



# **Domestic Abuse & Gender Based Violence Policy**

This policy applies to all Employees

May 2025

This is an East Lothian Council Policy which has been subject to consultation with the Joint Trades Unions. Any review of amendment by the council will be following consultation with the Trades Unions.

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<b>Policy Section</b>	HR Policies
<b>Prepared By /Policy Author</b>	Human Resources
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<b>Approved By</b>	
<b>Date Approved</b>	
<b>Review Date</b>	May 2025
<b>Date of next Review</b>	This policy will be reviewed as necessary, including but not limited to changes to legislation; agreement of new national terms and conditions of service or government policy, organisational change or changes agreed through trade union consultation.
<b>Policy Lead</b>	Team Manager, HR Operations

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## **1. Introduction**

- 1.1 East Lothian Council is committed to embedding equality, diversity, inclusion, and fairness, in respect of everything that we do. In accordance with our values, we produced this policy to ensure that there are processes and procedures in place to safeguard and promote the welfare of any employee affected by domestic abuse or gender-based violence.
- 1.2 We recognise that some employees may be living with domestic abuse or gender-based violence and we are committed to doing what we can to support affected employees' safety, wellbeing and mental health by supporting their decision to seek further help.
- 1.3 We will do this by responding confidentially and constructively to disclosures, listen with empathy, create space where people can explain their situation and experiences without being judged, and signpost to helplines and local organisations that can provide support.

## **2 Policy Statement & Principles**

- 2.1 This policy defines the council's position on domestic abuse and all forms of Gender-Based Violence (GBV) which may affect employees in the workplace and sets out our policy and procedure for supporting employees affected and perpetrators of abuse.
- 2.2 East Lothian Council is committed to ensuring gender equality in the workplace and taking a zero-tolerance stance in addressing domestic abuse and gender-based violence when and wherever it occurs. We acknowledge the impact of domestic abuse and gender-based violence on the health and wellbeing of our employees and aim to provide a safe and supportive working environment by providing practical, confidential support for employees who have or are experiencing domestic abuse or gender-based violence and for those perpetrating domestic abuse or gender-based violence, whilst raising awareness and understanding of the issue across the organisation.
- 2.3 The policy adopts a gender-based approach which recognises that women and girls are more likely to experience domestic abuse or gender-based violence however the policy and support is applicable and accessible to anyone experiencing, or perpetrating, domestic abuse or gender-based violence regardless of gender.
- 2.4 This policy applies to all council employees irrespective of role, responsibility, or individual contractual arrangements. All employees will receive the same access to support and will be susceptible to the same course of action in the management of perpetrators.

### **3 Aims of the Policy**

#### **3.1 The policy aims to:**

- Support the council in its commitment to adopt a zero-tolerance approach to domestic abuse, gender-based violence, bullying, harassment, sexual harassment and discrimination as outlined in the council's Equalities Statement, Equal Employment Opportunities and Prevention of Harassment policies.
- Create a supportive working environment that allows individuals to feel safe at work when seeking help and advice.
- Support all employees to understand domestic abuse and gender-based violence and the impact of those affected by it.
- Outline support and guidance available to any employee that has experienced or is experiencing domestic abuse or gender-based violence including a pathway to support within the council.
- Outline the procedure the council will invoke for any employee that has been accused of perpetrating domestic abuse or gender-based violence at work or at home.
- Support the council in its commitment to embed equality within the workplace.

### **4 Definitions**

#### **4.1 Gender-Based violence (GBV)** is an umbrella term used to describe various forms of violence and abuse used to establish, enforce, or perpetuate gender inequalities and keep in place gendered orders. This includes:

- Domestic abuse,
- Controlling or coercive behaviour.
- Violent or threatening behaviour.
- Rape and sexual assault.
- Harassment and stalking.
- Online abuse.
- Economic or emotional abuse.
- Commercial sexual exploitation, including prostitution.
- So called "Honour-based abuse", including female genital. mutilation (FGM) and forced marriage.

#### **4.2 Understanding the impact of gender-based violence in the workplace** means recognising that gender-based violence has a long-term and lasting effect on victims / survivors which can impact their daily lives including

their experiences at work. Experiencing gender-based violence can prevent a person from performing their job effectively. Gender-based violence affects not only victims / survivors but can also impact their colleagues, the wider workplace and ultimately the effective running of the organisation.

- 4.3 **Domestic Abuse** is a pattern of controlling, coercive, threatening, degrading and/or violent behaviour, including sexual violence, by a partner or ex-partner. Domestic abuse is overwhelmingly experienced by women and perpetrated by men. It doesn't matter how old someone is, what race or ethnicity they are, what class they are, whether they are disabled, or whether they have children – anyone can be a victim of abuse. (source: Scottish Women's Aid)

Domestic abuse is intentional and purposeful. Anyone can be affected by domestic abuse irrespective of their sex, gender identity, sexuality, ethnicity, or social standing.

