



STIRLING COUNCIL

GENDER BASED VIOLENCE POLICY

including

DOMESTIC ABUSE

Service: Human Resources

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Committee**

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1. What is Gender Based Violence

- 1.1 Gender Based Violence is violence directed against a person based on gender. Gender based violence covers different types of abuse including harassment and stalking, rape and sexual assault, female genital mutilation, forced marriage, honour-based abuse, trafficking and domestic abuse.
- 1.2 The Scottish Government defines gender-based violence as a function of gender inequality, and an abuse of male power and privilege. In reality, this means actions that result in physical, sexual and psychological harm or suffering to women and children, or actions, which affront their human dignity, including threats of such acts, coercion or a personal deprivation of liberty, whether occurring in public or private life.
- 1.3 Stirling Council recognises mostly women experience violence, perpetrated mainly by men (Equally Safe, Scottish Government and COSLA), however, it does not mean this never happens to men, lesbian, gay, bisexual and transgender relationships.

2. What is Domestic Abuse

- 2.1 Domestic Abuse is an example of gender-based violence. There are many definitions of domestic abuse, however in real terms if you feel afraid of someone in your life who is supposed to care about you, it may be you are experiencing domestic abuse. It does not have to be a spouse; it does not have to be physical. It can happen in any relationship (intimate partner, child, sibling, ex-partner, casual partner, spouse, family member). It can happen to anyone of any background, and it can include a range of behaviours. If someone in your life is making you feel afraid of living your life in the way you want, if someone is trying to control you, we urge you to speak to someone and get support. There is no shame in experiencing domestic abuse and no one should live in fear of someone else.
- 2.2 The majority of those affected by domestic abuse are women. In April 2018 Equally Safe: Scotland's strategy to eradicate violence against women, reported that 79% of all such incidents had a female person experiencing domestic abuse and male perpetrator. However, there are a significant proportion of cases, which affect men and this policy, applies to men and women equally.

3. The Law

- 3.1 Committing acts of gender based violence or domestic abuse is a serious matter, which has the potential for:
 - Contravening Equalities and Human Rights legislation
 - Constituting a criminal offence
- 3.2 The Domestic Abuse (Scotland) Act 2018 creates an offence with respect to the engaging by a person in any course of behaviour, which is abusive of the person's partner or ex-partner; and to make rules of criminal procedure for that offence and for offences subject to the statutory aggravation involving abuse of partners or ex-partners.

4. Statement

- 4.1 Stirling Council and the Trade Unions condemn gender based violence and domestic abuse in all forms.
- 4.2 We recognise all forms of gender-based violence are a serious issue and incidents of domestic abuse are common and critically affect many people's lives. We acknowledge they can affect an individual's work performance and as an employer, the Council has a responsibility for health, safety and welfare at work.
- 4.3 We are committed to heightening awareness and responding appropriately to gender based violence and domestic abuse. The effects can influence the health and self-confidence of

employees who may in turn feel unable to confide in others or seek help. Many of those who experience issues have difficulty attending work regularly and demonstrate longer term symptoms such as depression, anxiety, injuries, or stress that consequently affect work performance.

4.4 We therefore strive to create a working environment, which promotes the view everyone has the right to a life free from abuse in any form, and violence against anyone is unacceptable.

4.5 All employers are duty bound to comply with 'The Health and Safety at Work etc Act 1974' for occupational health and safety together with applicable regulations, so employees are provided with safe places to work and risks to their health, safety and wellbeing are properly controlled as well as employees meeting their duties.

5. Scope

5.1 This Policy and associated guidelines apply to all Stirling Council employees. Stirling Council are committed to ensuring all employees have equitable access to the provisions of the policy and guidelines.

6. Responsibilities

6.1 Stirling Council

- Raise awareness of the policy and guidelines
- Raise awareness of unacceptable behaviours
- Ensure the confidential and sympathetic handling of situations for all employees affected
- To assist and support employees requesting help
- Provide appropriate help and support to an employee who is experiencing or has experienced in the past any form of abuse
- Provide a framework for addressing the behaviour of employees who may be perpetrators
- Provide appropriate help and support to an employee who is a perpetrator using appropriate policies

6.2 Line Managers

- Read the guidelines and related policies
- Understand how you can help manage situations where abuse is affecting colleagues at work, ensuring there is support
- Be aware of the potential of these situations
- Attend any relevant training
- Ensure you act in a manner which ensures employees feel confident any disclosures will be treated respectfully and in accordance with the guidelines

6.3 Employees

- Be aware of the policy and guidelines
- Ensure language, behaviour and actions in the workplace do not condone or support gender based violence or domestic abuse e.g. by not participating in, encouraging or condoning gossip relating to a person experiencing abuse
- Refrain from using Council resources to assist perpetrators, for example do not disclose anyone's address, phone number, work locations etc.
- Do not perpetrate gender based violence or domestic abuse.
- Do not make malicious allegations against another employee