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Wales

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## **VIOLENCE AGAINST WOMEN, DOMESTIC ABUSE AND SEXUAL VIOLENCE PROCEDURES**

### **Introduction and Aim**

The Corporate Safeguarding Team has developed an over-arching Safeguarding Policy which sets out the organisation’s commitment and responsibility to safeguarding of both adults and children at risk of harm and victims of violence against women, domestic abuse and sexual violence (VAWDASV).

This procedural document forms part of a suite of safeguarding documents to achieve this aim through advising on the procedural steps which need to be undertaken when any of the above incidents are suspected or disclosed. It should be followed to ensure the appropriate actions are taken under the legislative framework within Wales for possible victims/survivors. It will also cover actions to be taken when a perpetrator is suspected or identified.

Through the development and implementation of this procedure in conjunction with other safeguarding procedures the Chief Executive and the Board can be assured that the organisation is adhering to the Safeguarding Policy and the organisation’s commitment to safeguarding victims of VAWDASV.

### **Linked Policies, Procedures and Written Control Documents**

Safeguarding Policy; Child at Risk procedures; Adult at Risk procedures; Safeguarding Training Plan; Procedure for NHS Staff to Raise Concerns; Prevent Policy; Safeguarding Supporting Information Document.

### **Scope**

This procedural document is applicable to all Public Health Wales staff who come into contact with the public either directly or indirectly. In this document ‘staff’ refers to all staff including agency staff, temporary staff, those on honorary contracts and volunteers. The procedure applies equally regardless of sex, age, disability, race, religion or belief, gender reassignment and sexual orientation. It also applies to all staff experiencing abuse and violence and to those who are perpetrators or alleged perpetrators.

### **Equality and Health Impact Assessment**

Please refer to the completed [EHIA](#).

### **Approved by**

Quality, Safety and Improvement Committee

### **Approval Date**

04 October 2018

### **Review Date**

04 October 2021

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| <b>Accountable Executive Director/Director</b> | Sian Bolton<br>Executive Director Quality Nursing and Allied Health Professionals |
| <b>Author</b>                                  | Gloria Smith<br>Safeguarding Specialist Nurse                                     |

**Disclaimer**

**If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the [Corporate Governance](#).**

| <b>Summary of reviews/amendments</b> |                       |                         |                       |                              |
|--------------------------------------|-----------------------|-------------------------|-----------------------|------------------------------|
| <b>Version number</b>                | <b>Date of Review</b> | <b>Date of Approval</b> | <b>Date published</b> | <b>Summary of Amendments</b> |
|                                      |                       |                         |                       |                              |
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## **1 Introduction**

This document identifies the procedures that staff within Public Health Wales are required to undertake when a Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) concern has been suspected or identified either with a service user or with a member of staff.

Compliance with these procedures will ensure that Public Health Wales provides a consistent and seamless service when dealing with suspected or confirmed concerns. To assist staff with the decision making process of when to share safeguarding information three flowcharts have been developed which offer guidance to staff when faced with these situations. The flowchart 'When to Share Domestic Abuse Information' is included as an appendix to this document and reflects all legislative requirements within Wales. Further information to assist staff on how to follow the flowchart is found within the Safeguarding Supporting Information Document.

Most VAWDASV situations can be dealt with through following the Domestic abuse flowchart. However, certain situations may need further consideration and support for example victims of Female Genital Mutilation, sexual assault and to ensure that the correct legislative framework is being followed for the protection of the individual.

Within the workplace Public Health Wales will strive to ensure that any staff member who experiences VAWDASV can raise the issue at work, without fear or stigmatisation or victimisation and will receive appropriate support and assistance to protect themselves, their children and dependents. This document aims to assist managers to appropriately address situations where staff are alleged/known victims or alleged/identified perpetrators and to ensure all safeguarding measures are considered.

## **2 Roles and responsibilities**

### **Role of the Staff**

All staff within Public Health Wales have a legal duty to comply with Welsh and UK Government legislation which this procedural document sets out.