- 4.4 **Trauma Informed** and responsive means being able to recognise when a colleague may be affected by past or current trauma or adversity, adapting how we respond to and work with them in a supportive way that does no harm and recognises and supports their resilience.

## 5. Key Legislation

- 5.1 The Domestic Abuse (Protection) (Scotland) Act 2021.
- 5.2 The Scottish Government also includes domestic abuse within its 'Equally Safe Strategy (2016 (refreshed 2023))' and Equally Safe Delivery Plan (2024), for preventing and eradicating violence against women and girls.
- 5.3 The policy has been developed to align with the Equally Safe at Work guidelines which supports the Scottish Government and COSLA's Equally Safe strategy for preventing and eradicating violence against women and girls in Scotland.

## 6. Guidance for all Employees

- 6.1 All employees should have a basic awareness of domestic abuse and gender-based violence and the impacts these have on people and in the workplace.
- 6.2 Employees will be supported to recognise some of the indicators of domestic abuse and gender-based violence, and what to do if they need support for themselves or for their colleagues if they have concerns about suspected abuse.

- 6.3 The council will provide access and opportunities for all employees to participate in basic awareness training.
- 6.4 Employees are encouraged to act if they are experiencing abuse, or if they suspect that a colleague is experiencing or perpetrating abuse. Colleagues may not wish to discuss these matters directly with their line manager or another employee but can raise concerns in confidence with another senior manager, Human Resources Adviser, their Trade Union representative if a member of a Trades Union or contact the Employee Assistance Programme (EAP) if employee initiated, confidential with no feedback given to ELC or your manager, who will offer support.
- 6.5 Any disclosure of domestic abuse or gender-based violence will be treated as confidential and will not be shared without the employee's permission.
- 6.6 The recording of information will have no adverse impact on the employee's work record and will be held confidentially in line with GDPR principles.
- 6.7 If there is a significant risk to the safety of our employee or their dependents, particularly where there are children and vulnerable adults involved, managers have a duty to report this to the Children and/or Adult Services at East Lothian Council.
- 6.8 Any employee accused of perpetrating domestic abuse or gender-based violence will be subject to the processes and procedures set out in the council's Disciplinary Policy, where allegations are considered to fundamentally affect an employee's suitability for the post they hold or where violent or intimidatory behaviour is evidenced this may constitute gross misconduct.

## **7. Guidance for Managers**

- 7.1 Employees experiencing domestic abuse or gender-based violence may choose to disclose to line managers directly. It is important that managers support employees to access specialist support and Managers Guidance can be found on the Intranet.
- 7.2 Managers should seek HR advice to ensure that appropriate support and signposting is provided to employees disclosing abuse, especially where it is suspected that there may be significant risk to the employee (see.6.7 above). In complex cases, managers should contact the Chief Social Work Officer for East Lothian to ensure that support being considered will not increase the risk to the employee or lead to unintended consequences.
- 7.3 Managers are not trained counsellors and are not expected to counsel victims but should listen and provide information regarding support mechanisms and encourage the employee to seek support from

appropriate agencies. No referrals should be made on behalf of the employee without their express consent.

7.4 Managers will be supported to signpost employees towards specialist advice and information resources and to advise the employee on workforce support the council offers (see 7.5 below). HR Advisers can also offer support and signposting to managers and employees.

7.5 Examples of workplace support available to employees experiencing domestic abuse or gender-based violence are:

- Access to support and resources via the Employee Assistance Programme. This is a confidential and independently run service available for employees to access directly, which provides support and guidance to council employees.
- Special leave to attend appointments with support services which may be administered through existing policies such as the Special Leave Policy and/or Flexible Working Time Policy. The council will give employees time off to:
  - access and engage with external agencies offering professional help,
  - access housing support,
  - access counselling,
  - attend legal appointments,
  - make workplace adjustments.
- Temporary or permanent changes to working times and patterns which may be administered through existing policies such as the council's Flexible Working Policy.
- Reasonable adjustments to workloads or changes to specific duties, to be discussed and agreed with the employee's line manager.
- Additional measures to safeguard, minimise risk and avoid harassment at work, i.e., changes to telephone numbers, ensuring any meetings are in safe and protected spaces, removing identifying information and contact details from the council website and communications, considering travel requirements and supporting any intervention advised by specialist support services and associated safety plans.

7.6 Managers may need to authorise some of these interventions (i.e., changes to contracts, special leave, flexible working) and should liaise with HR to understand procedure and protocols, ensuring confidentiality is maintained.



## **8. How we will Respond to Perpetrators/Alleged Perpetrators**

- 8.1 Perpetrators of domestic abuse or gender-based violence who wish to address their behaviours will be provided support at work by:
- signposting to advice, information, and support via the confidential Employee Assistance Programme and appropriate counselling.
  - providing reasonable time-off to attend perpetrator programmes, either voluntary or court-mandated.
  - making workplace adjustments, such as flexible working
- 8.2 Employees who have convictions, cautions, or pending court appearances regarding domestic abuse or gender-based violence, should make this known to their line manager at the soonest opportunity, in line with the council's Code of Conduct policy.
- 8.3 Where appropriate, disciplinary action, in line with the council's Disciplinary Procedures may be taken against employees who are perpetrators of domestic abuse or gender-based violence.

