

# Gender Based Violence Policy

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## Document Control

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## 1. Purpose Statement

- 1.1 The main purpose of this policy is to provide support to employees who are experiencing gender-based violence (GBV), which is defined in 8.1 below.
- 1.2 The Council recognises that GBV is a serious issue which is prevalent in all sections of society and has the potential to affect any employee of the Council as a victim-survivor. The Council has a duty to ensure the health, safety and welfare of its employees at work and seeks to support and assist employees experiencing problems arising from GBV.
- 1.3 GBV can adversely impact on an employee's work performance and attendance, and ultimately this can influence service provision, hence the need for a policy covering this area.
- 1.4 By increasing awareness of the signs of GBV and providing a supportive working environment, the Council can help employees experiencing such violence to increase their safety and to make changes in their home or work life to help them to adjust positively to their circumstances and construct lives free from abuse. This in turn can indirectly contribute to organisational efficiency through having supported and engaged employees.
- 1.5 The Council is committed to providing a work environment where employees can disclose concerns relating to GBV in a safe and confidential setting and seeks to foster a culture of zero tolerance towards GBV.
- 1.6 Through communication and briefing the Council aims to raise awareness and support managers to enable safe disclosure by employees of GBV and to put in place appropriate employee support.
- 1.7 Any support measures implemented will be monitored to ensure that they are reasonable in relation to the impact on the employee's situation and to enable the maintenance of a balance between the welfare of the victim-survivor of GBV and the continuation of effective service provision.

## 2. Application and Scope Statement

- 2.1 The policy applies to all employees of the Council. It is concerned with supporting employees who are victim-survivors of GBV to help ensure the health safety and welfare of employees at work. Whilst it is acknowledged that GBV is experienced mostly by women, any person of any gender identity or sexual orientation can experience this.
- 2.2 It aims to provide reasonable and appropriate support to victim-survivors, foster a culture of zero-tolerance towards GBV and encourage disclosure by employees. It also aims to

ensure issues relating to GBV are managed effectively and that help is provided to employees to access support.

2.3 It is also concerned with managing employees who are perpetrators of GBV and helping those who wish to change their behaviour.

2.4 It aligns with the Council's Guiding Principle of 'valuing each other', confirming a commitment to ensuring everyone is treated with dignity and respect and supported by the organisation and by colleagues.

### 3. Core Principles

3.1 Disclosures of GBV will be dealt with promptly and confidentially with victim-survivors of GBV treated with dignity and respect, and account taken of cultural and equality related needs, in accordance with the Council's Guiding Principles.

3.2 Appropriate support will be provided to victim-survivors of GBV to ensure their safety in the workplace and accommodation of their needs.

3.3 Efforts will be made to signpost victim-survivors of GBV to relevant external agencies that can offer information, support and advice.

3.4 A decision of a victim-survivor of GBV not to disclose abuse experienced will be respected, with barriers to disclosure recognised.

3.5 Known instances of GBV occurring in the workplace will be appropriately addressed through the Council's procedures.

3.6 Anonymized data will be gathered on disclosures of GBV for monitoring purposes.

3.7 As the impact of GBV can be prolonged, appropriate support for victim-survivors will be applied for as long as is necessary.

3.8 Where an employee who is a known perpetrator of GBV is willing to address their behaviour, efforts will be made to provide appropriate support to enable positive change.

### 4. Responsibilities

4.1 Chief Officers are responsible for the application of the policy and associated guidance within their service delivery remit to help embed a culture of health, safety and wellbeing.

4.2 Line managers have responsibility for supporting the wellbeing of the employees they manage to enable a healthy workplace. Specifically, they should:

- Create an environment where employees are aware of this policy and associated guidance and feel able to seek help and support.
- When responding to a disclosure of GBV treat employees with dignity and respect.
- Provide flexible workplace support tailored to meet the circumstances of each individual, taking account of the needs they may have, including considering adjustments to working arrangements, in line with service provision.
- Be conscious not to make judgements or to provide counselling themselves and not feel that they are responsible for resolving an employee's issue.
- Be as supportive as possible of the employee including signposting them to appropriate professional services, examples of which are contained in the guidance.
- Ensure that disclosures of GBV by an employee are treated confidentially, except where there is a belief that there may be a risk of harm to others, including harm to children.
- Have an awareness of the signs of GBV and of the barriers to disclosure by employees of GBV.
- Complete a form, as contained in the guidance notes, to record anonymously disclosures of GBV for statistical monitoring purposes only.
- Appropriately manage employees who are perpetrators of GBV in accordance with the accompanying guidance and provide help to those who wish to change their behaviour.

#### 4.3 Employees have a responsibility to:

- Familiarise themselves with the contents of this policy and associated guidance.
- Co-operate with the requirements of the policy where it is being applied to them.
- Inform line management if they witness an incident of GBV at work.
- Behave in a supportive manner towards colleagues who are victim-survivors of GBV.

4.4 A breach or misuse of this policy may result in the potential use of a corporate procedure e.g. disciplinary procedure.

4.5 Non-compliance with this policy should be reported to the employee's line manager.

4.6 Any feedback on the policy or suggestions for improvement can be communicated to the policy author or owner in the first instance.

## 5. Special Leave

5.1 The Council can provide employees experiencing GBV with up to 3 days paid special leave per annum.

5.2 The purpose of the paid leave would be to allow for time off requirements an employee has in relation to practical arrangements directly linked to their experience of GBV e.g. an appointment with a support organisation in relation to domestic abuse.

5.3 Full details on this special leave provision, including the application process, are contained in the accompanying guidance notes.

