



**Workforce**

## **Gender-based Violence Policy**

# Aim

The Gender-based Violence Policy aims to:

- Provide a framework to assist and support employees with current or previous experience of gender-based violence (GBV).
- Ensure an appropriate response to any employee accused of GBV.

# Scope

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

Reference to employees applies to all these groups unless otherwise stated.

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

# Definitions

**Disclosure** means revealing a past or ongoing experience of GBV to another person.

**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 fact that structural, gender-based power differentials place women and girls at risk of multiple forms of violence.

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 LGBTQI+ populations when referencing violence related to attitudes towards masculinity, femininity and gender.

# Roles and responsibilities

There is a range of standard expectations which underpin all policies. [Read more about standard roles and responsibilities](#). In addition, the following specific responsibilities apply to this policy.

## Employer

The employer should:

- Raise awareness of the policy.
- Create a physically and psychologically safe environment for employees to disclose their experience of GBV.
- Promote empathy and understanding of the cause and consequence of GBV.

## Manager

The manager should:

- Initiate discussion where there are concerns about abuse.
- Respond sensitively to the disclosure of 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.
- Engage with perpetrators of abuse in a respectful way whilst assessing any actions required.
- Be aware of the potential for GBV and for this to be considered when an employee is subject to a workforce policy process.

## Employee

The employee is encouraged to identify a trusted individual to share their experience of GBV to obtain support.

## Gender-based violence lead

The gender-based violence lead, where available, can provide specialist advice on GBV concerns.

# Occupational health services

Occupational health services should:

- Respond sensitively to the disclosure of an employee's experience of GBV.
- Be aware of the potential for GBV and for this to be considered when undertaking assessment and providing recommendations.

## Human resources

Human resources should:

- Respond sensitively to the disclosure of an employee's experience of GBV.
- Be aware of the potential for GBV and for this to be considered when an employee is subject to a workforce policy process.

## Trade unions

Trade unions should:

- Respond sensitively to the disclosure of an employee's experience of GBV.
- Be aware of the potential for GBV and for this to be considered when an employee is subject to a workforce policy process.

## Procedure

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. Although women and girls are significantly more at risk of GBV, it is also experienced by men and boys. Abuse also occurs within same-sex relationships.

It is acknowledged that given the size of the workforce within NHSScotland, there will be employees who experience GBV. It is also recognised that some employees within NHSScotland will be perpetrators of GBV.

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.

# Disclosure by employee experiencing GBV

An employee may disclose:

- by voluntarily speaking to their manager or colleagues
- during a supportive discussion

Other parties may also make a disclosure, including:

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

## Conversation with the employee

The aim of the conversation is to provide support and ensure safety if the employee has indicated that they wish to engage. The manager should:

- Check whether any necessary amendments to the work environment or further support, such as occupational health or national specialist organisations, would be helpful.
- Assess for any risk in the workplace.
- Take note of relevant points considering the sensitive nature of issues disclosed.
- Agree on the content and how the note should be stored and shared with the employee if it is safe to do so. This should detail any agreed adjustments and the period for review.

Employees may find it difficult to engage in the discussion. GBV is often considered a private and personal issue. It may make it difficult for employees to talk openly about how this affects them at work.

The employee should be reassured that their confidentiality is being maintained. However, they should also be advised of the limits of confidentiality depending on the nature of the disclosure and requirements under adult support and protection or child protection organisational procedures.

# Changes to the working environment or adjustments

Managers should:

- Consider what workplace support may assist. Further information is available in the [Manager guide](#) and [Employee guide](#). This could include consideration under other NHSScotland Workforce Policies and manager guides, such as:
  - [Special Leave Policy](#)
  - [Special Leave Policy: guide for managers](#)
  - [Flexible Work Pattern Policy](#)
  - [Flexible Work Pattern Policy: guide for managers](#)
  - [Flexible Work Location Policy](#)
  - [Flexible Work Location Policy: guide for managers](#)
- Implement safety measures, if required.
- Consider any safety implications that may arise for employees who work from home.

## Keep in close contact

If an employee needs to be absent from work, mutually agree on a safe and confidential method of communication.

## Regularly review

Managers should have regular meetings with the employee to make sure the agreed level of support and adjustments are meeting the employee's needs. They should also keep any workplace alterations that are in place under review.

## Disclosure by a perpetrator of GBV

An employee may disclose:

- by voluntarily speaking to their manager
- during a planned discussion

Disclosure may also be made by:

- colleagues
- patients who may know the employee outside of the workplace
- trade union representative

- multi-agency public protection
- police
- partners or ex-partners who are not NHS employees
- Disclosure Scotland

## Conversation with the employee

It is important to adopt good practice when responding to a direct disclosure from an employee or where it has been established that they have perpetrated abuse.

Engaging with perpetrators in a respectful way does not mean excusing the abuse. It requires sensitivity and an awareness of how this might affect the safety and wellbeing of those experiencing abuse. The response could affect the extent to which the perpetrator accepts responsibility for their behaviour and, therefore, the need to change.

When a disclosure of GBV is brought to the manager's attention, this should be acted on as soon as possible. Managers should respond in the same way that they would address any other serious complaint against an employee. An investigation should be undertaken using the [Workforce Policies Investigation Process](#).

The manager should assess any risk posed and check whether any necessary amendments or measures, such as occupational health, are required. The manager should take notes at the meeting and provide a copy to the employee. This should detail any agreed adjustments and the period for review.

## Procedure in cases involving other employees

There might be situations where employees need to be separated or contact limited. This could help the employee subject to GBV feel secure in the workplace or be necessary because of an interdict or injunction.

In such cases, 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

# Reporting concerns

If the manager is made aware of any potential risk from the perpetrator or there are child or adult protection concerns, they should follow local public protection arrangements.