



# "Only when it starts crumbling down, that's when you'll know": The role of trade union officers and reps in supporting employees who are experiencing domestic violence/abuse.

EXECUTIVE SUMMARY June 2019

The projects were conducted with the kind support of the TUC, and funded by Higher Education Industry Funding (HEIF); Lancashire School of Business and Enterprise, University of Central Lancashire (UCLan) and Sheffield Business School, Sheffield Hallam University. We also thank all of the anonymous participants.

BY DR. TONY BENNETT, SHEFFIELD BUSINESS SCHOOL, SHEFFIELD HALLAM UNIVERSITY (VISITING FELLOW, IROWE), DR. CAROL JONES AND DR. GEMMA WIBBERLEY, IROWE (INSTITUTE FOR RESEARCH INTO ORGANISATIONS, WORK AND EMPLOYMENT), LANCASHIRE SCHOOL OF BUSINESS AND ENTERPRISE, UNIVERSITY OF CENTRAL LANCASHIRE

## Key Findings

This was a two phase research project into the role of trade union officers and representatives in supporting employees who are experiencing domestic violence/abuse. In-depth interviews were conducted with 57 union representatives and officers. Several key findings from phase one were reaffirmed in the analysis of discussions with respondents from phase two which corroborate and, therefore, substantiate the outcomes of the first piece of research undertaken (see 'outputs' p7). The second wave included a broader range of participants. The projects were conducted with the kind support of the TUC.

### Union Level Approaches

- In organisations which recognise unions, the union rep and full time officers (FTO) can play a key role supporting employees who are experiencing domestic abuse.
- Evidence of effective partnership working between reps and line managers in supporting victims/ survivors.
- Many unions have a wide range of materials to raise awareness and support representatives in handling domestic violence/abuse cases in the workplace.
- Training resources for reps are available, but it can be difficult to get time to attend training. Therefore, often they are handling cases without training.
- There is a clear need to roll out of domestic violence/abuse training.
- Respondents advocated that an understanding of the impact of domestic violence/abuse on members be built into stewards' training and that of health and safety reps and union learning reps.

### Organisational Level Approach

- There remain difficulties in persuading some employers that domestic abuse is a workplace issue. Still perceived as a 'private' matter
- Impact of abuse can reduce attendance and performance; perpetrators may continue to abuse staff when at work; and the research identified health and safety concerns for victims/ survivors.
- Specific domestic abuse policies are uncommon within organisations and may not be effective even where they exist. Requiring victims to disclose their abuse as a way of accessing the policy can be counterproductive.



UCLan image

### Absence/Performance Management

- Absence policy infringements often trigger managerial intervention and disclosure.
- Managers are rarely trained to handle domestic violence/abuse and are unlikely to consider it as a cause of poor performance or attendance. Their responses to cases varied and they could threaten victims with disciplinary action or dismissal but were often more sympathetic when aware of the abuse.
- Representatives may need to persuade managers to take appropriate action.
- HR's responses also varied. They appeared to be more knowledgeable and easy to access when 'in-house' rather than where this function was accessed remotely.
- Whilst co-workers were reported as often supportive, they may resent what they perceive to be preferential treatment.

### Domestic Abuse/Violence Policies

- Clear and transparent domestic abuse policy and procedures should be created and integrated into the working of all organisational policy.
- It is crucial that all organisations ensure that existing policy and practice around absence and performance management work in concert, and do not conflict with domestic abuse policy and practice. Recognising that abuse could, for instance, affect the performance and attendance of employees.
- Employers should avoid applying punitive action immediately without considering first other reasons relating to possible abuse.
- The rep or FTO should utilise their knowledge of organisational policies and practice and terms and conditions to negotiate reasonable adjustments in work with management, and challenge unsubstantiated sanctions arising out of the abuse.

### *Disclosure*

- Victims are often reluctant to talk about the abuse. They may be concerned about confidentiality or the implications for their personal life, career and reputation.
- Employees may worry that disclosing to representatives results in unwanted formal action and need considerable reassurance about confidentiality.
- A crisis at home or work is what most commonly leads to disclosure in the workplace - i.e. when they are facing dismissal for poor performance or from attendance issues stemming from the abuse.
- Victims / survivors may leave work (voluntarily or after dismissal) without ever officially talking about the abuse.