### **Role of the Manager**

Managers need to be familiar with the contents of this policy and to ensure that they provide appropriate support once an individual makes them aware of their personal situation.

Support for the manager in dealing with this may be sought from, the Corporate Safeguarding Team, their manager, or a Human Resources Manager, a Trade Union, and Occupational Health etc. as appropriate. Where there are **concerns of serious harm** managers should contact the Named Lead for Safeguarding or deputy.

### **Role of People & OD**

People and OD will provide appropriate support to both managers and employees affected by VAWDASV. They will ensure Corporate Safeguarding are informed in order that appropriate safeguarding measures have been dealt with.

Further the Director of People & OD has delegated responsibility for:

- Supporting managers and employees with queries relating to the policy and procedure.
- Ensuring all cases of domestic violence and abuse are treated sensitively and in confidence as far as practicable.
- Sourcing of relevant awareness training in relation to domestic violence and abuse.
- Facilitating access to the relevant support systems available such as occupational health, counselling and the Employee Assistance Programme.

### **Role of Trade Unions**

Trade Union Representatives will signpost members to appropriate resources and support in the workplace.

### 3 Procedure/Process/Protocol

When any staff member suspects that an adult is a victim of VAWDASV they are required to follow the appropriate process/flowchart. The questions embedded within the flowchart specifically lead the member of staff to undertake a holistic assessment of the situation to consider how best to protect the individual in question.

Further explanation of the terminology used within the flowchart is found within the Safeguarding Supporting Information Document.

At any point within the process, staff can contact the Corporate Safeguarding Team for help and support as well as their line manager. Further advice and support can be obtained from the Live Fear Free helpline 24 hours a day.

The safety of staff is important, and in order for staff not to place themselves in a dangerous position, they must risk assess the situation in regard to their own and, where possible, their client's safety or anyone else who may be at risk.

If the adult is in immediate danger, or serious harm has occurred, the police and/or other emergency services should be contacted. The police should be informed if it is suspected that a serious crime has been committed.

Staff when faced with a possible VAWDASV situation must be open minded in dealing with these and not take things at face value. Situations and experiences of individuals may not be what is initially presented. Therefore, staff may need to ask some questions of individuals to gain a better understanding of the experience of that person but throughout must consider their safety and wishes. When speaking to an individual who you suspect to be a victim, staff members must ensure that the person is **alone** so as not to compromise their safety.

If there is a child in the household, even if the child is not stated as being directly affected by the abuse they are at risk of harm. If a child lives in the household, then a referral needs to be made to Children's Social Services via telephone. Out of hours' referrals should be made to the Social Services Emergency Duty Team (EDT) by telephone.

Once information has been shared with the local Social Services department it should be followed up by the completion of the appropriate referral form for that area.

In all cases, staff must also complete a DATIX incident report, record details of the action taken and inform the Corporate Safeguarding Team and Line Manager (follow Children at Risk Procedure).

Staff also need to identify if the adult is an Adult at Risk, if so, then they need to follow the appropriate flowchart.

If the possible victim of VAWDASV has mental capacity to understand their situation, able to consent to information sharing and wishes not to make a complaint to the police, then the staff member must respect their decision. In exceptional circumstances such as evidence of a serious crime, over-riding public interest or to prevent a serious crime then the information can be shared without the person's consent.

If the person is in immediate risk of harm, then the situation should be assessed in collaboration with the individual. If they still do not wish to contact the police (bearing in mind exceptional circumstances paragraph above), the staff member needs to provide accurate and up to date advice and give them the contact details of the Live Fear Free helpline.

The individual may wish to contact the police to make a complaint, and in these circumstances the member of staff can support the individual with this this information should also be shared with the Live Fear Free Helpline using the DA/01 form at appendix 2. If the individual does not wish to involve the police, they should be empowered to share the information with the live fear free helpline using the DA/01 form at appendix 2.

If the suspected or known perpetrator of the abuse is a person employed by or acting on behalf of Public Health Wales, staff must follow in the Managing Allegations of Abuse by Staff Procedure. Staff should also be aware that conduct outside of work could lead to disciplinary action being taken because of its impact on the employment relationship.

