

Domestic Abuse Policy for CCG Employees

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2	To comply with the requirements and compliance with statutory guidance and legislative duties to safeguard adults and children against Domestic Abuse. This involves Working Together (2018) and The Rights of Children.	May 2019	Stephanie Nightingale & Kim Gunn
3	To align with NHSEI Staff Domestic Abuse Policy 2021 and associated statutory amendments from the Domestic Abuse Bill 2019-2021. To include Home working and associated risks.	May 2021	Stephanie Nightingale
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Domestic Abuse

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1.0 Purpose

This policy is intended as a resource for all staff working for Staffordshire and Stoke-on-Trent Clinical Commissioning Groups (hereafter referred to as the CCGs) affected by domestic abuse or those who are concerned it may be affecting their colleagues. This policy should not be used as a diagnostic tool, nor as therapeutic intervention, but is intended to raise awareness of the duties, roles and responsibilities, staff, line managers and the CCGs have when recognising and responding to domestic abuse.

This policy aims to ensure that victims, survivors and perpetrators of domestic abuse are aware of the support available to them within the Staffordshire and Stoke-on-Trent Clinical Commissioning Groups, as well as signposting to external agencies where appropriate; while providing guidance for line managers on how to appropriately support staff. This document also provides advice when a manager becomes aware that a member of their staff is alleged (or otherwise identified eg through self-reporting to their manager) to be an alleged perpetrator of domestic abuse.

2.0 Scope

The CCGs support the view that all NHS organisations should be helping to identify violence and abuse earlier and supporting victims to get their lives back sooner. Domestic abuse has the potential to affect every member of staff and on this basis, this guidance is fully inclusive, applying to all employees equally.

CCGs staff should be aware of this policy and act accordingly through the management structure to respond to suspicions of, or actual domestic abuse experienced or perpetrated either by themselves or their colleagues within the parameters of this policy, related policies, legal requirements plus their own professional regulators' guidance.

Domestic abuse happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy and there is a need to address domestic abuse consistently, regardless of who may be making the allegations.

3.0 Definition of Domestic Abuse

The CCGs applies the Domestic Abuse Act 2021 statutory definition of domestic abuse as:

*“Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if—
A and B are each aged 16 or over and are personally connected to each other, and the behaviour is abusive. Behaviour is “abusive” if it consists of any of the following—
physical or sexual abuse; violent or threatening behaviour; controlling or coercive behaviour;
economic abuse; psychological, emotional or other abuse; and it does not matter whether the behaviour consists of a single incident or a course of conduct”.*

Personally connected means married or have been; civil partners or have been; they have agreed to marry (whether or not the agreement has been terminated); they have agreed to a civil partnership (whether or not the agreement has been terminated); they are or have been in an intimate personal relationship with each other; they each have or there has been a time when they have each had a relationship in relation to the same child; they are relatives.

Economic abuse means any behaviour that has a substantial adverse effect on B's ability to—

acquire, use or maintain money or other property, or obtain goods or services. For the purposes of

this Act A's behaviour may be behaviour "towards" B despite the fact that it consists of conduct directed at another person (for example, B's child).

Controlling behaviour can be 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 can be an 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.

This definition includes all nuances of domestic abuse for example "honour-based" abuse, (HBA), forced marriage (FM) and female genital mutilation (FGM), as well as adolescent to parent/carer abuse and elder abuse.

Domestic abuse can have a devastating impact on children exposed to it in their own home. Under the statutory definition of domestic abuse, a child who sees or hears, or experiences the effects of domestic abuse, and who is related to the person being abused or the perpetrator, is also to be regarded as a victim of domestic abuse.

The impact of domestic abuse can range from loss of self-esteem to loss of life.

Domestic abuse is the abuse of power and control over one person by another. It can take many different forms, including physical, sexual, emotional, verbal and financial abuse. Domestic violence includes, but is not limited to:

- Physical abuse: slapping, pushing, kicking, stabbing, damage to property or items of sentimental value, female genital mutilation, attempted murder or murder.
- Sexual: any non-consensual sexual activity, including rape, sexual assault, coercive sexual activity, or refusing safer sex.
- Restricting freedom: controlling whom you see or where you go, what you wear or what you do, stalking, imprisonment, forced marriage.
- Emotional/psychological abuse: intimidation, social isolation, verbal abuse, humiliation, constant criticism, enforced trivial routines.
- Economic abuse: stealing, depriving or taking control of money, running up debts, withholding benefit books or bank cards.