### *Awareness Raising*

- All respondents felt that a concerted programme of awareness-raising and training is necessary across all sectors in order to make managers and union reps more aware of the signs that an employee might be experiencing domestic abuse, and to provide information about what action to then take.



### *The Role of Union Representatives*

- Reps emphasised that their role is to support, advise and direct members to professionals.
- Reps are often first involved when employee's face disciplinary action. They will try to encourage disclosure, to: represent the victim; reduce unfair sanctions; and signpost to external support agencies. But disclosure is not easy even at this stage.
- It is vital to have good relationships between reps, managers and HR; and for all parties to be willing to act flexibly and often 'informally' to support victims.
- Reps need awareness of: internal and external support services, and processes.

### *The Impact on Representatives*

- Difficult to remain detached from cases, as advised, and not offer personal support.
- Can be emotionally demanding, and there is a need for unions to provide more support to their representatives.

### *The links to wellbeing issues*

- Domestic abuse should not be seen solely as an equality issues but should also be considered within wider union and employer strategy and practice in supporting the wellbeing of employees
- The psychological impact, particularly stress, that domestic abuse can have upon employees should also be fully recognised.
- For many reps and officers, the approach taken in campaigns to reduce the stigma of mental health issues in the workplace and addressing its impact, could be drawn upon to inform approaches to addressing the impact of domestic abuse.

### *The Business Case*

- Legal argument for employers to address raising awareness and training and domestic abuse policy and practice.
- Clear business case to argue that addressing performance and absence issues arising from domestic abuse will improve employee productivity, motivation and reduce costly staff turnover.



## RECOMMENDATIONS

### *In the workplace*

Ideally, initiatives need to come from the top. As the toolkit of Business in the Community (BinC) rightly counsels, 'If feasible, appoint of a senior HR lead who can help lead the corporate conversation and will be trusted by employees to deal with their concerns sensitively and in confidence. HR can provide leadership and support for staff in the context of organisational policies and guidelines' (2018:7). This guidance needs to be heeded as a matter of urgency by more employers, certainly given the experiences consistently reported by respondents to this study.

A proposed model employer-union strategy was an oft cited issue for interviewees The GMB, UCU and UNISON unions for example, offer excellent templates. What is missing from the BinC toolkit and the three union models cited here is the need for the domestic abuse policy to be integrated with other policies. It could be good practice to audit all organisational policies and practice, but particularly people management policies such as absence and performance management, to ensure that the domestic abuse policy is securely and unambiguously embedded within those policies and practices. In this way, the concern from respondents that they are often 'fighting the system' to get justice and reasonable adjustment for their member can be addressed, as the domestic abuse policy will be integrated rather than in conflict with other people management policies. It is also important for the policy to be clear, effective and easily accessible by all staff. In particular, victims/ survivors need to be able to see what options are available to them and exactly what the

process is if they disclose or not. Options for accessing support without disclosure also need to be considered, due to complicated risks and stigma of speaking out about abuse.

An essential part of any domestic abuse policy, and good practice, is providing workplace adjustments to enable the employee to continue in work. A wide range of these are discussed in the report including: security at work and on commute; flexibility in hours; relocation to another site if possible; time off to deal with the direct and indirect consequences of abuse such as relocation or legal issues; adjusted absence and performance management expectations; counselling and informal 'buddy' systems.



Kind Permission Merseyside Domestic Abuse Workplace Scheme

It is clear there is a vital need to raise awareness in workplaces of domestic abuse, and the realities of how it impacts employees and the workplace. The research has shown the importance of ensuring staff throughout the organization are trained, due to the

potential for colleagues knowing about the abuse before any official disclosure. Respondents also recommended careful planning of awareness raising campaigns or provision of supportive materials to those experiencing abuse. They highlighted the importance of putting information in workplaces in safely accessible places i.e. back of toilet doors. To ensure that victims/survivors accessing materials were not observed by others.

