



**Workforce**

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

This guide will help managers to understand the Gender-based Violence Policy. It will assist managers in supporting staff experiencing gender-based violence (GBV). It will also help managers to engage with employees accused of, or who have identified that they have carried out, GBV.

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. The Gender-based Violence 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](#).

## Manager's responsibilities

As a manager, you should:

- Initiate a private discussion where there are concerns about abuse.
- Respond sensitively to the disclosure of the experience of abuse.
- Help employees assess their level of risk, including appropriate workforce support.
- Provide information on how to report abuse if the employee wishes.
- Safely engage with an employee who discloses they are a perpetrator of abuse.
- Safely engage with perpetrators of abuse respectfully, whilst assessing any actions required.
- Be aware of the potential for GBV and for this to be taken into consideration when an employee is subject to a workforce policy process.

# 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 who have more than one protected characteristic as 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 or 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, prejudice, or that they may not be understood.

# Employee experiencing GBV

An employee may disclose to you that they are experiencing GBV either directly, through discussions with a colleague or during a supportive discussion. You may also become aware of an employee experiencing GBV through other parties, including the following:

- colleagues
- patients who may know the employee outside of the workplace
- the employee's trade union representative
- multi-agency public protection
- the police

Consideration needs to be given to disclosing the information to the appropriate external agencies, such as Child Protection or Adult Protection Services. This should be done in line with the appropriate reporting guidelines provided by these services.

## Impact of GBV on the employee

The impact of GBV on the employee can be significant. This may include:

- A negative impact on their physical, mental and emotional health.
- Increased stress or anxiety.
- Reduced performance or being distracted from their own 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 affects 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:

- Having to fill in for absent colleagues or those who are underperforming.
- 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 the critical role you as a manager can play in supporting employees experiencing GBV.

## **GBV concerns disclosed by a third party**

As the manager, you may be approached by a third party with concerns for a colleague. It is in the interest of all parties that a direct link is made between the employee experiencing GBV and sources of support.

You should ask the third party to speak with the employee if they feel comfortable and it is appropriate. This conversation should aim to encourage the employee to come forward while recognising that they may choose not to.

If the colleague is unable to do this, you still have a duty of care to the employee experiencing GBV. However, the employee must have control over any disclosure, as a key element of GBV is loss of control.

If the employee does not disclose directly to you, you should manage the situation through supportive management conversations and direct observations. Your discussions should be based on wellbeing rather than direct questions related to GBV.

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

## **Supportive steps**

The employee may find it difficult to engage in a discussion. GBV is often considered a private and personal issue. It may make it difficult for employees to talk openly about how GBV affects them at work. If the employee wishes to engage with you, have a sensitive conversation with them about the information they have disclosed to you.

You should reassure the employee about their confidentiality. However, they should also be advised of the limits of confidentiality. This will depend on the nature of the disclosure and requirements under adult support and protection or child protection organisational procedures.

You should follow the appropriate reporting guidelines provided by these services.

The employee's confidentiality should be maintained unless there are immediate or significant safety issues relating to themselves or others. In this situation, you should discuss it with the employee 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.

The conversation should aim to offer and provide support and ensure the employee's safety. Your role is not to advise, but to support the employee in whatever decision they make and help them source appropriate options.

You should arrange a time and location where you will not be disturbed and where the employee has a safe space to talk. They must be assured that they are believed.

You may wish to use the [Guide to supportive and difficult conversations](#). If you require further assistance, you should contact your HR department.

In addition, local support services can be contacted through this national helpline: Scottish Domestic Abuse Helpline 0800 027 1234.

During the conversation, key considerations are:

- Whether support such as occupational health would be helpful.
- Whether signposting to support agencies would be helpful.
- Assess for 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](#)
- Frequency of contact with the employee, including how they can safely and confidentially maintain contact if they are required to be absent.



- Frequency of review with the employee to make sure the levels of support and adjustment meet their needs, including any workplace alterations.
- Flexibility of contact and review 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](#)

Some of these adjustments may involve colleagues to support lone working, telephone contact and email practice. You should obtain consent from the employee on what can be shared with colleagues to support any arrangements.

You should keep a record of the relevant points from any discussion you have with your employee, the review period and any adjustments. You should also agree with the employee:

- the content of the record
- how the note should be stored
- do they 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.

## **How should I respond if the employee does not wish to discuss GBV?**

Unless there is evidence of harm to the employee, you should respect their privacy if they choose not to discuss GBV concerns. If there is evidence of harm, you will need to escalate it to the appropriate body if it relates to child protection or adult protection, if the employee meets the required criteria. You should refer to your local procedures for advice.

## **GBV concerns about a perpetrator or alleged perpetrator**

An employee may share with you that they are perpetrating or have perpetrated abuse.

You may also become aware of GBV concerns against an employee through other parties, including the following:

- colleagues
- patients who may know the employee outside of the workplace
- the employee's trade union representative
- multi-agency public protection
- the police

You should act on this information as soon as possible. You must respond in the same way that you would address any other serious complaint against an employee. You should contact HR and follow local procedures. This matter should be considered in line with the appropriate Workforce Policy, such as the following:

- Conduct Policy
- Workforce Policies Investigation Process

When the situation involves another employee, employees may need to be separated or have their contact limited. This could be to support the employee subject to GBV to feel secure in the workplace, or because of an interdict or protection order. In this situation, the perpetrator or alleged perpetrator will be moved to an alternate placement unless:

- the employee subject to GBV 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**

You may be informed, or an employee confides in you, that they have perpetrated GBV. You should report the issue to HR. If the perpetrator has disclosed this information, arrange to discuss it further with them.

Respectful discussion and engagement with perpetrators do not imply excusing the abuse. This requires sensitivity and awareness of how such interactions might impact the safety and wellbeing of those who are experiencing abuse. Your response will likely vary based on the information you receive.

You should seek support from HR, arrange a time and location, and choose a private, safe space where you and the employee can talk. If you are concerned about your safety, consider measures to create a safe environment. For example, seating arrangements, door access, and nearby colleagues who are informed of potential support needs.

You may wish to use the [Guide to supportive and difficult conversations](#). You may also contact HR for advice.

During the conversation, key considerations are:

- Whether any necessary amendments to the work environment or further support, such as occupational health, would be helpful, or whether the risk requires a change in location or duties.
- Potential to investigate the matter under the [Workforce Policies Investigation Process](#).
- Frequency of contact and review with the employee to ensure the appropriate level of engagement and that workplace adjustments meet the organisation's needs.

The employee's confidentiality should be maintained unless there are safety issues relating to themselves or others. In this situation, you should escalate to the appropriate agencies, such as:

- Child Protection
- Adult Protection Services

You should keep a record of the relevant points from any discussion you have with your employee, as well as the review period and any adjustments. You should also agree with the employee on the content 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.