

# **EMPLOYEE GENDER BASED VIOLENCE POLICY - EMPLOYER NAME**

## **INTRODUCTION**

(Employer name) unequivocally condemns Gender Based Violence, also known as Violence Against Women and Girls, in all its forms. Although primarily experienced by women, the policy recognises that men too can experience abuse and that it can be perpetrated within same sex relationships.

Gender based violence is perhaps the most widespread and socially tolerated of human rights violations. It has no boundaries in terms of geography, wealth, race, religion, disability, age or sexual orientation.

Such violence can affect an employee's performance at work, and although the workplace can be the only potential channel of escape from the abuse, it can also be the place where the employee experiences the abuse.

All employers have a responsibility for the health, safety, wellbeing and dignity of their employees. By assisting and supporting those affected by gender based violence in their personal life, there is likely to be a positive effect on their attendance and performance at work.

While gender based violence does have a significant, disproportionate impact on women, this policy applies equally to all employees.

## **WHAT IS GENDER-BASED VIOLENCE?**

Gender-Based Violence is endemic in society. Defined by the United Nations as: "violence that is directed against a woman because she is a woman, or violence that affects a woman disproportionately", it encompasses a spectrum of abuse experienced mostly by women and perpetrated mainly by men i.e. domestic abuse, rape and sexual assault, childhood sexual abuse, sexual harassment, stalking, commercial sexual exploitation and harmful traditional practices such as female genital mutilation (FGM), forced marriage and so-called 'honour' crimes.

Given the disproportionate impact on women and girls, Gender-Based Violence is one of the most sensitive indicators of gender inequality. It is important to recognise, however, that men and boys can also be subjected to abuse; most often by other men but sometimes also by women.

Domestic abuse is the most common form of gender based violence. It normally occurs within the context of an intimate relationship, or former relationship, and can include:

- Physical violence
- Emotional/psychological abuse
- Withholding money
- Forced isolation
- Threat of outing someone due to their sexual orientation

Some employees may experience more than one form of violence, and some are inter-related, such as forced marriage and domestic abuse. There are some forms of violence listed above which employees are unlikely to experience. However, this policy takes cognisance of all forms of gender based violence.

It is also acknowledged that certain groups of employees may experience additional, specific issues.

## **PROVIDING SUPPORT**

(Employer name) expects managers to be as supportive as possible in situations where gender based violence issues have been disclosed. Employer name expects that employees experiencing violence also have a clear understanding of what is expected of them in respect of their attendance and performance.

When dealing with work performance issues or sickness absence, managers will take into account how the stress on an employee in abusive circumstances may impact on their physical and mental health, and their performance and/or attendance at work. Managers will consider ways in which to support the employee if performance is affected.

An employee may wish to discuss the situation with regard to the impact the gender based violence may be having on their work, however, revealing such personal details to a manager can be difficult or embarrassing and the employee may therefore choose to discuss the situation initially with someone else, such as a colleague or a different manager.

All disclosures of violence will be treated confidentially where possible, however there will be situations where individuals are at risk, particularly children and these concerns need to be shared.

Managers are expected to be available and approachable, be reassuring, and respond in a sensitive, non-judgemental manner, whilst ensuring that they do not provide counselling, or advice.

Support which may be offered to an employee can include:

### **Seeking Help/Counselling**

Employees will be encouraged to contact one of the services/bodies listed below but it is recognised that it is their choice to do so. Paid time off to attend an external support agency will be considered on an individual basis.

### **Paid Leave**

Up to one day's paid leave can be granted in an emergency situation where an employee needs to urgently seek a safe place of refuge. Any further paid time off is at the discretion of their manager, subject to the agreement of the employee regarding disclosing this information.

### **Time Off to Attend Solicitor etc**

If an employee needs to attend an appointment with a solicitor or other agency relevant to their circumstances, the manager can agree to grant unpaid leave or allow the employee to work back time.

### **Pay**

Favourable consideration may be given to requests for an advance of pay in circumstances of financial hardship resulting from gender based violence.

### **Flexible Working**

Favourable consideration will be given to requests for:

- A temporary change of work location.
- A temporary change to working arrangements.
- Work schedule adjustments.

### **Safety in the Workplace**

Special consideration will be given to employee safety in the workplace.

