

Human Resources
Goireasan Daonna

Gender Based Violence Policy

Poileasaidh Fòirneart Stèidhichte air Gnè

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Introduction

The Highland Council recognises that gender-based violence can affect all aspects of employees' lives, including employment. The health and wellbeing of employees can significantly impact work attendance, performance and productivity. The council is committed to supporting affected employees to stay in work, feel safe and supported, and have access to the support services they require.

The Highland Council has a zero-tolerance approach to gender-based violence in all its forms. This is evidenced through policy development, guidance, training, communication, by having an effective reporting mechanism and dealing appropriately with any employees found to be perpetrating gender-based violence.

Policy purpose

This policy aims to support Council employees who experience, or have experienced gender-based violence, and their line managers, to:

- raise awareness of gender-based violence as a serious issue which can impact on the workplace and on the health and wellbeing of employees
- assure employees affected by gender-based violence that they will be listened to, taken seriously and supported
- reinforce that it is unacceptable for employees to perpetrate abuse, whether within or out with the workplace.

Whilst recognising that gender-based violence is overwhelmingly experienced by women and perpetrated by men, people of any gender or gender identity can be affected and this policy applies to all staff.

Policy in practice

Definitions

[Public Health Scotland](#) defines Gender based violence (GBV) as a “major public health, equality and human rights issue. It covers a spectrum of violence and abuse, committed primarily but not exclusively against women by men. This includes, but is not limited to:

- domestic abuse
- rape and sexual assault
- childhood sexual abuse
- stalking and harassment
- commercial sexual exploitation
- harmful practices - such as female genital mutilation, forced marriage and so-called 'honour' based violence.”

Gender based violence can be carried out by anyone of the same sex, a different sex or anyone of any gender identity.

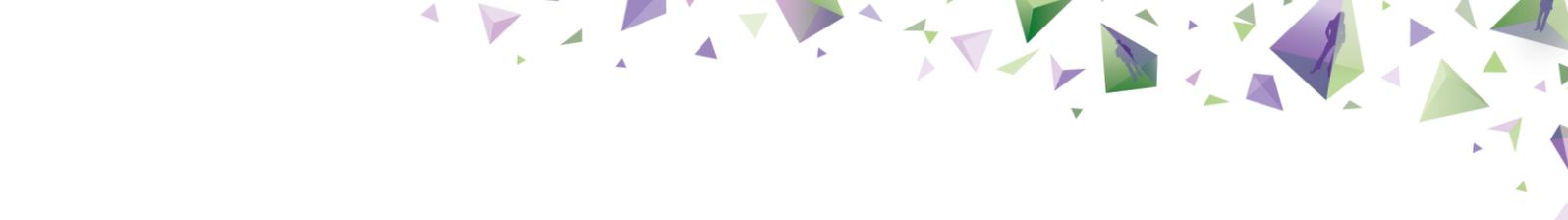
(Source: [acas.org.uk](#))

Violence against women

Scotland's Strategy for Preventing and Eradicating Violence Against Women and Girls, Equally Safe, was launched in 2014 and revised in 2016. The strategy sets out the Scottish Government and COSLA's joint vision for a strong and flourishing Scotland where all individuals are equally safe and respected and where women and girls live free from all forms of violence and abuse – and the attitudes that help perpetuate it.

Violence Against Women and Girls encompasses (but is not limited to):

- physical, sexual and psychological violence including domestic abuse, rape and incest
- sexual harassment, bullying and intimidation in any public or private space, including work
- commercial sexual exploitation, including prostitution, pornography and trafficking
- child sexual abuse, including familial abuse, child exploitation and online abuse
- so called 'honour-based' violence, including dowry-related violence, female genital mutilation, forced and child marriages and 'honour' crimes.



Women's experiences of Violence Against Women vary according to age, disability, ethnicity, sexual orientation, genders and identity. Pregnancy can be a trigger for domestic abuse and existing abuse may get worse during pregnancy and/or after giving birth.

The Highland Council recognise that Violence Against Women is a cause and consequence of gender inequality including gender inequality in the workplace. Financial dependence and poverty are both primary risk factors that diminish women's resilience and options in the face of violence. Addressing workplace inequality is a necessary step in ending Violence Against Women.

