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**Supporting Employees  
 Experiencing  
 GENDER BASED  
 VIOLENCE  
 PIN POLICY**

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## Supporting Employees Experiencing GENDER BASED VIOLENCE PIN Policy

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## 1. ORGANISATIONAL CONTEXT

NHS Highland is committed creating a fairer society; promoting equality and eliminating discrimination, harassment or other unlawful conduct that is prohibited under the Equality Act 2010. Gender inequality remains a major issue in our society and there is still much to do to achieve equal pay and equal status for women and girls. There are many contributory factors which lead to Gender Based Violence and the attitudes that condone it. But, the underlying reason for women being more likely to be victims of men's violence than the reverse is because women and men are not (yet) equal.<sup>1</sup>

This policy applies to all employees and people working within NHS Highland (NHS) and is designed to complement other NHS Highland [PIN Policies](#) including 'Managing Health at Work', 'Embracing Equality, Diversity and Human Rights in NHS Highland', 'Supporting the Work-Life Balance', 'Preventing & Dealing with Bullying & Harassment in NHS Highland', 'Management of Employee Conduct', 'Violence & Aggression' and 'Substance Misuse Policy'.

Given the prevalence of Gender Based Violence (GBV) and the size of NHS Highland's workforce there will be both survivors and perpetrators working for the organisation. As we continue to improve our service responses to gender based violence it is likely that more staff members may come forward to disclose their own experience.

Whether or not abuse takes place within or out with the work place, regardless of whether it is on-going or in the past, it can have a significant impact on employees. It can affect health and well being as well as attendance, performance and productivity.

Allegations of abusive behaviours against employees can have potential implications for their employment role and could breach organisational and professional codes of conduct.

## 2. DEFINITION

"Gender Based Violence is a major public health issue. It is also a fundamental violation of human rights.

Gender based violence is an umbrella terms that encompasses a spectrum of abuse experienced mostly by women and perpetrated mainly by men. It includes domestic abuse, rape and sexual assault, childhood sexual abuse, sexual harassment, stalking, commercial sexual exploitation, and harmful traditional practices such as forced marriage, female genital mutilation (FGM) and so called 'honour' crimes.

Although primarily experienced by women, the policy recognises that men too can experience abuse."<sup>2</sup>

<sup>1</sup> <http://www.gov.scot/Resource/Doc/1032/0097230.pdf>

<sup>2</sup> NHS GBV PIN Policy, 2011

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Whilst bearing in mind that women are most often those affected by gender based violence, managers should be aware that men can also be affected. Whilst perpetrators are most often men, this does not mean that women cannot also perpetrate abuse and managers should be alert to the possibility that any member of staff could have experience of gender based violence or be a current or previous perpetrator.

The term 'Managers' used within this policy relates to an NHS Highland employee with management responsibilities. This is because staff experiencing abuse may feel more comfortable talking to another manager rather than their own line manager. This is also important in situations where the manager might be the perpetrator or have a relationship with the perpetrator. Please note that other internal contacts are available including: Confidential Contacts, Occupational Health and the Chaplaincy service – see Appendix 1.

### 3. POLICY STATEMENT

NHS Highland believes that, in working towards equality of opportunity and social justice, it is important to state that as an organisation we oppose all forms of Gender Based Violence. We will therefore take every possible opportunity to make clear that all forms of abuse, mental/emotional, physical or sexual are unacceptable.

### 4. SCOPE OF THIS POLICY

Whilst recognising that Gender Based Violence is overwhelmingly experienced by women and perpetrated by men, this policy applies equally to women and men as both survivors of gender based violence and as perpetrators. The policy is for staff of NHS Highland and contractors employed by NHSH. NHSH will also ensure that employers of sub-contracted and agency staff have policies and procedures in place which meet the standards outlined in this policy. Furthermore, where contractors are the perpetrators of abuse, measures must be put in place to remove the risk to patients, the public and other members of staff and if they do not comply, they will be advised that their contract will be terminated prematurely.

Separate guidance and training for staff to support survivors during their day to day work activities on behalf of NHS Highland is available on the [intranet](#). Staff can also access the Learn Pro Gender Based Violence Module [on line](#).