3.1 Children as Victims of Domestic Abuse

The Domestic Abuse Act 2021 recognises children as victims of domestic abuse. This includes a child who sees or hears or experiences the effects of the abuse and is related to "A" or "B". A child is related to a person if the person is a parent, has parental responsibility or the child and the person are relatives.

4.0 Domestic Abuse and the Workplace

Employees are always expected to conduct themselves in a way that will not adversely reflect on the CCGs and its reputation. Domestic abuse perpetrated by staff will not be condoned under any circumstances, nor will it be treated as a purely private matter.

Employees who are alleged perpetrators must also be aware that conduct outside of work could lead to disciplinary action being taken against them under the CCGs disciplinary procedures, however each case will be considered individually and professional opinions and advice sought where required. Depending on the individual circumstances, the conduct could be considered to be gross misconduct.

Employees accused of any issue related to domestic abuse should raise this in confidence with their line manager or Human Resources. The CCGs will take into account the circumstances and the actions of the employee in raising the issue and seeking help in any disciplinary proceedings which might follow as a result. Support for perpetrators will also be available through local support and signposting of services.

5.0 Duties, Roles and Responsibilities

5.1 All Staff

All staff have a responsibility to escalate to their line manager or other senior manager any suspicion that a colleague may be a potential or actual victim, or a perpetrator, of domestic abuse. All staff should be aware of this policy, and know how to escalate appropriately to seek advice, guidance and support when they are unsure what to do. In the course of their duties staff may have contact with service users and/or colleagues from elsewhere in the service about who they form concerns. In these circumstances support should be sought from their line manager/ HR advisory team.

5.2 Line managers

All managers should be aware of this policy and be able to apply it when they suspect or have identified a staff victim/survivor or perpetrator of domestic abuse, including issues escalated to them by team members. The role of a manager is not to deal with the abuse itself but to make it clear that employees will be supported and to outline what help is available and from where, and to escalate the concern as appropriate. Line managers are strongly advised to seek support from HR advisory team regarding any disclosures of domestic abuse.

It is important to note that domestic abuse is unlikely to be disclosed easily by victims or perpetrators.

5.3 The Accountable Officer and Executive Directors

It is the responsibility of the Accountable Officer and Executive Directors to ensure that this policy is enforced.

6.0 Responding to Domestic Abuse

It is not the responsibility of the CCG manager or staff member receiving a disclosure to give advice on what direct action should be taken by the victim of abuse. Poorly informed advice such as to leave an abusive relationship can be dangerous for those involved and victims are at increased risk of assault.

6.1 Procedure for Raising Concerns about Domestic Abuse

Disclosure - Upon receipt of the initial disclosure of domestic abuse a staff member

should ensure that the conversation is continued as part of a private discussion and in an environment in which the person feels safe. This may help them to talk about any domestic violence or abuse, to know that they are not alone, to feel that they will be believed and that their experiences are not unusual.

The staff member should advise the person that it may be necessary for the involvement by a third party agency in order to offer the most appropriate support and minimise the risk of further abuse. From the outset the staff member will seek the consent of the person to disclose this information to a third-party agency, **this consent may not be a necessity where there are safeguarding concerns relating either to children or an adult at risk**. If the staff member is unclear as to whether the disclosure meets the threshold for either a child or adult safeguarding referral advice should be sought from the CCGs Safeguarding Team. It should be explained to the individual that this information will only be shared where absolutely necessary (see appendix 1 for guidance on handling a disclosure or concern of domestic abuse).

Non-Disclosure – Decide if you are the appropriate person to inquire further. If not, then report your concern to the individual's line manager. Where indicated use the appropriate procedures for safeguarding children as above. If you have reason to believe the staff member is at risk of or experiencing domestic abuse, it is best practice to be honest about your concerns and ask direct questions regarding their experiences (see appendix 2). Asking direct questions is less likely to compromise the safety of the victim experiencing abuse.

