Domestic Abuse Procedure

Ref CLIN-0086-v1

Status: Approved
Document type: Procedure
1 Introduction

Tees, Esk and Wear Valleys NHS Foundation Trust is committed to providing a high quality service to all users of its services. This procedure aims to provide guidance to staff who are made aware of or suspect domestic abuse. Tees, Esk and Wear Valleys NHS Foundation Trust recognises that domestic abuse is a serious issue, the impact of which cuts across the whole of society regardless of gender, age, sexuality, culture, ethnicity, religion, geography, class and income.

Staff also need to ensure an appropriate and effective multi-agency response to domestic abuse. Under the Crime and Disorder Act 1989, and further to amendments under the Health and Social Care Act 2012, NHS Commissioners have a statutory duty to work with other local agencies to reduce crime and Safeguard Adults and Children. This procedure will therefore enable the Trust, as a provider service, to contribute to these obligations.

2 Purpose

The purpose of this procedure is to inform Trust staff of the actions that should be taken and procedures to be followed when concerns have been identified around Domestic Abuse.

3 Objectives

- To be able to identify and respond to domestic abuse and those affected by it.
- Recognise the importance of risk assessment to identify victims of domestic abuse.
- Use the referral pathways to support and protect the adult at risk living with domestic abuse.
- To ensure that multi-agency procedures are followed identifying risks to all adults and children and information sharing agreements are adhered to.
- Have an understanding of the legal context of their work with domestic abuse, the limitations of confidentiality and the importance of accurate record keeping.
- Ensure that good inter-agency co-operation exists at all levels.

4 Scope

The Trust is committed to responding to any form of abuse and ensuring a person-centered approach to care and delivery.

This procedure relates to any of our service users, members of staff, and/or their Family members, for whom all staff have a responsibility to report any incidents of actual or suspected abuse regarding the safety or welfare.

Staff need to consider Domestic Abuse occurs through all age groups including teenage relationships, children on adults, and as more recent reviews have highlighted domestic abuse in older people is often overlooked.
5 Who this procedure applies to

- All Trust staff
- All agency staff
- All staff working in a voluntary capacity

It is vital that all Trust staff

- Have the knowledge and skills to recognise when abuse may be happening so they can meet their responsibilities to the person at risk of harm including children
- Respond to the immediate safety needs of a person at risk; reporting any concerns to their line manager / safeguarding team or Local Authority as appropriate
- Know how to seek advice from the safeguarding team when additional guidance is required
- Are able to accurately record the safeguarding concern and actions taken
- Follow staff guidelines for information sharing