### 5. PRINCIPLES AND VALUES

NHS Highland is committed to ensuring that all employees have equitable access to the provisions of this policy. Given, this, the policy takes into account the barriers and differential needs of staff who may require additional support due to the impact of various forms of inequality i.e. gender, transgender, race, disability, sexual orientation, age, socio-economic status, religion and belief.

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All disclosures of abuse experienced by employees should be treated confidentially, the key exception being situations where there is reason to believe that there may be a risk to others, including harm to children.

All records in relation to staff members who have experienced abuse or allegations of abuse against employees will be maintained in the strictest confidence, in line with the organisation's policy on recording and storing information in accordance with the Data Protection Act 1998.

NHS Highland is committed to creating an environment in which employees are safe to disclose their experience of abuse in order to access support and increase safety for themselves and others. The right of staff not to disclose, however, must be respected and no one should feel pressured into sharing this information if they do not wish to do so – staff should not be expected by Managers to disclose who they have experienced abuse from, even if this was from another employee.

## 6. POTENTIAL SIGNS OF GENDER BASED VIOLENCE (GBV)

- Negative impact on an employee's ability to attend or function effectively at work, e.g. they may have mood swings, be constantly tired or preoccupied, have difficulty concentrating be withdrawn and have a strained relationship with colleagues;
- Absenteeism;
- Time off as a result of having to seek help from support services / solicitors, etc;
- Lateness without explanation or needing to leave work early;
- Increasing hours being worked for no apparent reason;
- Harassment / abuse at work, including repeated telephone calls, being stalked;
- Depression / suicide attempts;
- Substance Misuse.

### 6.1 Impact on Work Colleagues

- Having to fill in for absent or less productive colleagues;
- Fielding calls / visits to the person;
- Feeling helpless;
- Be distracted from their own work;
- Trigger thoughts and feelings relating to their own experiences of abuse;
- Fear for own safety.

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## 7. SUPPORTING STAFF

The Highland Violence Against Women Partnership has a number of [guides for staff](#), which may also help managers support employees affected by abuse. The principles included in the Highland Multi-Agency Guidance along with the specific policy on [Sexual Violence](#) and protocols for [FGM](#) and [Forced Marriage](#) will support managers when raising the issues with staff and when considering risk and safety. It is recommended that all staff with line management responsibility complete the [Learn Pro](#) e-module on Gender Based Violence for basic awareness of the issues. Managers should also be aware of the [local and national specialist services](#) that staff can be referred to. See Appendix 2 for how Managers should respond, generally to a disclosure of Gender Based Violence from a member of staff.

However, managers must bear in mind that their role is to manage staff and is not to provide ongoing emotional support. Managers should be caring and understanding, but are also responsible for ensuring the delivery their service. More long term and in depth support for staff is available through Occupational Health. Staff in Occupational Health have had additional training in relation to Gender Based Violence and will take self referrals as well as referrals from Managers for individuals affected. Confidential contacts can also provide information and advice on the policies that can be used to support survivors and address perpetrators of GBV who work within the organisation. Appendix 1 gives contact details for Occupational Health and the Confidential Contacts service.

### 7.1 Current / Ongoing Abuse

If risk is current, Managers should consider the measures outlined below. There are a number of PIN policies that can be utilised, for example, flexible working, and Managers should consider how these may support their member of staff.

### 7.2 Practical Support in the Workplace

Managers have several responsibilities in relation to supporting staff experiencing abuse. The following are intended as practical tips that may be useful options to implement in the workplace and should only be used with the authorisation / consent of the individual involved:

- Arrange a method of communication so Managers can check the individual is safe;
- Identify a work contact for support and an emergency contact should the organisation be unable to contact the employee;
- Use existing policies to allow the individual to change work patterns or workload, and allow flexible or more flexible working or special leave to facilitate any practical arrangements that are required, such as seeking legal advice, attending counselling, support group meetings, or to attend court;
- Save any abusive emails or texts that could be used as evidence in the future, either as part of an internal or criminal investigation and record

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these and any other incidents – Appendix 4 can be used for this;

- Divert phone calls and email messages;
- Alert reception and security staff if the abuser is known to come to the workplace;
- Check that staff have arrangements for getting safely to and from home;
- Allow staff to use an assumed name at work;
- Ensure communication is maintained as appropriate with the employee during any absence, whilst maintaining the confidentiality of their whereabouts;
- Reviewing content of personnel information can help, such as temporary or new addresses, bank or health care details;
- If appropriate, facilitate a transfer to another post or site;
- Advise colleagues on a need to know basis and agree what the response should be if the abuser contacts the office;
- Give information on [local support agencies](#).

