’s services there may be a requirement to inform an employee that a child safeguarding matter may also need to be referred to appropriate Head of Service and Director of Human Resources where a professional strategy meeting is deemed necessary.
* With the express wish of the employee concerned. In these circumstances, employees’ privy to such information should be reminded that this information is confidential, and any unauthorised breaches could be subject to the Councils Disciplinary procedures.

# **Leave of Absence and other supportive measures**

* 1. Managers will give consideration, and view sympathetically requests for leave of absence for employees who have disclosed they are experiencing VAWDASV including Domestic Abuse and/or Sexual Violence. These requests may include:
* appointments with support agencies such as the Council’s Specialist Domestic Abuse Service or RCT Domestic Abuse Services, Occupational Health, Social Care appointment or Counselling;
* arranging re-housing;
* meetings with solicitors;
* making alternative childcare arrangements, including meetings with schools
* court proceedings involving incidents of VAWDASV .

	1. Managers should explore other supportive measures such as a temporary change in hours, where requested by employees who are experiencing VAWDASV including Domestic Abuse and /or Sexual Violence.
	2. Managers will record any leave of absence for VAWDASV purposes as special leave on the Council’s staff management recording system (Itrent).
	3. An employee leaving a violent partner may face considerable financial hardship or have concerns about finding suitable accommodation for themselves and their family. managers should consider approving a salary advance if needed, (e.g., to move house or to make other significant financial outlay). Additionally, consideration should be given to changing the method of salary payment if an employee has disclosed that their partner has access to their finances or is exerting financial pressure upon them.
	4. Where an employee is in need of housing advice, a referral should be made with the employee’s permission to the Council’s specialist Housing Solutions Service.
	5. The Council will offer access to a Counselling and Support Service to those employees experiencing VAWDASV including Domestic Abuse and/or Sexual Violence as follows:
* Through the Council’s Occupational Health and Wellbeing unit;
* Through specialist VAWDVSV support services.

# **If an employee is a perpetrator of VAWDVSV including Domestic Abuse / Sexual Violence**

* 1. Employees should be made aware that VAWDASV including Domestic Abuse and/or Sexual Violence is a serious matter which could lead to a criminal conviction.
	2. As is the case with any employee who is found guilty of a crime, if the Council views that there is conflict between the conviction for an offence and the job they are employed to do, disciplinary action may be taken. Serious consideration should be given to whether the actions of an employee who has a criminal conviction for a VAWDASV related crime brings the Council into disrepute and would be regarded as gross misconduct. (Reference should be made to the Council’s Disciplinary Policy.)
	3. If the employee is not dismissed as a consequence of their actions, the fact that they are a perpetrator of VAWDASV may make certain job duties inappropriate and justify redeployment. For example, it will not be appropriate for an individual to be providing services to vulnerable women and children and a change or a transfer of role may need to be considered in such circumstances.
	4. Consideration will be given to the outcome and recommendations of any related Professional Strategy meeting that may be necessary.
	5. Proven harassment and intimidation of employees by their intimate partner, ex-partner or a family member who also work for the Council will be viewed seriously and may lead to disciplinary action being taken.

# **Raising Awareness**

* 1. The Council is committed to promoting Zero tolerance of VAWDASV including Domestic Abuse and/or Sexual Violence against all of its employees. It is essential; therefore, that the working environment promotes the view that abuse of any person is unacceptable, and that abuse will not be condoned or tolerated in any form including physical, emotional or verbal abuse.
	2. The Council will aim to raise awareness of VAWDASV through following means:
* Inclusion of issues relating to VAWDASV including Domestic Abuse and/or Sexual Violence in relevant in-house training.
* By signposting information on the Council’s Inform services and/or the RCT Source.
* By promoting and raising awareness of specialist support and services operating in Rhondda Cynon Taf including how to access such services.
* Supporting delivery of VAWDASV and Domestic Abuse related training via the Council’s social care training programme for non-specialist professionals
* By supporting relevant campaigns at both a local and national level – i.e. Safeguarding week, White Ribbon and localise campaigns that support local priorities in terms of the regional Cwm Taf Morgannwg VAWDASV Strategy and Delivery Plan.
* By complying with the requirements of the VAWDASV National training framework ensuring that all staff employed by the Council undertake mandatory VAWDASV Level 1 training and supporting senior and political leadership within the authority via level 6 training.