Providing contact details for local domestic abuse services and signposting victims to the appropriate support is essential in all cases of disclosure or non-disclosure. Detailed records should be completed and filed confidentially.

6.2 Home Working and Domestic Abuse

For victims of domestic abuse, working from home may be particularly difficult and they may require support from their employer. These colleagues may have previously found their place of work outside the family home to be a place of safety, and there would be opportunities to make a disclosure, or for colleagues to recognise potential signs such as bruising or a colleague becoming fearful, agitated or withdrawn, especially towards the end of the day when a victim will soon return to a less safe environment.

It is important that colleagues remain vigilant when conducting meetings remotely so they can spot subtle signs which might prompt them to ask **“How safe do you feel at home”?**

Always remind people that if they or someone they know is in immediate danger to call **999** and ask for the Police. The local referral pathway for domestic abuse services for victims and perpetrators is **New Era**:

Telephone: **0300 303 3778** or email: new-era@victimsupport.cjism.net

Remember- it is impossible to know who is also in the room when conducting a meeting remotely and perpetrators may monitor text messages. If unsure, arrange to meet your colleague in a safe place to discuss your concerns. Use of computer cameras can be vital; ask for cameras to be on and any reluctance is to be considered a cause for concern where there have been ongoing concerns for this employee. Ensure that line managers have sufficient structured contact with all team members, including any who are subject to sickness leave.

7.0 Safeguarding Children Involved in Domestic Abuse

Witnessing domestic abuse is a form of child abuse. It has a significant emotional impact on children and is a safeguarding concern. Due to the damaging impact that witnessing domestic abuse has on children, if an individual who discloses domestic abuse has children, **a referral will always need to be made to Children's and Families Social Care**. A referral to Children's and Families Social Care is needed in all domestic abuse situations where there are children involved or live in the household. This is regardless of whether the child was physically hurt during the incident, or directly witnessed the incident (such as they were in another room, or asleep when the incident happened) or has been impacted emotionally by the abuse.

A referral is needed so that further enquiries can be made; assessments conducted and appropriate safeguarding action taken. **A referral should be made if the victim is pregnant**. A referral to Children's and Families Social Care can create anxiety and stress for victims. It is important to reassure the individual that Children's and Families Social Care will work with them so that they and their children can be protected and safe. A child protection referral needs to be made in accordance with the CCGs Safeguarding Policy or the Local Children's Safeguarding Board (LSCB) Policies and Procedures.

8.0 Supporting Staff Experiencing Domestic Abuse

The CCGs aim to respond sympathetically, effectively and confidentially to any member of staff who discloses that they are suffering from domestic abuse and are committed to supporting our staff. The CCGs will work with the member of staff, and where agreed other agencies, to identify what actions can be taken to increase their personal safety as well as address any risks there may be to colleagues. The CCG will not discriminate against anyone who has been subjected to domestic violence in terms of their existing employment or career development.

Members of staff who experience domestic abuse may choose to disclose, report to or seek support from a staff side representative, a manager, or colleague. The CCGs also have staff members who are identified as Domestic Abuse Ambassadors or Mental Health First Aiders. Members of staff who receive information from staff about domestic abuse will not counsel victims and perpetrators, but can offer a listening ear, information, workplace support, and signpost other organisations that may provide help and support.

Both the Named GPs for Safeguarding and the Designated Nurses for Safeguarding are also available to provide support for members of staff. They can also provide guidance for managers and staff side representatives who have concerns about domestic abuse.

Employee's right to confidentiality and discretion around personal details of employees will be respected (addresses, telephone numbers, work locations). However, cases where there are believed to be safeguarding concerns either relating to children or adults with care and support needs at risk of abuse, there is a statutory obligation upon the CCGs to share this information and confidentiality cannot be guaranteed.