6 Roles and responsibilities

<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibility</th>
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</thead>
<tbody>
<tr>
<td>The Chief Executive</td>
<td>They hold overall responsibility for the implementation of this procedure across the Trust.</td>
</tr>
<tr>
<td>The Executive Director of Nursing and Governance</td>
<td>Has a key role in promoting the safeguarding agenda within the Trust and is a member of the Local Safeguarding Boards; attending regular meetings and influencing decisions made in partnership with other Safeguarding Board members.</td>
</tr>
<tr>
<td></td>
<td>Is the Named Senior Officer for allegations management for the Trust.</td>
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<tr>
<td>The Associate Director of Nursing (Safeguarding)</td>
<td>Provide operational management leadership to the teams for Safeguarding and Public Protection.</td>
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<td></td>
<td>Ensuring the safeguarding agenda is fully delivered within the Trust and in partnership with other agencies through local Safeguarding Boards and domestic abuse forums.</td>
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<td></td>
<td>Deliver corporate support to the Trust for professional governance and assurance issues relating to Nursing, Safeguarding and Public Protection.</td>
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<td></td>
<td>Provide professional support to the Trust in relation to research and development initiatives as they relate to Safeguarding and Public Protection.</td>
</tr>
<tr>
<td></td>
<td>Provide the Quality and Assurance Committee with twice yearly updates on the progress being made and any areas which require further development.</td>
</tr>
<tr>
<td>Role</td>
<td>Responsibilities</td>
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</table>
| The Medical Director and Operational Managers. | • Ensure that safeguarding policies/procedures are compatible with local multi-agency procedures.  
• Support the delivery of the wider safeguarding agenda across the Trust. Ensure that all staff are aware of this procedure and implement it throughout their work area.  
• Ensure access and uptake of training and supervision by staff is made possible.  
• Disseminate new and relevant information gained at the Trusts Safeguarding and Public Protection group to all staff.  
• Encourage staff to utilise the specialist knowledge of the Safeguarding Team and specifically the MARAC advisors. |
| Head of Safeguarding Adults/ Named Nurse for Safeguarding Children/ Named Doctor for Safeguarding Children | • Has expert knowledge of local safeguarding arrangements.  
• Ensure staff are aware of their legislative responsibilities.  
• Ensure that appropriate HR / safeguarding advice is sought if a member of staff is known to be a victim or perpetrator of domestic abuse.  
• Promote good practice and provide advice and support to staff that have concerns about Domestic Abuse.  
• Ensure that staff receives safeguarding supervision in accordance with Trust requirements.  
• Responsible for ensuring the provision of safeguarding training that meets the needs of our staff. |
| Safeguarding and Public Protection Team | • Support the Lead Safeguarding Nurses in delivering the safeguarding agenda including safeguarding advice, supervision and training to Trust staff.  
• Support the MARAC Advisor in relation to effective information sharing and risk management of high risk Domestic abuse cases discussed at MARAC. |
| MARAC Advisor | • Deliver and support the Safeguarding and Public Protection agenda in relation to vulnerable adults at MARAC.  
• Facilitate the appropriate information sharing both externally and internally with regard to high risk Domestic Abuse cases in the MARAC arena.  
• Raise the profile of Domestic Abuse within the organisation through advice and training.  
• Give advice and support to staff in relation to the MARAC process. |
| All employees of Tees, Esk and Wear Valleys NHS Foundation Trust | • Identify and report abuse or suspected abuse.  
• Comply with Domestic Abuse procedures. |
7 Responding to Domestic Abuse

People experiencing domestic abuse should expect staff to respond consistently and appropriately, when staff make enquiries about experiences they must consider a person's immediate safety in order to reduce the risk of further incidents.

Those who experience domestic abuse should be questioned sensitively and responded to with empathy and understanding.

If an interpreter is required the victim should be asked which gender interpreter they would feel most comfortable speaking to (as a male interpreter may hinder disclosure from some woman).

If Domestic Abuse is suspected but denied Practitioners must revisit enquiries regularly to allow victims every opportunity to disclose, see pathway below.
DOMESTIC ABUSE PATHWAY

Disclosure of Abuse

- Consider and make a referral to Social Care as appropriate
- Give Information Safety
  - Women’s Aid National 24 hr - Helpline 0808 2000 247
  - National advice line for men - 0808 8010 327
  - Local support Agencies
  - 999 call the Police in Emergency

Potential Indicators of Abuse

- Ask the question and document the response in the Safeguarding Public Protection section of Paris.
- Consider if there are Safeguarding Adults Issues
- No Disclosure of Domestic Abuse and/or Sexual Violence
- Yes
  - Discuss with Adult Safeguarding Adviser/Manager/
- No
  - Periodically Ask ‘The Question’

Disclosure of Domestic Abuse and/or sexual violence

- Explain the limits to confidentiality of the disclosure and what actions you may have to take

No Safeguarding Children Issues

- Are there any Children?
  - Yes
    - Discuss with Safeguarding Children Team / Manager
  - No Safeguarding Children Issues
    - Information Sharing
      - Liaise with GP / MW / HV / SN / Police / Social Care (follow LSCB Guidelines)
      - Remain Concerned
- No Safeguarding Children Issues

Inform Parent / Carer the need to refer to Social Care (if appropriate and safe)
- Consider MARAC referral
- Refer to Social Care and continue to support the family

