



CABINET – 26TH NOVEMBER 2014

SUBJECT: DRAFT DOMESTIC ABUSE, GENDER-BASED VIOLENCE AND SEXUAL VIOLENCE POLICY AND GUIDANCE FOR MANAGERS

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER

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- 1.1 The attached report, which outlined the revised Domestic Abuse, Gender-based Violence and Sexual Violence Policy and Guidance Notes for Managers and sought the views of Members prior to its presentation to Cabinet for determination, was considered by the Policy and Resources Scrutiny Committee on 11th November 2014.
 - 1.2 The report explained that according to the Corporate Alliance Against Domestic Violence, 75% of those experiencing domestic abuse are targeted at work. Under current legislation, the Council has legal responsibilities in promoting the welfare and safety of all employees. The Council's current Policy and Guidance Notes were introduced in July 2005 and require review and updating.
 - 1.3 In June 2014 the Welsh Government introduced the Gender-based Violence, Domestic Abuse and Sexual Violence Bill which proposes a duty on Local Authorities to publish strategies aimed at ending gender-based violence, domestic abuse and sexual violence. However, the duty to have a workplace policy, as proposed in the White Paper, has been removed. The Bill is subject to scrutiny over the coming months and may be subject to change. During consultation, the Council's Trade Unions advised that the Policy should be gender neutral, and following discussions with Welsh Government the term 'violence against women' has been replaced with 'gender-based violence'.
 - 1.4 The revised Policy and Guidance Notes outline how the Council will respond where it becomes aware that an employee is a victim of domestic abuse/violence including appropriate measures to safeguard the employee at work and support mechanisms available. The Policy and Guidance Notes also provide advice on: recognising the signs of domestic abuse and violence; asking questions of employees; ensuring employees' safety and referring to the appropriate support agencies; as well as dealing with employees who are perpetrators or alleged perpetrators of domestic abuse/violence.
 - 1.5 During discussion of the report, concerns were raised regarding references to conduct outside of work and possible disciplinary action against employees, with it explained that each individual case would be considered on its own merits. Concerns were raised regarding safeguarding procedures, and Members were referred to Section 22 which outlined confidentiality protocol and the Council's position on the sharing of information. Links between this policy and other Council policies were outlined to Members, including that of the Council's Code of Conduct. Queries were also raised in regards to the numbers of affected employees, with it confirmed that this information was held by relevant agencies (although not the CCBC HR department) but was a matter that could be addressed in the future.

1.6 Following consideration of the report and the draft revised Policy, the Policy and Resources Scrutiny Committee unanimously recommended to Cabinet that for the reasons contained therein, the revised Domestic Abuse, Gender-based Violence and Sexual Violence Policy and Guidance Notes be adopted.

1.7 Members are asked to consider the recommendation.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendices:

Appendix 1 Report to Policy and Resources Scrutiny Committee on 11th November 2014 –
Agenda Item 15