



Workforce

**Gender-based Violence Policy:
guide for employees**

This guide will help employees understand the Gender-based Violence Policy.

GBV is a major public health, equality and human rights issue. It covers a spectrum of violence and abuse committed primarily against women by men because of recognised gender inequalities. Committing acts of GBV is unacceptable and will not be tolerated. Many forms of GBV are criminal offences and may also breach corporate and professional codes of conduct.

The following guide forms part of the standard for workforce policies. These policies apply to all staff within NHSScotland, regardless of the board they are employed by. The guide covers:

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What is the purpose of the Gender-based Violence Policy?

The Gender-based Violence Policy provides a framework to assist and support employees with current or previous experience of GBV. It also ensures an appropriate response to any employee accused of GBV.

Who is covered by this policy?

This policy applies to all employees. It also applies to bank workers, secondees, agency, sessional workers, volunteers, contractors, and those on placement, such as trainees, students, or individuals undertaking work experience.

Women and girls suffer disproportionately from GBV, but men and boys or members of the LGBTQI+ population can also be targeted. This policy applies to all.

This policy complies with current legislation and meets the aims of the [Public Sector Equality Duty](#) of the [Equality Act 2010](#).

What is gender-based violence?

GBV refers to harmful acts directed at an individual or a group of individuals based on their gender. It is rooted in gender inequality, the abuse of power and harmful norms.

The term is primarily used to describe the differing levels of power that place women and girls at risk of multiple forms of violence. This reflects society and organisational structures.

Whilst women and girls suffer disproportionately from GBV, men and boys can also be targeted. The term is also sometimes used to describe targeted violence against the LGBTQI+ population when referencing violence related to attitudes towards masculinity, femininity and gender.

Examples of GBV

Examples of GBV against women and girls, as identified by [UN Women](#). These may apply to men or boys or members of the LGBTQI+ population, as appropriate:

- Physical, sexual, psychological, emotional and financial abuse can occur in the family, within the general community, and in institutions in both physical and digital spaces and places.

- Domestic abuse or coercive controlling behaviours, stalking, rape, and incest.
- Sexual harassment, bullying, and intimidation.
- Commercial sexual exploitation, including prostitution, lap dancing, stripping, and pornography.
- Trafficking and exploitation, including domestic and sexual servitude.
- Child sexual abuse, including familial sexual abuse, child sexual exploitation, domestic abuse, and indecent images of children.
- So-called 'honour-based' violence, including dowry-related violence, female genital mutilation, forced marriages, and 'honour' crimes.

Examples of online GBV include:

- violence or abuse
- threats of violence
- discrimination
- online harassment
- sharing sexual and private images without consent
- trolling
- revealing personal or identifying documents or details online without consent, also known as doxing

Further information can be found in the [Equally Safe 2023 – preventing and eradicating violence against women and girls: strategy](#).

Further information on stalking can be found in the [NHSScotland Examples of Harassing Behaviour](#).

Those most likely to be affected by GBV

GBV can affect anyone. However, individuals with more than one protected characteristic set out in the Equality Act 2010 are more likely to experience this. Research indicates that:

- Disabled women are twice as likely to experience domestic abuse and sexual violence as non-disabled women.
- Women with learning disabilities may be 10 to 12 times more likely to experience sexual assault than non-disabled women.
- Racism and discrimination create significant barriers for racially minoritised women to report their experiences or access support.

These can include language barriers, immigration status, institutional racism, and cultural insensitivity.

- Racially-minoritised women worry that reporting GBV to their employer could damage their relationships with colleagues, with 1 in 6 women thinking it could make the situation worse.
- Online harassment and abuse are more likely to involve younger victim-survivors and younger perpetrators.
- Disabled women aged 18-34 are even more likely to experience sexual harassment, with 8 in 10 reporting being harassed at work.
- Older women are less likely to report their experiences of domestic abuse.
- The abuse older women face is often mistakenly labelled as 'elder abuse' rather than domestic abuse. This means they are less likely to access the specialised support they need.
- Lesbian, gay, and bisexual women can be vulnerable to abusers who threaten to 'out' them to colleagues, employers, and family members.
- Trans women are vulnerable to abuse that is inflicted by transphobia. They may also be reluctant to access support services or contact the police for fear they may be met with further victimisation and prejudice or that they may not be understood.