*This list is not exhaustive and there may be other reasonable adjustments that can be made to support staff experiencing abuse.*

If an employee may be at risk of forced marriage, national and local guidance highlights the importance of a swift and timely response. The 'one chance rule' is outlined in our local practice guidance on [Forced Marriage](#), also available on the intranet in the Gender Based Violence resources section.

### 7.3 Past Abuse

Even when an employee is no longer at risk of any further harm, the impact of abuse can affect them in the present. Their current issues may be a direct result of working with a person who has had a similar experience to them. If the employee has a caseload you may need to determine how best to ensure that they can support their own patients whilst they access support for their own experience. However, it is not just staff with a caseload who may be affected and you may need to consider the impact of their work load more generally. It may also be that they are involved in legal proceedings and may need both practical and supportive line management through this.

### 7.4 What Managers Must Do

- Raise awareness of this policy within staff teams;
- Ensure that all employees know how to access support for experiences of gender based violence within NHS Highland;
- In order to respond to staff with experience of abuse managers are expected to be available and approachable, to listen and reassure, respond in a sensitive manner and discuss how NHS Highland can help them;

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- Respond in a way that meets the need of the employee and values their safety and reduces any current ongoing risk that they face;
- Be aware of the barriers that there may be to disclosing experiences of abuse and should be conscious not to make judgements or provide counselling or advice;
- Be aware of external support providers that staff can be referred to as well as the internal services provided by NHS Highland including HR, Occupational Health, Chaplaincy Services and also support from Trade Unions.

Any concerning issues at work should be reported through the Datix system, but this requires consent from the individual who has disclosed abuse as the entry will be shared with a range of people. Examples of what may be reported on Datix includes, a member of staff being harassed by a partner or ex-partner, or experiencing stalking whilst at work, e.g. if they are followed to the work place, if there are unwanted phone calls to the office, etc. However, it is the individual's decision as to whether they wish to do this. There will be no compulsion from Managers.

If the member of staff does wish to have the incident documented, it is best for them to do the Datix themselves, however, if it is distressing, Managers can submit the Datix on behalf of their staff member. Advice can always be sought from the Violence and Aggression Team – see Appendix 1 for contact information.

Managers will have to act when they know the identity of a perpetrator if they are employed by NHS Highland. Therefore, in order to support staff to retain control of the situation and their personal information, they should be made aware the organisation has this duty and will take action and investigate employees reported for GBV before they disclose the identity of the perpetrator. Staff should be assured that they do not have to tell us who the perpetrator is / was. Where staff members do wish action to be taken against a perpetrator who is also a member of staff, Managers should seek advice from Personnel about the investigation process, what is involved and the information required in advance of a final decision being made on whether to proceed with a report.

There are many things Managers can do to support employees in the event of disclosure and facilitate the discussion of gender based violence. Ultimately the individual who has experienced abuse must be in control of who is informed of the situation, and line managers should facilitate this.

Although Managers should be as supportive as possible, employees should, nonetheless, have a clear understanding of what is expected of them in relation to performance and attendance. Any adjustments agreed by the Manager and their member of staff, such as changes in shift patterns, case loads, etc, will be subject to review after an agreed period of time.

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## 8. FAMILY MEMBERS OF THOSE AFFECTED BY GBV

NHS Highland will also put measures in place to support family members of those affected by gender based violence. For example, special or carers leave can be granted for staff who have a family member who is going to court due to their experiences of GBV. Managers should be aware that family members can provide a great source of support to individuals affected by GBV and put in place measures to allow staff to support those close to them.