# **Support for Staff and managers**

* 1. **Specialist support** – there are a wide range of specialist support services operating in the Rhondda Cynon Taf area and region for those experiencing Violence Against Women, Domestic Abuse and Sexual Violence. These include:
* RCTCBC Pontypridd Safety Unit

 Pontypriddsafetyunit@rctcbc.gov.uk

 Phone - 01443 400791

* RCT Domestic Abuse Services
info@rct-wa.org.uk
Phone - 01442 400791
* New Pathways (Sexual Violence Support)
enquiries@newpathways.org.uk
Phone - 01685379310
* Live Fear Free services (24/7 365 days)
info@livefearfreehelpline.wales
Phone - 0808 80 10 800 Text- 07860077333 (Live chat also available)

	1. **Council Support** – the Council has a wide range of staff support options including referral to the Occupational Health and Wellbeing Unit, Community Domestic Abuse Team, Viv Up, your line manager, HR representative, who be able to advise you further and support any necessary referrals.

	Community Domestic Abuse Services - communityda@rctcbc.gov.uk
	Equality and Diversity Team – Equality@rctcbc.go.uk Phone– 01443 444529
	Occupational Health and Wellbeing Unit - OHUQueries@rctcbc.gov.uk Phone – 01443 494003
	Viv Up Phone– 08000239387
	2. Making a Disclosure - the first step to obtaining help and support is to tell someone about your situation. This may feel difficult, and you may be very anxious but as soon as you confide in someone, further help can be made available for you. The Council is committed to providing empathic and pro-active support to its employees who may be suffering any form of Violence Against Women, Domestic Abuse and Sexual Violence and any disclosure made will be treated sensitively and confidentially. You are able to speak to your Line Manager, Human Resources, the Occupational Health and Wellbeing Unit, the Diversity and Inclusion Team, the Council’s Specialist Support Service or another colleague or your Trade union rep. Once a disclosure is made, any help available can be discussed with you and can be tailored to your individual case circumstance and preferences.
	3. Additional Support Options:
* Bright Sky App – [www.hestia.org/brightsky](http://www.hestia.org/brightsky)

 **ADDITIONAL MANAGER GUIDANCE**

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| --- | --- |
| * Definition of Violence Against Women, Domestic Abuse and Sexual Violence
 | VAWDASV encompasses violence against women and girls, domestic abuse, and sexual violence, including sexual exploitation, female genital mutilation, so-called ‘honour’ based abuse, and coercive control.  |
| * If you are approached by a Staff member who makes a disclosure you can:
* Any disclosure should be treated sensitively, and you will need to check whether there are any immediate safeguarding actions needed?
 | * **Contact your HR rep for further guidance.**
* **Speak to the Council’s Specialist Support Service on 01443 400791 or via email to:** **PontypriddSafetyUnit@rctcbc.gov.uk**
* **Speak to the Council’s Diversity and Inclusion Team**
* **Speak to the Live Fear Free Helpline 0808 80 10 800**
* **Download the Bright Sky app -** [www.hestia.org/brightsky](http://www.hestia.org/brightsky)
* The Specialist Support Service can assist you with this.
 |
| * Workplace safety actions may need to be put in place e.g. safe entry and exit to workplace premises / filtering telephone contacts for the employee / temporary suspension of lone-working arrangements.
 | * Seek further advice from the Specialist Support Service if required.
 |
| * Confidentiality
 | * Be mindful of confidentiality and the need to share information in a safe way that will not increase any risk to the employee by the perpetrator becoming aware that a disclosure has been made.
 |
| * Support Available
 | * Please make your employee aware of all support that is available to them and support them to access this where they may need help to do so.
 |
| * Raising Awareness
 | * Please raise the issue of VAWDASV through Team meetings and signpost to or provide staff with the VAWDASV Policy.
 |