Impact of GBV

It is recognised that the impact of GBV can be significant for those who experience it.

This may include:

- A negative impact on their physical, mental and emotional health.
- Increased stress or anxiety.
- Reduced performance or being distracted from their work.
- Reduced attendance at work.

[Find out more about the indicators of GBV.](#)

Impact of GBV on the workplace

GBV can have an adverse impact on staff morale and affect people who are in the victim-survivor's life. This can extend to work colleagues and the wider organisation. The impact on colleagues can include:

- Increased workload to fill in for absent colleagues or those whose performance at work has been impacted by GBV.
- Being subject to questioning by the perpetrator about the victim-survivor.
- Trying to protect the victim-survivor from attention, unwanted phone calls, or visits.
- Witnessing a form of GBV and feeling helpless and unsure about how to intervene to support a colleague.
- A negative impact on their mental and emotional health, especially if they are or have experienced abuse themselves.

Recognising the wider impact this can have on employees and the organisation can offer greater awareness and understanding of managers' critical role in supporting employees experiencing GBV.

Reporting GBV you have experienced

If you are experiencing GBV, you may choose to approach your manager about this. Your manager will:

- Initiate a private discussion with you.
- Respond sensitively to any disclosure of abuse you make.
- Help you assess your level of risk, including helping you to identify any appropriate workforce support.
- Provide information on how to report abuse if you wish to do this.
- Be aware of the potential impact GBV can have on you if you are subject to a workforce policy process.

Your manager may need to consider whether information given to them must be disclosed to the appropriate external agencies, such as Child Protection or Adult Protection Services. Your manager will do this in line with the appropriate reporting guidelines provided by these services.

GBV you have experienced reported by others

Your manager may become aware that you are experiencing GBV from your colleagues or patients who know you outside of work.

Your manager should ask for a supportive conversation with you regarding the concerns. It is for you to decide if you wish to discuss these concerns with your manager. If you choose not to disclose

information to your manager, they should respect your decision, recognising that a key element of GBV is loss of control. [Further information on this is covered in this guide within the section on supportive steps.](#)

If you decide not to have the conversation with your manager, they may still need to consider whether the information given to them needs to be disclosed to the appropriate external agencies, such as Child Protection or Adult Protection Services. Your manager will do this in accordance with the appropriate reporting guidelines provided by these services.

GBV concerns about colleagues

If you have concerns that your colleague is experiencing GBV, you may choose to speak with them about this. You should only do this if you are comfortable doing so and if it is appropriate for you to discuss this.

You may wish to seek advice from your manager before raising with your colleague so that you have information on the sources of support available to them. You can then share this with your colleague when you speak with them. In this conversation, you may encourage them to come forward while recognising that they may choose not to.

If you feel unable to speak with your colleague, you should discuss this with your manager. They have a duty of care to you and your colleague and may choose to talk with them directly.

If the information about the employee experiencing GBV was not disclosed directly to their manager, they may choose to manage the situation through supportive management conversations and direct observations. Conversations should be based on wellbeing rather than direct questions related to GBV.

[Find out more about the indicators of gender-based violence.](#)

Supportive steps

If you are experiencing GBV, it is recognised and understood that you may find it difficult to discuss this, as this is often considered a private and personal issue. It is also recognised and understood that this may make it difficult for you to talk openly about how GBV affects you at work.

If you want to discuss this with your manager, they will have a sensitive conversation with you about the information you have disclosed.

Any conversations you have with your manager will be confidential, and your manager will reassure you of this. However, confidentiality is limited when immediate or significant safety issues relate to you or others.

Your manager will discuss these with you before escalating to the appropriate agencies, such as Child Protection or Adult Protection Services. This should be done in line with the appropriate reporting guidelines provided by these services.

Your manager will support whatever decision you make. Their role is to support you and ensure your safety in your workplace.

Your manager will arrange a time and location where you will not be disturbed and where you have a safe space to talk. Your manager will provide reassurance that you are believed.