Best Practice
- Always talk to the individual alone
- Never pressure a person to leave partner
- Discuss and ensure a safety plan is in place
- Discuss options
- Explain the role of expert agencies
- Give Helpline Number
- Advice dialling 999 in an emergency
- Always use a professional interpreter. Never use family members or a client’s friend if English not first language.
- Always ensure complex Domestic Abuse cases are brought to supervision for discussion
8  Equality and Diversity Considerations

Health and social care practitioners should understand equality and diversity issues and ensure that assumptions about people’s beliefs, values, gender identity or sexuality do not stop them from recognising and responding to domestic abuse.

When interpreters are needed for discussions, these should be professional interpreters who are impartial and have a duty to maintain confidentiality. Family members or friends should not act as interpreters for enquiries or discussions.

9  Safeguarding

Where domestic abuse is suspected or disclosed the victim’s choices and decisions should be respected. However the legislative framework surrounding domestic abuse needs to be observed.

Where children are involved their needs are paramount and all staff need to prioritise the safety and welfare of children.

Where a practitioner considers a child is in need or at risk of significant harm, remembering emotional abuse may involve ‘seeing or hearing the ill-treatment of another’ (Adoption and Children Act 2002) a referral to the Local Authority should be made. (Appendix1).

Similarly there are occasions when services need to act to protect vulnerable adults or adults at risk of significant harm; these cases should be discussed with the Safeguarding Team.

Safeguarding Adults Protocol CLIN/0048/V5
Safeguarding Children Policy CLIN-0027-v6

Consider if a Safeguarding Adult or Safeguarding Children referral is required following the domestic abuse pathway. If you require advice contact the Trust Safeguarding Team on 01642 516118

If there are no immediate concerns for safety practitioners should offer victims access to the most appropriate specialist advice and support available from other organisations. (Appendix 2)
10 Sharing information

Health practitioners should consider sharing relevant information about victims of domestic abuse with other professionals on a case by case basis. Gaining the consent of the victim to share information is normally required and their engagement will usually result in a better outcome.

However information can be shared without consent in certain situations for example in relation to the type and nature of the abuse in line with legislative processes and the duty to co-operate requirements for statutory agencies. Advice should be sought if unsure from the Trust Safeguarding Team.

Tees Esk and Wear Valley share information relating to high risk cases of domestic abuse with other agencies via the MARAC process with or without consent.

Information Sharing Advice for Safeguarding Practitioners

11 Risk Assessment and MARAC

Domestic abuse can present a risk of serious harm or homicide. DH guidelines (2005) advocate that where front line practitioners have concerns regarding the safety of victims of domestic abuse a risk assessment should be undertaken.

Where a disclosure of domestic abuse is made directly to a health professional, the worker should conduct a risk assessment and if required, make a referral into the MARAC process.

If the worker does not have the knowledge and skills to complete the MARAC risk assessment they should ensure that this is conducted by a colleague or co-worker or contact the MARAC advisor, Safeguarding Team for support.

MARAC is a Police led multi-agency approach to promote the identification and risk assessment of the highest risk cases of domestic abuse.

The process provides a consistent approach to risk assessment of those victims who are at the highest risk of serious harm or homicide and is proven to reduce repeat victimisation through co-ordination of local resources.

The MARAC Advisors in the Safeguarding team currently co-ordinate the sharing of information at these meetings and the recording of significant information regarding risks in clinical records of Victims, Perpetrators and any children involved.
12 FGM and Mandatory reporting

The World Health Organisation defines FGM as “...all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons”. There is now a new professional duty since October 2015 to report all girls under 18 with FGM to the police.

The duty has been brought through the Serious Crime Act 2015 and will mean that whenever regulated professionals (health, social care and education) identify that a girl under 18 has had FGM, or if the girl discloses this herself, the professional must make a report to the police.

Mandatory Reporting does not replace general safeguarding responsibilities: professionals must still undertake any safeguarding actions as required and the Trust’s Safeguarding Children’s team must be contacted for any suspected FGM.

