

Gender Based Violence (GBV) Policy**Report by: Kenneth Lawrie, Chief Executive****1. Purpose of Report**

The purpose of this report is to seek approval for the new joint Midlothian & East Lothian Gender Based Violence (GBV) Policy.

2. Background

- 2.1** This GBV Policy is a new document for Midlothian Council and replaces an existing Domestic Abuse Policy in East Lothian.
- 2.2** It has been developed jointly by Midlothian Council & East Lothian Council Officers (equality, human resources, legal & policy sections) as well as those from the East Lothian and Midlothian Public Protection Office.
- 2.3** GBV is an umbrella term that encompasses a spectrum of abuse experienced disproportionately by women and is perpetrated predominantly by men.
- 2.4** This Policy covers all such forms of abuse and eradicating this violence should be seen as a priority for all both within and out with the workplace.
- 2.5** In particular, this Policy has been created to promote the welfare of staff affected by current or previous experience of GBV, which includes Domestic Abuse.
- 2.6** In addition, this Policy will support Midlothian and East Lothian Councils to respond effectively to staff members who may be perpetrators of such abuse.
- 2.7** This Policy applies to all Council employees, including temporary staff and Elected Members, and demonstrates that both Councils are committed to ensuring that all employees and Elected Members have equitable access to the provisions of this policy.

2.8 The main aims of this Policy are to:

- Raise awareness of GBV as a serious health and social issue, which impacts on the workplace, highlighting its hidden nature and the impact on those affected by it;
- Send a positive message to employees with experience of abuse that they will be listened to and supported;
- State that it is unacceptable for employees to perpetrate abuse, within or outside the workplace;
- Provide a framework for managers to address the behaviour of employees who may be perpetrators of abuse and who may pose a risk to other employees or service users, within existing Council Policies;
- Provide a framework for managers to sensitively apply provisions within existing Council policies when responding to employees who experience GBV.

2.9 The policy details the responsibilities of both Councils, managers within each Council, and employees of each Council.

The policy also details where:

- Employees can find advice and support both within the Councils and outwith in their communities;
- How Managers can support employees who have experienced gender-based violence; and
- How Managers manage employees who may be perpetrators of gender-based violence.

2.10 If adopted, as far as we are aware Midlothian and East Lothian Councils will be the first two Councils to introduce a GBV Policy.

2.11 Whilst the GBV policy encompasses a spectrum of abuse and has been developed jointly by Midlothian and East Lothian Councils, it is the intention of Midlothian Council to develop a further related policy for Sexual Harassment given its current prevalence and potential impact in the workplace. This will be brought to a future Council.

3 Report Implications

3.1 Resource

There are no resource implications arising directly from this report other than the time of the Council's corporate Equality, Diversity & Human Rights Officer and Human Resources section.

3.2 Risk

The Council has a duty of care towards its employees and Elected Members and employees and Elected Members have a code of conduct in respect of the Council. This Policy helps uphold both the duty of care and code of conduct.

3.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☒ Business transformation and Best Value
- ☐ None of the above

3.4 Key Priorities within the Single Midlothian Plan

Midlothian Council and its Community Planning Partners have made a commitment to treat the following areas as key priorities under the Single Midlothian Plan:

- Reducing the gap in learning outcomes
- Reducing the gap in health outcomes
- Reducing the gap in economic circumstance

Endorsement of this Policy will help individuals to concentrate on these priorities if they feel safe and valued by their employer.

3.5 Impact on Performance and Outcomes

The performance of individuals and their ability to reach agreed outcomes can be severally affected by GBV. The introduction of this Policy will hopefully reduce such instances.

3.6 Adopting a Preventative Approach

By adopting a zero tolerance to GBV a preventative approach will be engendered.

3.7 Involving Communities and Other Stakeholders

This Policy has received endorsement from the Joint Trades Unions.

3.8 Ensuring Equalities

This GBV Policy has been subjected to an Integrated Impact Assessment (IIA). No unlawful negative impacts were noted.

3.9 Supporting Sustainable Development

The content of this GBV Policy contribute to a sustainable approach to zero tolerance of GBV within Midlothian Council.

3.10 IT Issues

There are no IT issues arising from this report.

4 Summary

Midlothian Council, East Lothian Council and the Trade Unions unequivocally condemn Gender Based Violence, also known as Violence against Women and Girls, in all its forms.

Although primarily experienced by women, this Policy recognises that men too can experience abuse and that it can be perpetrated within same sex relationships.

Both Councils aim to ensure that the protection of our staff is a key aspect of our commitment to Public Protection. For this reason each Council believes it is essential to have a positive Policy which recognises the impact of violence against women and girls on the workplace.

5 Recommendations

Council is asked to approve this GBV Policy.

Appendices:	GBV Policy
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Background Papers:	None