During the conversation, key considerations will be:

- Whether support, such as occupational health, would be needed.
- Whether signposting to national specialist organisations would be helpful.
- Assess any risk in the workplace or for homeworking and implement any safety measures required.
- Whether any adjustments to working arrangements should be considered, including other NHSScotland Workforce policies and manager guides, such as:
 - [Special Leave Policy](#)
 - [Flexible Work Pattern Policy](#)
 - [Flexible Work Location Policy](#)
- How frequently contact between you and your manager should be made, including if you need to be absent and how you can safely and confidentially maintain contact with them.
- How frequently they will review this with you to make sure the levels of support and adjustment agreed to meet your needs, including any workplace alterations.
- Any flexibility of contact and review that may be necessary due to circumstances changing.
- Whether the disclosure impacts any other Workforce Policies, such as the following:
 - [Attendance Policy](#)
 - [Conduct Policy](#)
 - [Bullying and Harassment Policy](#)

- [Embracing Equality, Diversity and Human Rights in NHSScotland PIN Policy \[PDF\]](#)

Some of these adjustments may involve colleagues to support lone working, telephone contact and email practice. If you or your manager feel this is appropriate, your manager will obtain consent from you to discuss this with your colleagues and agree with you on what can be shared to support any arrangements.

Your manager will keep a record of the relevant points from discussions, the review period, and any adjustments. You will be asked to agree on the content, how the note should be stored, and whether you feel safe being given a copy.

The records should be objective and not include any additional subjective commentary. The police may request access to records for a criminal case.

What if I don't wish to discuss GBV?

If you choose not to discuss GBV concerns, your manager will respect your privacy unless there is evidence of harm to you. If there is evidence of harm, your manager will need to escalate it to the appropriate body if it relates to child protection or adult protection in line with local procedures.

GBV you have perpetrated or are alleged to have perpetrated

If you have been accused of perpetrating or have perpetrated GBV, you may choose to approach your manager.

Your manager may also become aware of GBV concerns against you through other parties, including the following:

- your colleagues
- patients who may know you outside of the workplace
- your trade union representative
- multi-agency public protection
- the police

Your manager should act on this information as soon as possible. They will respond the same way they would address any other serious complaint against an employee. Your manager will contact HR and

follow local procedures. This matter should be considered in line with the appropriate Workforce Policy, such as the Conduct Policy and the Workforce Policies Investigation Process.

Where the situation involves another employee, confidentially alerting the employee experiencing GBV that action is being taken to implement any necessary safety measures should be considered.

There may be a need for employees to be separated or have their contact limited. This could be to support the employee subject to GBV in feeling secure in the workplace or because of an interdict or protection order. In this situation, you will be moved to an alternate placement unless:

- the other party requests a move
- there is a legitimate service need which dictates that they cannot be moved

A risk assessment should be carried out to make sure all details of the situation have been fully considered and mitigations put in place as appropriate. This should be reviewed regularly.

Conversation with perpetrator or alleged perpetrator

Your manager will refer the issue to HR and arrange to have a further conversation with you about this information. The manager will engage respectfully with you and assess any required actions.

Respectful discussion and engagement do not mean excusing the abuse. Your manager will be aware that this area requires sensitivity and an awareness of how it might affect the safety and wellbeing of those experiencing abuse. The next steps will depend on the information presented to your manager.

During the conversation, key considerations are:

- Whether there are any necessary amendments to the work environment or further support, such as occupational health input.
- Whether the risk assessment requires a change in location or duties.
- Whether there is a requirement to investigate the matter under the [Workforce Policies Investigation Process](#).

- How frequently contact between you and your manager should be made to ensure an appropriate engagement level.

Your confidentiality will be maintained unless there are safety issues relating to you or others. In this situation, your manager will escalate the concerns to the appropriate agencies, such as:

- Child Protection
- Adult Protection Services

Your manager will keep a record of the relevant points from any discussion they have with you, the review period and any adjustments. They will also agree on the content with you and how the note should be stored.

The records should be objective and not include any additional subjective commentary. The police may eventually become involved and use the records to inform their investigation.

Supports available for victim-survivors

Local support services can be contacted through the national helpline - Scottish Domestic Abuse Helpline 0800 027 1234.