Violence Against Women impacts on women's day to day lives. It occurs in and outside of the workplace, significantly affecting the labour market and women's experience at work. Women report sexual harassment, stalking, domestic abuse and 'honour' based' violence as having a negative impact on their mental health. This makes them less confident at work, inducing them to avoid certain work situations, sometimes to avoid a perpetrator. These effects and responses are likely to diminish their performance at work and their propensity to apply and be appointed to promoted posts.

Reporting gender-based violence

Employees who feel they are affected by gender-based violence should seek support and advice.

Employees may wish to seek informal advice from their Line Manager, [HR](#), a [Bullying and Harassment Contact](#) or Trade Union Representative.

Where staff wish to make a formal complaint, they should submit a grievance for consideration by a Nominated Bullying & Harassment Senior Officer.

Employees who experience gender-based harassment from individuals not employed by The Highland Council (such as customers, clients, suppliers, contractors, members of the public or school pupils) should report the incident by completing this [online form](#).

All reported incidents will be investigated by the employee's line manager in line with organisational procedures and appropriate action will be taken. Reports will also be shared with the relevant HR Business Partner for the Service to ensure consistent support and oversight.

Appeals

Where an employee has raised a formal complaint through the Grievance Policy and is not content with the outcome, they will have the opportunity to appeal in accordance with that policy.

Supporting employees

The Council will endeavour to make any reasonable adjustments required for staff experiencing gender-based violence as soon possible after being notified of the situation.

Where appropriate, Safe Leave of up to 5 days will be provided in line with the [Special Leave Policy](#).

Further information on the support available to employees who feel they have been affected by Gender-Based Violence be found in supporting guidance.

Responsibilities

Line Managers

Line managers have a duty of care for the health, safety and wellbeing of their staff and are responsible for supporting employees experiencing gender-based violence.

They are also responsible for supporting colleagues who may be affected.

All Managers should complete the (Close the Gap) Sexual Harassment training and familiarise themselves with the related management guidance – see [Quick Links](#) below.

Where a concern is raised directly with a manager, this should be addressed promptly and informally where possible and the relevant Service HR Business Partner informed.

Where the perpetrator is an employee of the Council, the line manager is responsible for challenging abusive and violent behaviour and managing this through the Highland Council's [Disciplinary Policy](#).

Managers must also ensure confidentiality and that all employees are aware of their responsibility in relation to not disclosing information.

HR

HR are responsible for ensuring that this and related policies are reviewed and updated and that employees and their managers are advised in line with these.

HR will liaise with managers/nominated B&H Senior Officers to ensure any grievances are dealt with appropriately and in line with policy.

All employees

All employees are responsible for challenging any discriminatory behaviour in the workplace and that which contradicts this policy where it is safe to do so.

Where an employee witnesses gender-based violence, they are encouraged to tell their line manager. Staff may wish to speak to a Bullying & Harassment contact in the first instance.

Equality and Diversity

This policy endorses the Equality & Human Rights Commission's (EHRC) principles which apply to all employees of The Highland Council, regardless of any of the protected characteristics (Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex or Sexual Orientation).

Guidance

Guidance, information and tools relating to the management of this policy have been developed and will be maintained in accordance with the Highland Council Partnership Framework. Guidance, procedures and associated documentation can be found on the HR Microsite – see [Quick Links](#) below.

Legislation

The development and application of this policy is guided by:

- Equality Act 2010
- Health & Safety at Work Act 1974
- Human Rights Act 1998

- Human Trafficking
- Forced Marriage
- Protection from Harassment

Monitoring

The application of this policy will be monitored through the Highland Council Partnership Framework and the Corporate Resources Committee.

Quick links

The links listed here will redirect you to the related guidance, letters, information, and relevant organisations mentioned in this policy.

[HR Microsite](#)

[Gender-based violence page](#)

[Bullying and Harassment contacts](#)

[Bullying and Harassment Policy](#)

[Abused Men in Scotland helpline \(AMIS\)](#)

[Domestic Abuse Awareness Raising Tool \(DAART\)](#)

[Domestic Abuse helpline](#)

[Domestic Abuse – Housing options](#)

[Employee Assistance Programme](#)



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