If an employee is, or may be subjected to harassment from the perpetrator at the workplace, via telephone, e-mail, or unannounced arrival at the workplace, reasonable steps to protect the employee's health and safety will be taken with the agreement of the employee. For example:

- Identifying a work colleague for support and an emergency contact should the manager be unable to contact the employee.
- Advising other colleagues of the situation on a need-to-know basis, and agreeing what action is needed if the perpetrator contacts the office.
- Diverting phone calls.
- Diverting emails to a separate folder.
- Reminding staff never to divulge personal information, such as home address, hours of work etc to anyone, including family members.
- Reviewing next-of-kin information to ensure the perpetrator is replaced, if applicable.
- Allowing the employee to use an assumed name at work, and use that chosen name.
- Where practical, moving the employee out of public view i.e. they are not visible from reception areas or ground floor windows.
- Where practical, ensuring the employee does not work in an isolated area.
- Alerting reception staff if the perpetrator is known to come to the workplace, including issuing them with a photograph/description and car registration details, if appropriate.
- Ensuring reception staff know to call the police in the event of aggressive/threatening or violent behaviour.
- Checking the employee has arrangements in place for safely getting to and from home.

An employee who wishes to access the above support should raise this in the first instance with their manager.

Managers should be aware that some employees affected by abuse may refuse support or only take up partial support. This can be concerning if the employee has begun to accept assistance and then goes back to an abusive situation.

### **IMPACT ON COLLEAGUES**

(Employer name) recognises that there could be a significant impact on the work of colleagues of those experiencing violence. This includes:

- Covering for absent colleagues
- Being distracted from their own work
- Trying to protect a colleague from unwanted phone calls or visits
- Feeling helpless about how best to intervene
- Fearing for their own safety
- Vicarious trauma – colleague's own emotions are triggered relating to their own experience of past abuse.

Accordingly, managers will consider the potential impact on others in the workplace in addition to the individual experiencing abuse.

### **IMPACT ON CHILDREN**

When considering gender based violence circumstances, such as domestic abuse or honour crimes, Employer name recognises that managers should be aware of the impact on employees' children. This can influence any action the employee takes, for example some may choose to stay in a violent relationship for reasons of financial security for their children, or because a male perpetrator has threatened them with the removal of their children, including threats of reporting them to social work.

## **UNACCEPTABLE CONDUCT – PERPERATORS OF GENDER BASED VIOLENCE**

### **(i) Perpetrators**

(Employer name) acknowledges that the number of employees who are perpetrators of gender based violence is likely to be relatively low, however, (Employer name) regards such behaviour as unacceptable conduct and will consider disciplinary action where such behaviour exists, whether it be within or outwith the workplace, irrespective of whether or not it leads to criminal charges.

Examples of other unacceptable behaviour include: jokes, discussions and graphics that condone violent or abusive behaviour; and the use of workplace resources, such as telephone, fax, or e-mail, to threaten, harass or abuse.

In considering disciplinary action, recognition will be given to any consequential affect on the safety and well-being of the recipient of the violence.

### **(ii) Collusion**

Any employee found to be colluding with a perpetrator's abusive behaviour, for example, by assisting them to misuse work resources, will also be liable to disciplinary action.

### **(iii) Malicious Allegations**

An employee found to have made a malicious allegation against another employee, may be subject to disciplinary action.

### **(iv) Bullying and Harassment**

(Employer name is) committed to promoting a safe, healthy and fair working environment in which people can work free of bullying, harassment (including sexual harassment), discrimination and victimisation.

Unacceptable behaviour of individuals will not be tolerated and anyone who is found to have treated an individual in such a way may be subject to disciplinary action, which could include dismissal.

### **What if gender based violence has taken place outside of the workplace or outwith normal working hours?**

Employees may be perpetrating Gender Based Violence outside of the workplace, for example, domestic abuse, physical or sexual abuse of children, downloading child pornography, sexual violence, involvement in honour based violence, sexual exploitation including grooming, or stalking.

Given that such conduct could constitute a criminal offence, many of these examples would most likely involve criminal proceedings. Perpetrating these forms of abuse could also breach organisational and professional codes of conduct and potentially bring the employer into disrepute.

Employees should be aware:

- Gender based violence which occurs outside the workplace, online or on social media, or outwith normal working hours may still be connected with work and would fall within the scope of this policy;
- All employees are expected to maintain appropriate standards of behaviour which are consistent with this policy in all instances, including at social gatherings or events;
- Any complaints made in this respect will be investigated and may result in action being taken in line with this policy.