Any discussion about an adult's welfare should be recorded in writing, to include the date, time, name of staff member, their role and contact details. All records should be succinct, legible

and clear as to what actions were agreed, and by whom. If the decision is to take no further action, this should be recorded in writing, explaining the reason for the decision. Records should be completed as close to the time of the incident/suspicion as possible to ensure that the information recorded is contemporaneous. DATIX completion should also occur as soon as possible ensuring that person identifiable information is not included in the description of the incident.

Managers are responsible for supporting and guiding staff in the decision making process when a VAWDASV concern is highlighted, through being familiar with the content of this document. They will ensure they have the appropriate level of knowledge and skills to support staff. The manager should consult with the Corporate Safeguarding Team, the Live Fear Free helpline or the local Social Services department for advice and support if required. If it has been identified that a member of staff may be at risk from a potential perpetrator in the work environment then the line manager would need to work with the individual on a personal risk assessment and once complete seek advice/support from the Estate and Health and Safety Team to review identified hazards/risks and the control measures recommended.

They must ensure that all staff for whom they are responsible are aware of this policy.

Managers should ensure that staff follow the process and within the timescales. Managers are encouraged to identify and deal with incidences where VAWDASV and/or its effects become apparent in the workplace as well as appropriately address situations where staff are alleged or found to be perpetrators of domestic abuse. For these reasons managers are encouraged to seek advice from HR and the Corporate Safeguarding Team at an early stage and to act in a confidential manner.

Where staff raise concerns about colleagues confidentially with their manager, depending on the nature of the concern, the manager should seek advice from the Corporate Safeguarding Team as they may be obliged to take action or speak to the person giving rise to those concerns. This must be done sensitively, maintaining confidentiality wherever possible.

The Named Lead Safeguarding will have the lead role for safeguarding those affected by VAWDASV for Public Health

Wales. The Specialist Nurse Safeguarding will support this role and deputise as required. They will provide help, support and guidance to all staff in matters concerning VAWDASV.

The previously discussed information sharing flowchart is included in this document as appendix 1.

Advice and guidance to assist staff in the process can be found in the Safeguarding Supporting Information Document.

#### **4 Female Genital Mutilation**

If a staff member becomes aware that a child under the age of 18 years has been a victim of Female Genital Mutilation they have a statutory responsibility to share the information with the police within 28 days. The Public Health (Wales) Act 2017 prohibits the intimate piercing of a person who is under the age of 18 in Wales.

If the victim is an adult then the 'All Wales Clinical Pathway – Female Genital Mutilation' should be followed.

#### **5 Training requirements**

All staff have a statutory responsibility to have undertaken the appropriate level of domestic abuse training as set out in Welsh Government's VAWDASV National Training Framework.