The study also revealed the need to promote existing training and resources more widely. Many unions have materials and courses for representatives and members, however, there can be limited knowledge of these. Additionally, in some organisations where domestic abuse policies existed it was reported that awareness and therefore utilisation of was limited. It was noted that Northumbria Police and Crime Commission (PCC) has been working with employers and trade unions to train domestic violence champions to raise awareness and to support and signpost employees experiencing domestic abuse.<sup>1</sup> This, it is felt, is a valuable model for the union movement to promote with PCCs across the region and beyond and since our fieldwork was completed new champions schemes are being rolled out such as one in Merseyside<sup>2</sup>.

There is a clear need to enable line managers and HR to be more effective in addressing the impact of domestic violence/abuse in the workplace. A wide-ranging and coherent programme of training and awareness raising would be valuable. Also drawing on the good work of unions working in partnership with HR and line managers as reported on in this study. Similarly, the domestic abuse legislation is a useful catalyst for this action, and in driving a properly

<sup>1</sup> For further details see: <http://www.northumbria-pcc.gov.uk/police-crime-plan/vawg/workplace-domestic-violence-champions/>

<sup>2</sup> For details see: <https://www.merseysidepcc.info/DAWorkplaceScheme.aspx>

negotiated agreement on domestic abuse policy and practice. Besides the legal case, there has been highlighted in the research the existence of a clear business case. It is felt that union negotiators can argue with authority that the proposals set out in a model agreement will result in reduced turnover of staff, reduced employee absence and improved productivity and motivation of workers. Resources such as EHRC (2010) can also provide further evidence of the benefits of supporting victims/survivors.

In terms of better equipping union activists and officers to represent members and negotiate agreements, the unique educational approach of union learning should be an intricate part of this strategy. We would recommend rolling out some of the useful TUC led domestic abuse workshops across the region. Also that a basic understanding of domestic abuse

and its impact is part of the training of all stewards, health and safety reps and union learning representatives.

Trade unions and employers can form informal or formal partnerships with external support services such as refuges and domestic abuse victim support services to raise awareness within their organisations. They can also offer mutual support, for instance many examples were given of representatives and staff fundraising for their local refuge. Whilst specialist services were able to provide expert speakers or advice to staff, either those experiencing abuse or representatives supporting victims.

The study highlighted the importance of 'caring for the carer' to enable representatives and officers to be able to continue supporting victims/ survivors. A variety of ideas were suggested that unions could implement to support reps including: mentoring; counselling;

confidential debriefing, training, and the importance of boundaries of the role.

Respondents advocated learning from other successful wellbeing at work strategies to help develop more resources for domestic abuse. For instance, mental health campaigns had reportedly helped to reduce stigma and support staff, and it was hoped there could be similar success for domestic abuse.

It was also seen as important to incorporate domestic abuse as both an equality and wellbeing issue. As although women are statistically at higher risk and certain groups of staff may face additional challenges, it was vital to acknowledge that abuse can affect any employee.

### *Taking the agenda forward*

A further key outcome from the research was for it to act as a spring board for dissemination of the findings from both phases but also to promote action based on these findings. This has been progressed to some degree in several ways by the team, for instance through the local media and presentations to and discussion with several relevant bodies, but the opportunity to go further remains open. It is felt that the findings can act as an impetus to a raising awareness campaign.

The data collection stage of the research closed in July 2018 with a conference of over 90 delegates and speakers at the Mechanics Institute in Manchester. Featuring several speakers, and including initial feedback on the phase two results. Speaker Dame Vera Baird, the Police and Crime Commissioner for Northumbria, stressed to the delegates and speakers at the conference the need to lobby the Government to specifically include in the Domestic Abuse Bill the workplace actions reviewed in the research and considered in this report.

to paid time off when experiencing abuse.

Equally pertinent is that a legal prerequisite for employers to support victims to remain in work whilst experiencing abuse would support the Government's plan as part of the legislation to 'make illegal' economic abuse of the victim by the perpetrator (Casciani, 2019; Moore, 2019).