## 6. Supporting Procedures & Documentation

6.1 Accompanying guidance on GBV has been put in place to support adherence to this policy.

6.2 The routes for disclosing GBV are contained in the accompanying guidance.

6.3 The policy also links to;

- Managing Diversity and Equality policy
- Managing Bullying and Harassment procedure
- Managing Grievances procedure
- Managing Discipline procedure
- Employee Code of Conduct
- The Council's Guiding Principles

## 7. Policy Statement/s

7.1 The policy is not creating any specific regulations or requirements other than what is stated under section 4 and 5 above.

## 8. Definitions

8.1 Gender-Based Violence can be defined as domestic abuse, sexual harassment, stalking, sexual assault and rape and so-called 'honour based' violence with an explanation of each, based on guidance from 'Close the Gap', detailed below (this is not an exhaustive list): -

8.11 Domestic abuse is a pattern of controlling, coercive, threatening, degrading and/or violent behaviour, including sexual violence by a partner or ex-partner.

8.12 Sexual harassment is unwanted conduct of a sexual nature, which is intended to, or has the effect of, violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment e.g. unwelcome physical contact, sexual comments, inappropriate and sexist jokes, and displaying sexually graphic pictures.

8.13 Stalking is a persistent and unwanted attention that aims to curtail freedom. It is defined as two or more incidents of behaviour directed towards a victim-survivor which causes physical or psychological harm, or fear for the safety of the victim-survivor e.g. following a person, watching or spying on them or forcing contact with them through any means, including social media.

8.14 Sexual assault can be defined as any behaviour of a sexual nature which is unwanted and that takes place without consent or any reasonable belief of consent. Sexual assault covers sexual contact and behaviour that is unwanted, ranging from touching and sexual activity involving physical contact to penetration. Rape is when any person with a penis penetrates another person (whether intentionally or recklessly) against their will, either vaginally, anally or orally.

8.15 So-called 'honour based' violence is a form of violence and abuse that is committed to protect family and community honour. It is the belief that family and community honour is rooted in women's behaviour, appearance and sexuality and is to be guarded by men. It includes restricting women from doing certain things that are perceived as going against culture, family, community and religion, and can involve physically and sexually harming a woman, forcing marriage and isolating them from friends and family. It can also involve controlling finances, preventing women from learning the language of their new country, restricting movement and using their immigration status to threaten to send them away.

## 9. Risk

9.1 The policy is designed to reduce compliance, operational, financial and reputational risks. Compliance risk is the risk that may prevent the Council adhering with laws and regulations. Operational risk is concerned with the risk of disruption to Council services



and service users. Financial risk is where unexpected costs could be incurred that have not been budgeted for. Reputational risk concerns the threat of adverse media coverage for the organisation which could affect its standing in the community.

9.2 By having a GBV policy in place this will assist the Council in meeting its public sector equality duties by helping to comply with the Equality Act and hence reducing the risk of legislative non-compliance. Operational risks will be reduced, as if employees who are victims-survivors of GBV are supported in the workplace through this policy, this should assist with performance and attendance levels at work and meeting service requirements. Financial risks should be mitigated by this policy as it should help ensure that any instances of GBV in the workplace are addressed, meaning that harassment and other claims against the Council should not occur (which can be costly). The policy will also contribute towards reducing reputational risks as it should help ensure cases of GBV do not occur in the workplace meaning that negative publicity through employment tribunals should not happen. It will also enhance the Council's reputation as an employer of choice and one which applies good employment practices.

9.3 There have been no unintended effects, consequences and risks identified resulting from the introduction of the policy.

9.4 The risks identified will be managed and mitigated through application of the policy across the Council. This will be undertaken by ensuring the policy is readily available to managers and employees and that support is provided from People and Organisation in the interpretation of the policy and associated guidance, where required.

9.5 The policy will also support the organisation's "PREVENT" obligations as part of the CONTEST framework by helping to ensure that victims-survivors of GBV are supported in the workplace, which should help to maintain their health and wellbeing and reduce their vulnerability. This should in turn make employees less susceptible to radicalization and being drawn into terrorist organisations.

## 10. Policy Performance

10.1 The main factor that will determine whether the policy is effective and adds the value intended will be the use made of it by victims-survivors of GBV, including the supporting provisions.

10.2 The effectiveness of the policy will be measured through gathering data on the overall number of disclosures made by employees of GBV and by collecting any feedback from users of the policy.

10.3 The Chief Officer – Organisational Development will decide where and when data is reported on the effectiveness of the policy, ensuring confidentiality is maintained.

## 11. Design and Delivery

- 11.1 The policy links to the 'Workforce' design principle of the Target Operating Model (TOM) in that it is concerned with organisational culture and the promotion of equality in the workplace, with GBV being an issue experienced most by women in society. Having measures in place to address and mitigate the effects of GBV will contribute to the achievement of equality in the workplace. It also accords with the Council's Guiding Principles, particularly in relation to the commitment to valuing and supporting staff.
- 11.2 The policy also links to the 'Prosperous Place' theme in the Local Outcome Improvement Plan (LOIP) which indicates that all people in the City are entitled to live in a manner in which they feel safe and protected from harm and supported where necessary. All citizens are equally entitled to enjoy these aspirations, including employees of the Council. The support measures included in the accompanying guidance in relation to GBV will help to contribute to this objective.

## 12. Housekeeping and Maintenance

- 12.1 The Policy will be reviewed annually and any necessary updates made to it and the accompanying guidance document.

## 13. Communication and Distribution

- 13.1 The policy will be communicated through normal channels to ensure all relevant parties are aware of its content.

## 14. Information Management

- 14.1.1 Data collected as a result of the policy and associated guidance will be stored and managed in line with the Data Protection Act 2018 and the General Data Protection Regulation.