Similarly if adults disclose that as a child they were victims of FGM this should also be discussed with the Safeguarding team to ensure any risk to children is assessed.

![Reporting cases of FGM is mandatory and practitioners must inform the Trust Safeguarding Team on 01642 516118](image)

13 Other areas of Specific Concern

**Clare’s Law**
Is a scheme allowing police to disclose to individuals details of their partners’ abusive past.  
[For further information click](link)

**Honour Based Violence and Forced Marriage**
Honour Based Violence (HBV) can be described as a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and / or honour.  
[For further information click](link)

14 Domestic Homicide Review (DHR)

Where a person is killed or suffers significant harm as a consequence of domestic abuse the Community Safety Partnership will convene a Domestic Homicide Review board who will establish whether the case meets the criteria for a Domestic Homicide review.

If a DHR takes place and either victim or perpetrator was known to the trust the trust will assist in the review and disseminate any learning through the organisation.
15 Training

The Domestic violence and abuse Quality Standard 29/2/16 highlights that Multi-agency partnership working at both an operational and strategic level is the most effective approach for addressing domestic violence and abuse.

The trust currently includes domestic abuse information within all levels of their current safeguarding adult and children training as well as an awareness session.

16 Supporting Staff who are Victims

If a staff member becomes aware of a colleague who may be a victim of domestic abuse contact HR and / or the Safeguarding Team to access the appropriate support available.

Further information is available on the hyperlinks below:
- Domestic Violence page
- Health and Wellbeing page

17 Dealing with Staff who are Perpetrators

Domestic abuse perpetrated by staff will not be condoned under any circumstances nor will it be treated as a purely private matter. Staff should be aware that domestic abuse is a serious matter which can lead to criminal convictions. Conduct outside of work may lead to disciplinary action being taken against a member of staff.

If a member of staff discloses perpetrating domestic abuse or the Trust become aware that a member of staff is allegedly a perpetrator of domestic abuse, advice should be sought from the safeguarding adult / children team and HR Advisor / Manager so that disciplinary or other internal procedures can be considered. The member of staff will be provided with information about the services and support available to them. The police should be informed as part of the process.

18 Further Information

There is a designated mini site for domestic abuse on the Trusts in-touch site. This also includes signs of domestic abuse, responses to patients and to colleagues, support services local and national. A link to this site can be found on the following:

- Safeguarding Adults page
- Safeguarding Children page
- Employee Support Service page
19 How this procedure will be implemented

This procedure will be published on the Trust’s intranet and external website.

Line managers will disseminate this procedure to all Trust employees through a line management briefing.

20 How this procedure will be audited

- Adherence to Trust procedure will be audited as part of annual audit cycle.
- Training compliance will be monitored via locally agreed data collection.
- This procedure will be reviewed following any recommendations as a result of a DHR.

21 Related documents

- Recruitment Policy
- Disclosure and Barring Policy
- Disciplinary Policy
- Confidentiality and Sharing Information Policy CORP-0010-V9
- Lone Worker Policy HS-0001-005-V2
- Information Governance Policy CORP/0006/V8

22 Supplementary guidance for Special Circumstances


HM Government (2016) Care and support statutory guidance

HM Government (2015) Controlling or Coercive Behaviour in an Intimate or Family Relationship


Intercollegiate Document: tackling FGM in the UK (2014) Royal College of Midwives

NICE (2014) Domestic violence and abuse: multi-agency working

23 References

• HMSO web link for all below documents http://www.legislation.gov.uk/
  o HMSO (2009) Multi-agency practice guidelines: Handling cases of forced marriage


24 Appendix 1 – Useful Contacts

Trust Safeguarding Team 01642 516118
Sharon Bolton and Donna Short MARAC Advisors 01642 516118

CONTACTS BY LOCAL AUTHORITY AREA

**Darlington**

Darlington Children & Young People Services
Tel: 01325 346867 Out of Hours Emergency Duty Team Tel: 08702 402994
[Darlington LSCB Guidelines and Procedures](#)