Our conference presentation



These recommendations resonate with one of our other conference speakers Professor Nicole Westmarland's (2017) research, who concurs that there is a legal case to ensure that all organisations should recognise their role in supporting employees experiencing abuse; for instance, to have the legal right to request flexible working from their employer and also the entitlement



Dame Vera Baird presenting at our conference

## REFERENCES

- Business in the Community (2018), Domestic abuse: a toolkit for employers. [https://wellbeing.bitc.org.uk/sites/default/files/kcfinder/files/bitc\\_phe\\_domestic\\_abuse\\_toolkit.pdf](https://wellbeing.bitc.org.uk/sites/default/files/kcfinder/files/bitc_phe_domestic_abuse_toolkit.pdf)
- Casciani, D. (2019), 'Domestic abuse: Non-physical and economic abuse included in law', BBC News 21/01/19 <https://www.bbc.co.uk/news/uk-46939735>
- EHRC (2010) Domestic abuse is your business: Bridget's story – the business case for having a policy (part of employers campaign pack) (<http://www.equalityhumanrights.com/publication/domestic-abuse-your-business-bridget%E2%80%99s-story-%E2%80%93-business-case-having-policy>)
- EHRC (2013) Evaluating the Impact of Domestic Abuse Workplace Policies in Wales Equality and Human Rights Commission Wales
- Moore, A. (2019), "'I had no job, no savings. I knew he'd destroy me" – the women fighting against economic abuse', The Guardian 5th February 2019 [https://www.theguardian.com/lifeandstyle/2019/feb/05/no-job-no-savings-women-fighting-economic-abuse-illegal?CMP=share\\_btn\\_link](https://www.theguardian.com/lifeandstyle/2019/feb/05/no-job-no-savings-women-fighting-economic-abuse-illegal?CMP=share_btn_link)
- ONS (2018) ONS Crime Survey for England and Wales, year ending March 2018 <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwales/yearendingmarch2018>
- Reeves, C. and O'Leary-Kelly, A. (2009) *Study of the Effects of Intimate Partner Violence on the Workplace*. Research Report to the U.S. Department of Justice, University of Arkansas.
- Strickland, P. (2013) Domestic violence : Standard Note : SN/HA/6337, London House of Commons Library, Home Affairs Section.
- Swanberg, J., Macke, C., and Logan, T.K. (2007) 'Working women making it work. Intimate partner violence, employment, and workplace support', *Journal of Interpersonal Violence*, 22. 3, 292-311.
- TUC, (2014) *Domestic Violence and the Workplace*, a TUC Survey Report <http://www.tuc.org.uk/equality-issues/gender-equality/violence-against-women/domestic-violence-and-workplace>
- Walby, S. (2009), *The Cost of Domestic Violence: Up-date 2009*, Lancaster: Lancaster University.
- Wathen, N., MacGregor, J., MacQuarrie, B. (2018) Relationships Among Intimate Partner Violence, Work, and Health. Vol 33, Issue 14, doi: 10.1177/0886260515624236
- Westmarland, N. (2017), *Domestic Violence and Abuse: Working together to transform responses in the workplace*, London: Vodafone Foundation in association with Ipsos MORI and Durham University.

### Our outputs to date

- Bennett, Tony, Wibberley, Gemma and Jones, Carol (2019) **The Legal, Moral and Business Implications of Domestic Abuse and its Impact in the Workplace**. *Industrial Law Journal*. ISSN 0305-9332 <https://doi.org/10.1093/indlaw/dwy026>
- Wibberley, G., Bennett, T., Jones, C. and Hollinrake, A (2018) **The role of trade unions in supporting victims of domestic violence in the workplace**. *Industrial Relations Journal*, 49 (1). pp. 69-85. ISSN 0019-8692. <https://doi.org/10.1111/irj.12204>
- Wibberley, G., Jones, C., Bennett, T. and Hollinrake, A. (2016) **'Domestic Violence—a management challenge: how trade unions can help'**, in *Overcoming Challenges to Gender Equality in the Workplace : Leadership and Innovation*, (eds.) Flynn, P., Haynes, K., and Kilgour, M., Greenleaf Publishing: Sheffield, pp.124-138