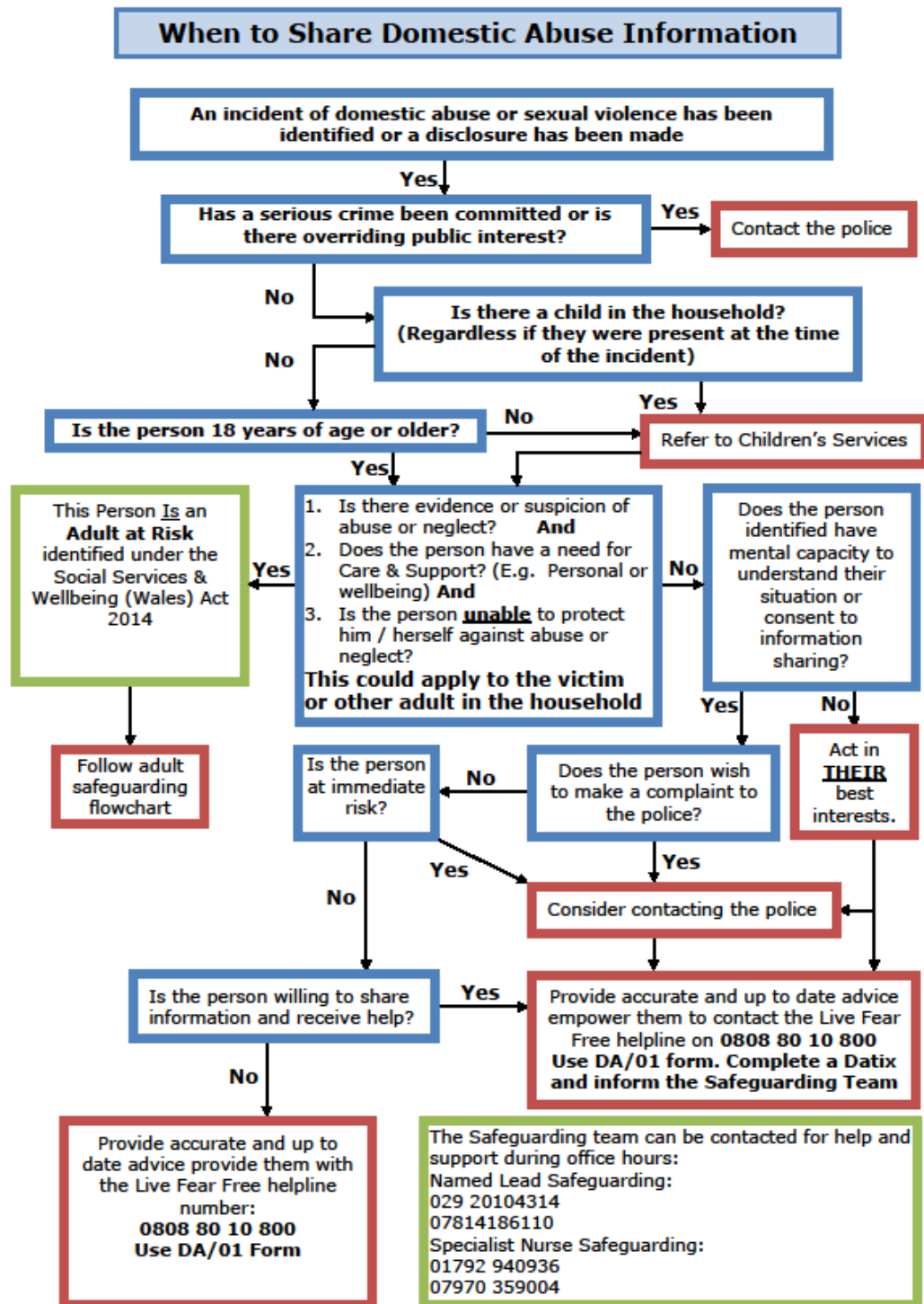
#### **6 Monitoring compliance**

Monitoring of compliance with this document is through evaluation of safeguarding adult concerns DATIX entries and from feedback from the Live Fear Free helpline.



## 7 Appendices

### Appendix 1



## Appendix 2



### Concern in Relation to Domestic Abuse /Sexual Violence (DA/01)

Date:

Type of referral: Domestic Abuse  Sexual Violence

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Post Code: \_\_\_\_\_

DOB:       Contact Telephone Number: \_\_\_\_\_

Is it safe to ring this number? Yes  No

Do not refer if the answer is no or there is no safe time to call

Safe time to call: \_\_\_\_\_

Does the victim live with the perpetrator? Yes  No  Don't know

Type of Experience:

Physical  Sexual  Financial  Emotional  Psychological

Is the victim pregnant? Yes  No  Don't know

Any Further concerns to be reported:

.....  
.....  
.....

Consent Obtained? Yes  No

Do Not refer if the answer is no give advice to call helpline when safe

Are there any language issues that need to be considered? Yes  No

If yes please state \_\_\_\_\_

Number of Children in the Household

Share information with Children's services and complete Datix

Does the victim have: (please tick all that apply)

A learning disability/difficulty  Mental health issues/dementia

older persons care needs  Physical/sensory disability

Drug/alcohol misuse  Autistic spectrum disorder

Name of Person Sharing information: \_\_\_\_\_

Designation: \_\_\_\_\_