Darlington Adult Services
Multi Agency Safeguarding Hub Tel: 01325 406111
[Website](#)

**Durham**

Durham Children & Young People Services
Social Care Direct 24 Hours Tel: 0845 8505010
[Durham LSCB Guidelines and Procedures](#)

Durham Adult Services
Durham Social Care Direct Tel: 03000 267979
[Website](#)

**York**

City of York Children & Young Peoples Services
Tel: 01904 551900 Out of Hours Duty Team 01904 762314
[City of York LSCB Guidelines and procedures](#)

City of York Adult Services
Adult Social Care Team Tel: 01904 555111
[Website](#)

**Hartlepool**

Hartlepool Children & Young People Services
Hartlepool First Contact and Support Hub
Tel: 01429 284284 Out of Hours Tees Wide Service Tel: 08702 402994
[Hartlepool LSCB Guidelines and Procedures](#)
Hartlepool Adult Services
Duty Team Telephone: 01429 284284
Emergency Duty Team (EDT) Tel: 08702 402 994 for out of hours
Website

Middlesbrough
Middlesbrough Children & Young People Services
Middlesbrough First Contact
Tel: 01642 726004 Out of Hours Tees Wide Service Tel: 08702 402994
Middlesbrough Safeguarding Children Board

Middlesbrough Adult Services
Adult Social Care Contact Details Tel: 01642 726004
Emergency Duty Team (EDT) Tel: 08702 402 994 for out of hours
Website

North Yorkshire
North Yorkshire Children and Young Peoples Services
Tel: 01609 536993 Out of Hours Emergency Duty Team Tel: 0845 0349417
North Yorkshire LSCB Guidelines and Procedures

North Yorkshire Adult Services
Tel: 01609 780780
Website

Redcar and Cleveland
Redcar & Cleveland Children and Young Peoples Services
Redcar & Cleveland Access Team
Tel: 01642 771500 Out of Hours Tees Wide Service Tel: 08702 402994
Redcar and Cleveland Safeguarding Children Board

Redcar & Cleveland Adult Services
Access team Tel 01642 771500
Emergency Duty Team (EDT) Tel: 08702 402 994 for out of hours
Website
Stockton

Stockton Children and Young Peoples Services
Stockton First Contact
Tel: 01642 527764 Out of Hours Tees Wide Service Tel: 08702 402994
Stockton LSCB Guidelines and Procedures

Stockton Adult Services
First Contact Team Tel: 01642 527764
Emergency Duty Team (EDT) Tel: 08702 402 994 for out of hours
Website
## 25 Document control

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<th>05 April 2017</th>
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### Lead:

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<th>Name</th>
<th>Title</th>
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<tbody>
<tr>
<td>Jackie Adams</td>
<td>Named Nurse Safeguarding Children</td>
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### Members of working party:

<table>
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<tr>
<th>Name</th>
<th>Title</th>
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### This document has been agreed and accepted by:

(Director)

<table>
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<tr>
<th>Name</th>
<th>Title</th>
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<tr>
<td>Elizabeth Moody</td>
<td>Director of Nursing and Governance</td>
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<table>
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<th>Date</th>
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<td>Safeguarding Public Protection</td>
<td>March 2017</td>
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<tr>
<td>Executive Management Team</td>
<td>05 April 2017</td>
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### An equality analysis was completed on this document on:

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<th>Date</th>
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### Change record