## RESOURCES

- Freephone 24-Hour National Domestic Violence helpline: 0808 2000 247

(Run in partnership between Women’s Aid and Refuge) “The helpline is answered by fully trained female support workers and volunteers, who will answer your call in confidence. All calls to the domestic violence helpline are free from mobiles and landlines. We can support survivors of domestic abuse, friends and families, and professionals who are in contact with domestic violence survivors.”

### For women

[www.womensaid.org.uk](http://www.womensaid.org.uk)

[www.refuge.org.uk](http://www.refuge.org.uk)

[www.hiddenhurt.co.uk](http://www.hiddenhurt.co.uk)

### For men

Men’s Advice Line: [www.mensadvice.org.uk](http://www.mensadvice.org.uk) or 0808 801 0327

[www.survivorsuk.org](http://www.survivorsuk.org) with online helpline

### Workplace resources

- EHRC/ CIPD (2013), Managing and Supporting Employees Experiencing Domestic Abuse. <https://www.equalityhumanrights.com/sites/default/files/domesticabuseguide.pdf>
- EHRC Domestic abuse: workplace policies and managing and supporting employees [including the business case for supporting victims/survivors] <https://www.equalityhumanrights.com/en/advice-and-guidance/domestic-abuse-workplace-policies-and-managing-and-supporting-employees>
- Department of Health/ SafeLives (2015) Responding to colleagues experiencing domestic abuse: Practical guidance for line managers, Human Resources and Employee Assistance Programmes <http://www.safelives.org.uk/sites/default/files/resources/DV%20Employer%27s%20guidance%20FINAL%20Update%203%20-%20SafeLives%20rebranded.pdf>
- Refuge/ Respect (2010), Domestic Violence Resource Manual for Employers, second edition .
- TUC Domestic Violence: a guide for the workplace <https://www.tuc.org.uk/publications/domestic-violence-guide-workplace>
- TUC Domestic Violence eNote: Interactive guide for union reps <https://www.tuc.org.uk/research-analysis/reports/domestic-violence-enote>
- Employers’ Initiative on Domestic Abuse <https://eida.org.uk/>
- Corporate Alliance Against Domestic Violence <http://thecorporatealliance.co.uk/>
- Business in the Community (2018), Domestic abuse: a toolkit for employers. [https://wellbeing.bitc.org.uk/sites/default/files/kcfinder/files/bitc\\_phe\\_domestic\\_abuse\\_toolkit.pdf](https://wellbeing.bitc.org.uk/sites/default/files/kcfinder/files/bitc_phe_domestic_abuse_toolkit.pdf)
- Workplace Domestic Violence Champions [often free training and awareness raising resources for local companies]
  - <http://www.northumbria-pcc.gov.uk/police-crime-plan/vawg/workplace-domestic-violence-champions/>
  - <https://www.merseysidepcc.info/DAWorkplaceScheme.aspx>
  - <http://www.cumbrialscb.com/LSCB/professionals/domesticabuse/domesticabusechampionsnetwork.asp> [Cumbria not workplace specific but appears to be for all community as well as businesses]

### Trade unions

[Many trade unions have model policies and resources on domestic abuse, please contact your union for details. These are some of the publically available resources]

- UNISON <https://www.unison.org.uk/content/uploads/2017/02/24192.pdf>
- CWU [see links on page] <https://www.cwu.org/my-union/help-and-support/women/>
- USDAW <https://www.usdaw.org.uk/Help-Advice/Health-Wellbeing/Domestic-Violence>
- UCU [https://www.ucu.org.uk/media/8390/Model-domestic-violence-policy/pdf/Domestic\\_abuse\\_model\\_policy.pdf](https://www.ucu.org.uk/media/8390/Model-domestic-violence-policy/pdf/Domestic_abuse_model_policy.pdf)