8.1 Support for Line Managers dealing with Employee Perpetrators

Domestic abuse perpetrated by employees will not be condoned under any circumstances nor will it be treated as a purely private matter. The CCGs recognise that alleged perpetrators of domestic abuse may wish to seek help and support voluntarily. It is strongly advised that line managers seek support from the HR advisory team regarding allegations of domestic abuse and how they will be addressed. If appropriate,

this may be via Disciplinary Procedures and may also include referrals to the Local Authority Designated Officer (LADO) and alleged perpetrators who are a Person in a Position of Trust (PiPoT). If appropriate, suspension from duty without prejudice on full pay may be required. In cases where criminal proceedings may be ongoing, then Police advice will be sought by HR, before initiating internal disciplinary investigations.

The alleged perpetrator will be provided with information about the services and support available to them including line manager support, HR, Occupational Health and referral or signposting to external agencies or perpetrator programmes such as Respect UK, if appropriate.

The CCGs will treat any allegation, disclosure or conviction of a domestic abuse related offence on a case-by-case basis with the aim of reducing risk and supporting change. There are four potential strands in the consideration of an allegation:

- a police investigation of a possible criminal offence;
- disciplinary action by the employer;
- signposting to specialist counselling;
- Identifying risk.

An individual cautioned or convicted of a criminal offence may be subject to the organisation's code of conduct policy and procedure.

8.2 When Both Victims and Perpetrators are Employees

In cases where both the victim and perpetrator of domestic abuse work for the CCGs, appropriate action will be taken to support both employees within the parameters set out in this policy. Action may need to be taken to ensure that the victim and perpetrator do not encounter each other in the workplace, in order to ensure the safety of the victim. Victims and perpetrators living and working at home together will be considered at **high risk** requiring additional support from specialist services, including Children Social Care if children are involved and Adult Social Care if adults with care and support needs are involved.

There should be consideration to minimise the potential for the alleged perpetrator to use their position or work resources to find out details about the whereabouts of the victim. This may include a change of duties or limiting the perpetrators computer and work mobile access. If the parties cannot be safely separated and the allegations are of sufficient gravity, then suspension from duty without prejudice on full pay may be required. Further advice can be sought from the HR advisory team.

For more information about domestic abuse, including the nuanced forms of domestic abuse and helplines for victims, survivors and perpetrators can be found in [appendices 1-3](#) and on the NHS safeguarding app which can be accessed via *Apple iOS*, *Google Play* or it can be downloaded by visiting your device's appropriate app store and searching for '*NHS Safeguarding*.'

Appendix 1: The Procedure of Handling a Disclosure or Concern of Domestic Violence

1. Use this document as a record of conversation with the member of staff.
2. Take the person to a confidential place/office and ensure you advise a colleague.
3. Obtain safe contact details.
4. Establish (if over the phone) whether they are injured. Do they need the police?
5. Once in a confidential area it is important to try and put the individual at ease. Giving clear and simple messages such as:
 - They are not to blame or responsible for what has happened.
 - Violence and abuse in relationships is very common.
 - Help is available; you can put them in touch with specialist support services if they want this.
 - You are concerned about their wellbeing and safety.
 - Telling someone about what is happening is an important step in helping them (and any children) to get support and be safe.
6. Explain that you are able to sign post them to a specialist domestic violence service and / or Independent Domestic Violence Advisor (IDVA) for victim and perpetrator support and sustainable recovery.
7. Consider contacting the safeguarding team to advise them of the disclosure and the action you have taken.
8. Record the incident.
9. Keep the individual's information secure.

Record of Conversation and Support: Domestic Abuse		
Staff Name:	Date:	Line Manager:
Background		
<p>Overview of the domestic abuse which has occurred/is at risk of occurring.</p> <p>(The employee can share and record as much or as little as they feel able).</p> <p>Home circumstance: Employee and perpetrator live together <input type="checkbox"/> Employee and perpetrator live separately <input type="checkbox"/></p> <p>Has local Independent Domestic Violence Advisor support been identified and sought? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>		

Workplace Action Plan			
General	Yes	No	Comment/Action
Has the perpetrator threatened you at work? (in person, over the phone, via email)			
Are you concerned the perpetrator may come to the workplace? Has this happened before?			
Travel	Yes	No	Comment/Action
Has stalking been a problem?			
Do you have any concern about your safety on your commute to and from work?			
Do you have any concern about travelling (if required) as part of your role?			
Would a travel buddy system with another colleague be helpful?			
Do you have any concerns about car parking either at your work base or whilst you are away from your base on work business?			
Working Conditions	Yes	No	Comment/Action
Do you have any concern to your safety relating to your current work/shift pattern?			
Do you have any concern about your work environment ie desk location, availability of phone number/contact details?			