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<tr>
<td>1</td>
<td>05 Apr 2017</td>
<td>New procedure</td>
<td>Published</td>
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</table>
### 26 Equality Analysis Screening Form

| Name of Service area, Directorate/Department i.e. substance misuse, corporate, finance etc | Safeguarding and Public Protection  
Nursing and Governance |
|---|---|
| Name of responsible person and job title | Jackie Adams  
Named nurse Safeguarding Children |
| Name of working party, to include any other individuals, agencies or groups involved in this analysis | |
| Title | |
| **Is the area being assessed a** | Policy/Strategy  
Service/Business plan  
Project  
Procedure/Guidance  
Code of practice  
Other – Please state |
| Geographical area | Trust Wide |
| Aims and objectives | To ensure all staff comply with their responsibility to always act to safeguard and protect victims of Domestic Abuse. |
| Start date of Equality Analysis Screening | January 2017 |
| End date of Equality Analysis Screening | April 2017 |
1. **Who does the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan benefit?**

All victims of Domestic Abuse and those who may support them. Staff, service users and their families.

2. **Will the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan impact negatively on any of the protected characteristic groups below?**

<table>
<thead>
<tr>
<th>Race (including Gypsy and Traveller)</th>
<th>/No</th>
<th>Disability (includes physical and mental impairment)</th>
<th>/No</th>
<th>Gender (Men and women)</th>
<th>/No</th>
</tr>
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<tbody>
<tr>
<td>Gender reassignment (Transgender and gender identity)</td>
<td>/No</td>
<td>Sexual Orientation (Lesbian, Gay, Bisexual and Heterosexual)</td>
<td>/No</td>
<td>Age (includes, young people, older people – people of all ages)</td>
<td>/No</td>
</tr>
<tr>
<td>Religion or Belief (includes faith groups, atheism and some other non religious beliefs)</td>
<td>/No</td>
<td>Pregnancy and Maternity (includes pregnancy, women who are breastfeeding and women on maternity leave)</td>
<td>/No</td>
<td>Marriage and Civil Partnership (includes opposite sex and same sex couples who are either married or civil partners)</td>
<td>/No</td>
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This procedure highlights the need to consider Domestic Abuse in all age groups including Adolescents and older people.

The practitioner should understand equality and diversity issues and ensure that assumptions about people’s beliefs, values, gender identity or sexuality do not stop them from recognising and responding to domestic abuse.

The use of professional interpreters who are impartial and have a duty to maintain confidentiality will support services user who do not speak English.

Responding to Domestic Abuse in families with children will ensure children are safeguarding from emotional abuse, Seeing or Hearing the Ill-treatment of others Adoption and Children Act (2002)

3. **Have you considered any codes of practice, guidance, project or business plan benefit?**

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<tr>
<th>If ‘No’, why not?</th>
<th>Yes</th>
<th>X</th>
<th>No</th>
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Ratified date: 05 April 2017
Last amended: 05 April 2017
Sources of Information may include:
- Feedback from equality bodies, e.g. Care Quality Commission, Disability Rights Commission, etc
- Investigation findings
- Trust Strategic Direction
- Data collection/Analysis
- Staff grievances
- Media
- Community Consultation/Consultation Groups
- Internal Consultation
- Other (Please state below)

4. Have you engaged or consulted with service users, carers, staff and other stakeholders including people from the following protected groups?: Race, Disability, Gender, Gender reassignment (Trans), Sexual Orientation (LGB), Religion or Belief, Age, Pregnancy and Maternity or Marriage and Civil Partnership

Yes – Please describe the engagement and involvement that has taken place
Members of the trust Safeguarding and public protection group.

No – Please describe future plans that you may have to engage and involve people from different groups

5. As part of this equality analysis have any training needs/service needs been identified?

/No

Please describe the identified training needs/service needs below

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<thead>
<tr>
<th>A training need has been identified for</th>
<th>Yes/No</th>
<th>Service users</th>
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<th>Contractors or other outside agencies</th>
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Make sure that you have checked the information and that you are comfortable that additional evidence can provided if you are required to do so
The completed EA has been signed off by:
You the Policy owner/manager: Jackie Adams
  Type name:  
  Date: 12/04/2017

Your reporting manager:
  Type name: Karen Agar  
  Date: 12/04/2017

Please forward this form by email to: tewv.policies@nhs.net
Please Telephone: 0191 3336267/6542 for further advice and information on equality analysis