## RAISING AWARENESS/TRAINING

(Employer name) will promote this policy within the workplace.

### Data Protection

When supporting an employee through the employee gender based violence policy (Employer name) processes personal data collected in accordance with its data protection policy, human resources data protection policy and employee privacy notice. Data collected is held securely and is accessed by, processed by and disclosed to managers, human resources, and individuals involved to support the process only for the purposes of managing an employee in the application of this policy.

### Other available supports

The following individuals and organisations can be contacted independently and confidentially by staff to discuss their situation and to seek support in making a decision about how they wish the matter to be dealt with, including:

- Your Line Manager, or another Manager or HR if you feel your own manager would not be appropriate;
- Trade Union/Professional Organisation representatives;
- External specialist support agencies

Organisation	Helpline	Office
Barnardo's Domestic Abuse Team		01241 435747
Police Domestic Abuse Officer		01241 435742 (Monday-Friday) In an emergency dial 999
Tayside Police - Domestic Abuse Unit Information and advice for all victims of domestic abuse. Can also provide information and advice regarding other forms of gender-based violence (particularly, sexual violence and harmful traditional practices).	01382 591912	01382 591912
<b>Disclosure Scheme for Domestic Abuse Scotland</b> Aims to prevent domestic abuse by empowering both men and women with the right to ask about the background of their partner, potential partner or someone who is in a relationship with someone they know, and there is a concern that the individual may be abusive.  The scheme aims to enable potential victims to make an		<a href="#">Right to Ask - Disclosure Scheme for Domestic Abuse Police Scotland</a>

informed choice on whether to continue the relationship, and provides further help and support to assist the potential victim when making that informed choice.		
Angus Victim Support Information and support for all victims of all forms of gender-based violence.	0845 3030900	01241 870096
Angus Women's Aid Support, information and accommodation for women, children and young people affected by gender-based violence.		01241 439457
Women's Rape and Sexual Abuse Centre Outreach support and information for women and young women affected by sexual violence and commercial sexual exploitation.	01382 201291	01382 205556
Action for Children - Women and Family Safety Workers Information and safety planning for women whose partners are attending the court mandated domestic abuse perpetrator programme.	01382 455709	01382 455709
Vice Versa Project Information and support for women involved in prostitution.	01382 201291	01382 205556
AMINA – Muslim Women's Helpline	0808 801 0301	
Shakti Women's Aid Information and support for women, children and young people from BME communities who are affected by domestic abuse or harmful traditional practices.	0131 475 2399	0131 475 2399
Hemat Gryffe Women's Aid Information and support for women, children and young people from BME communities who are affected by domestic abuse or harmful traditional practices.	0141 353 0859	0141 353 0859
24hr National Domestic Abuse Helpline	0800 027 1234	
National Rape Crisis Helpline	0808 801 03 02	
Men's Helpline (MALE) National helpline for male victims of domestic abuse.	0808 801 0327	

AMIS Helpline for abused men in Scotland.	01383 624411 (7-10pm every night)	
Broken Rainbow LGBT Helpline	0300 999 (5428)	
Domestic Violence Affects Men Too – Talk it Over	0808 801 0327	
Respect Phone line Helpline for male perpetrators of domestic abuse.	0845 122 8609	
National Domestic Abuse & Forced Marriage Helpline Scotland	0800 027 1234 (24 hours per day, 7 days/week) Email: helpline@ndafmhs.org.uk	<a href="http://natdomesticabuseforcedmarriagehelpline.org.uk/">http://natdomesticabuseforcedmarriagehelpline.org.uk/</a>
Fearless Domestic Abuse Service A national specialist domestic abuse support service for any man, any LGBT person and anyone from an ethnic minority community	0131 624 7266 <a href="mailto:fearlessinfo@sacro.org.uk">fearlessinfo@sacro.org.uk</a>	<a href="https://fearless.scot/">https://fearless.scot/</a>
Forced Marriage Unit	020 7008 0151 <a href="mailto:fmufco.gov.uk">fmufco.gov.uk</a> Email for outreach work: <a href="mailto:fmuoutreach@fco.gov.uk">fmuoutreach@fco.gov.uk</a>	<a href="http://www.fco.gov.uk/en/global-issues/human-rights/forced-marriage-unit/">www.fco.gov.uk/en/global-issues/human-rights/forced-marriage-unit/</a>

Further information and guidance for employers can be found at <https://www.closesthegap.org.uk/>