Do you require time off to attend any appointments or meetings relating to domestic abuse? Would it help to have meetings arranged in the workplace?			
Other	Yes	No	Comment/Action
Are there any forms of communication that should be avoided?			
Has a response/contact system been developed if you are late/absent from work?			
Are there any work colleagues that you would like to share this plan with?			
Any other actions or relevant information:			

This document may be reviewed and amended as necessary with the agreement of the employee.

- As the employee, I will let my line manager know if there are changes which will affect the above agreed actions. We will then meet privately to discuss any further action or changes that could be made.
- As the line manager, if I notice a prolonged change at work or if the adjustments are not working, we will meet privately to discuss what needs to be done.
- Relevant and proportionate information provided within this checklist may need to be shared with appropriate persons to enable a supportive safety plan to be established.
- This document should be stored securely in accordance with Information Governance requirements.

I, the named employee, consider the actions agreed will help improve my safety in the workplace.

Employee Name..... Signature.....

Date...../...../.....

Appendix 2: Examples of Direct Inquiry Questions and Statements:

- Are you in a relationship with someone who hurts or threatens you? Did someone cause these injuries to you?
- Do you feel frightened or controlled by your partner, or other people at home? How safe do you feel?
- Has your partner ever destroyed things that you cared about? Threatened or abused you or your children?
- Your partner seems very concerned and anxious about you. Sometimes people react like that when they feel guilty. Was he / she responsible for your injuries?
- One in four women and one in six men face abuse in their home during their lifetime. This is more common than you think and as an organisation we can support you and your family to be safe.

Appendix 3: Domestic abuse support Services Contact Details

New Era is the holistic Domestic Abuse (DA) service operating across Staffordshire and Stoke-on-Trent from 1 October 2018, offering help to all those affected by domestic abuse in Staffordshire or Stoke-on-Trent, New Era provides free and confidential support for victims, perpetrators and their families.

Support for victims:

24-hours a day, 7-days a week, specialised help is available for all victims. The service also provides a web chat facility.

New Era aims to end relationship abuse through a wide range of individual and group support for adults, children and young people for as long as they need it. This is provided by Victim Support based here in Staffordshire and Stoke-on-Trent.

Victim Referral Process:

New Era Domestic Abuse service have created a secure web referral form for referring agencies to use. This will replace the need to complete and email our referral form(s) to our CJSM or Victim Support email addresses. To refer to New Era via the web referral, please click on the link below and follow the process according to whom you are referring. Hopefully, this link can be added to your intranet or shared drive for ease of access:

<https://new-era.egressforms.com>

Support for perpetrators:

Anyone that's displaying unhealthy or abusive behaviour within their relationship and wants to change this can access help from New Era. New Era Perpetrator services can also help children under 16 years of age who need help with relationship based behaviour or are in need of one to one guidance around healthy relationships.

Perpetrator Referral Process:

Telephone: 01785 601690
Email: new-era@rrpgov.uk

CCG Domestic Abuse Ambassadors:

Jane Mullock - Jane.Mullock@staffsstokeccgs.nhs.uk

Steve Orme - Steve.Orme@staffsstokeccgs.nhs.uk

Karen Franklin - Karen.Franklin@staffsstokeccgs.nhs.uk

Hannah Boote - Hannah.Boote@staffsstokeccgs.nhs.uk

Staffordshire-wide		
Agency	Contact Details	Description of Service
Staffordshire Women's Aid	0300 330 5959 (24 hrs) Enquiries@staffordshirewomensaid.org	<ul style="list-style-type: none"> • Specialist domestic abuse outreach support for men, women and children in the community • Refuge accommodation for women and children • Independent Domestic Violence Adviser (IDVA) • Independent Sexual Violence Adviser (ISVA) • Accepts agency and self-referrals
Pathway	01543 676800 (24 hrs) talktoeve@pathway-project.co.uk	<ul style="list-style-type: none"> • Specialist domestic abuse outreach support for men, women and children in the community • Refuge accommodation for women and children • Independent Domestic Violence Adviser (IDVA) • Independent Sexual Violence Adviser (ISVA) • Accepts agency and self-referrals
Savana	01782 433204 Mon-Fri 9am-5pm with 24 hr message line – staff will return call within 24 hours info@savana.org.uk	<ul style="list-style-type: none"> • Specialist sexual abuse counselling for men, anyone aged 4 and upwards • Independent Sexual Violence Adviser (ISVA) • Accepts agency and self-referrals • Website: www.savana.org.uk
Victim Support	0808 168 9111 (24 hrs)	<p>Trained volunteers offer:</p> <ul style="list-style-type: none"> • someone to talk to in confidence • information on police and court procedures • information about compensation and insurance • Website: www.victimsupport.org.uk
Sexual Assault Referral Centre (SARC)	0800 970 0372 (Agency referrals – 24 hour Self-referrals 9.00am – 5.00pm) info@grangepark.org.uk	<ul style="list-style-type: none"> • Provides access to a comprehensive forensic medical examination for men, women and children who have been sexually assaulted within the last seven days. • The service is available whether or not the client chooses to report the assault to the Police. • Accepts agency referrals (24 hour) and self-referrals (9.00am – 5.00pm) • Website: https://grangepark.org.uk
New Era Victim Support	Advice : 0300 303 3778 https://www.victimsupport.org.uk/help-and-support/get-help/support-near-you/west-	New Era is the new holistic Domestic Abuse (DA) service operating across Staffordshire and Stoke-on-Trent, providing free and confidential support for victims, perpetrators and their families.

Wolverhampton		
The Haven	08000 194 400 (24 hrs) info@havenrefuge.org.uk	<ul style="list-style-type: none"> • Helpline which supports women and dependent children who are vulnerable to domestic violence, homelessness and abuse. • Website: www.havenrefuge.org.uk

Further Sources of Support

National Helplines		
Respect Phoneline - for victims and perpetrators	0808 802 4040 Mon –Fri 9am-8pm info@respectphoneline.org.uk	<ul style="list-style-type: none"> • Confidential helpline for people who are abusive and/or violent towards their partners • Practitioners can access advice and guidance Website: http://www.respectphoneline.org.uk/ • Respect operates two helplines: Men's Advice Line, a confidential helpline for male victims of domestic abuse and those supporting them 0808 8010327 (www.mensadviceline.org.uk) and the Respect Phoneline, a confidential helpline for men and women who are harming their partners and families and those supporting them, 0808 8024040 (www.respectphoneline.org.uk)
National Domestic Violence Helpline	0808 2000 247 (24hr)	<ul style="list-style-type: none"> • Freephone 24 Hour Domestic Violence Helpline • Translation facilities for callers whose first language is not English, and a service for callers who are deaf or hard of hearing are available • Website: http://www.nationaldomesticviolencehelpline.org.uk
galop	0800 999 5428 Email: help@galop.org.uk	<ul style="list-style-type: none"> • Support for lesbian, gay, bisexual and transgender (LGBT) people experiencing domestic violence • Website: http://www.galop.org.uk/
Forced Marriage Unit	0207 008 0151 (24hrs) Email: fmufcdo.gov.uk	<ul style="list-style-type: none"> • The Forced Marriage Unit (FMU) is a joint Foreign, Commonwealth and Development Office (FCDO) and Home Office unit which leads on the government's forced marriage policy, outreach and casework. It operates both inside the UK and overseas. • Website: https://www.gov.uk/guidance/forced-marriage
Forward	0208 960 4000 Email: forward@forwarduk.org.uk	<ul style="list-style-type: none"> • An African Diaspora led UK-registered campaign and support charity dedicated to advancing and safeguarding the health and rights of African girls and women, in particular female genital mutilation and forced and child marriage • Website: http://www.forwarduk.org.uk/

Karma Nirvana	0800 5999 247 Mon-Fri 9am-5pm Email: info@karmanirvana.org.uk	<ul style="list-style-type: none">• Supporting all victims of honour-based abuse and forced marriage• Website: http://www.karmanirvana.org.uk/
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