## **9. Employee Training**

- 9.1 The implementation of this policy will be accompanied by basic awareness training materials and communications for all employees in relation to domestic abuse and gender-based violence.

## **10 Policy Review**

- 10.1 This policy will be reviewed at regular intervals in consultation with the Trade Unions to ensure its compatibility with current legislation and recognised best practice, including trauma informed practices.

**Head of Council Resources**

**May 2025**

### Further Support and Contact Details

Below is a list of resources that may be useful. Please note the list is not exhaustive but is intended as an aid to identify the support services that best meet employee needs.

#### East Lothian Council Support

- Listening Ears / Mental Health First Aiders
- Equality and Diversity Working Group
- Employee Assistance Programme
- HR Advisers can offer confidential support and employees may contact the HR Adviser of their choice, contact details can be found here [Areas of Responsibility by Business Unit | HR Advisers | East Lothian Intranet](#)
- If you are a member of a Trade Union, your TU representative can also provide support and guidance.

#### General Support

- [Gender Based Violence Services Directory | Public Protection East and Midlothian | East Lothian Intranet](#)
- [Samaritans | Every life lost to suicide is a tragedy | Here to listen](#) (call 116 123 free)
- [Domestic abuse - Police Scotland](#) (call 999 for emergency; 101 for non-emergency)
- [Home - Victim Support](#) (call 08 08 16 89 111)
- [Wellbeing Scotland | Healing for Abuse Survivors - Wellbeing Scotland](#) (call 01324 630100)
- [Homelessness | Homelessness | East Lothian Council](#) (call 01620 827536)
- [Home - Shelter Scotland](#) (call 0808 800 4444)
- [Breathing Space is a free confidential service for people in Scotland phone 0800 83 85 87](#)
- [LGBT+ Helpline Scotland](#) (call 0800 464 7000)
- [Citizens Advice Scotland](#) (call 0800 028 1456)

## **Specialist Gender Based Violence Services**

- [Help For Domestic Violence Perpetrators | Respect Phonenumber UK](#) (call 0808 8024040)
- [AMIS | Abused Men in Scotland](#) (call 0330 949 395)
- [Amina – The Muslim Women's Resource Centre](#) (call 0808 801 0301)
- [Outreach in East Lothian and Midlothian - Edinburgh Rape Crisis Centre](#) (call 0131 557 6737)
- [Domestic abuse / Gender based violence - LGBT Youth Scotland](#)
- [Home - Scotland's Domestic Abuse and Forced Marriage Helpline](#) (call 0800 027 1234)
- [Domestic Abuse Helpline for Men | Men's Advice Line UK](#) (call 0808 8010327)
- [Rape Crisis Scotland | Working to end sexual violence](#) (call 08088 01 03 02)
- [Gender Based Services | Sacro](#) (call 0131 624 7270)
- [Information for LGBTQ+ survivors | Scottish Women's Rights Centre](#) (call 08088 010 789)
- [Women's Aid East & Midlothian \(womensaideml.org\)](#) (call 0131 561 5800)
- [Scottish Women's Aid |](#) (call 0800 027 1234)
- [HOME | Women's Support Project](#) (call 0141 418 0748)
- [Shakti Women's Aid](#) (call 0131 475 2399)
- [NSH Inform Where to find support if you've been raped or sexually assaulted](#)

## **Support for Children & Young People**

- [CEDAR Project - EDAMH](#) (call 0141 955 3040)
- [Survivor Support Scotland – Break the Silence](#) (call 01563 559558)
- [Childline | NSPCC](#) (helpline 0808 800 5000 (for under 18s 0800 1111))

## **Further Information & Resources**

- [Disclosure Scheme for Domestic Abuse Scotland - Police Scotland](#)

- [Equally Safe at Work | Supporting employers to advance gender equality and prevent violence against women](#)
- [Where to find support if you've been raped or sexually assaulted](#)
- [Striving for a safer Scotland - Safer.scot](#)
- [Scottish Women's Rights Centre](#)
- [Home - Scottish Trans](#)
- [Surviving Economic Abuse: Transforming responses to economic abuse](#)
- [Resources for perpetrators Archives \(Respect Phonenumber\)](#)
- [Disclosure Scheme of Domestic Abuse Scotland: The Disclosure Scheme of Domestic Abuse Scotland \(also known as Clare's Law\) enable the police to share relevant information about a partner's abusive past with individuals:   
<https://www.scotland.police.uk/advice-and-information/domestic-abuse/disclosure-scheme-for-domestic-abuse-scotland/>](#)