## 9. EMPLOYEES WHO ARE ABUSERS

It is acknowledged that a number of employees within NHS Highland and contractors working on behalf of NHSH will be perpetrators of abuse. Committing acts of Gender Based Violence is a serious matter which:

- Contravenes equalities and human rights legislation;
- Could constitute a criminal offence;
- May breach corporate and professional codes of conduct.

Abusive behaviour is the responsibility of the perpetrator. As such, it is important for the organisation to make explicit the unacceptability of this behaviour and provide clear guidance to managers to enable them to respond effectively to reports of such conduct.

Any incidents at work involving a member of staff as a perpetrator should be recorded as a matter of course on the Datix system. This includes the sending of abusive texts or emails, making inappropriate telephone calls, etc.

### 9.1 Disclosures and Reports of Abuse

Information about abuse may come to light in the following ways:

- An employee may voluntarily disclose that they are a perpetrator;
- The victim / survivor of an employee may disclose to the organisation;
- Colleagues or patients may report an employee;
- A post conviction notice may be received;
- An alert from the PVG scheme may be received.

### 9.2 Use of NHS Highland Resources

Employees who have used resources from NHS Highland, including, phones, computers, transport, etc to commit or continue abuse, will have disciplinary proceedings initiated under the 'Management of Employee Conduct' Policy. Action may need to be taken to minimise the potential for employees to use work place resources to perpetrate abuse. This may include a change of duties or withdrawing access to certain computer programmes.

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Note that NHS Highland does not require conduct to have taken place in the actual occurrence of work, or at the place of work, or even connected with the work, as long as in some respect or other it affects the employee, or would be thought likely to affect the employee while he or she is doing their work.

Managers must always act upon a report that a member of their staff has perpetrated abuse. This would include if an employee told their Manager that they were appearing in court for a matter relating to Gender Based Violence. Managers should respond in the same way that they would address any other serious issue raised about a staff member by following their local policies developed in line with the 'Preventing and Dealing with Bullying and Harassment' and 'Management of Employee Conduct' Policies and seeking advice from HR as necessary.

The following factors should be considered by the Manager:

- The nature of the conduct and the nature of the employees work;
- The extent to which the employee's role involves contact with vulnerable individuals or groups, and assessment of any potential risk that this might pose to them or other employees;
- Whether or not the reported actions of the employee could breach their corporate / professional code of conduct;
- Whether or not the reported actions of the staff member could bring NHS Highland into disrepute and into conflict with the organisations aims and values.

## 10. Complaints / Harassment of Staff

It is not uncommon for a perpetrator of gender based violence to complain about specific NHS Highland staff members. This is often triggered when a perpetrator becomes aware that a member of staff knows that they are an abuser. Most often this occurs in the context of domestic abuse following a disclosure from their partner. Specific staff groups may be more likely to get disclosures of abuse as employees in maternity, sexual health, substance misuse and mental health services routinely ask patients about experiences of abuse. Staff members have had complaints made about them and their conduct, and whilst any complaints about staff must be taken seriously, it must be recognised that staff can become 'tools' in the abuse. Managers should be alert to this possibility and can support their staff in the ways outlined in this policy, whilst also responding appropriately to the complaint(s). Managers should also alert the Feedback Team for support as a matter of course when complaints may be vexatious.

## 11. Vicarious Trauma

Staff working directly with survivors of gender based violence may be at increased risk of developing vicarious (or secondary) trauma. Managers must

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provide staff with a sensitive and supportive environment with good supervision.

## 11.1 Potential Signs of Vicarious Trauma

Managers should be alert to staff showing the following signs:

- Feeling Helpless and Hopeless;
- A sense that one can never do enough;
- Hyper vigilance;
- Diminished Creativity;
- Inability to embrace complexity;
- Minimizing;
- Chronic Exhaustion / Physical Ailments;
- Dissociative Moments;
- Sense of Persecution;
- Guilt;
- Anger and Cynicism;
- Inability to Empathise / Numbing;
- Addictions;
- Inflated sense of importance related to one's work;
- Deliberate Avoidance.

## 11.2 Looking after ourselves – developing trauma resilience

Managers can encourage their staff to:

- Pay attention to your own feelings & responses – get support when you need it;
- Opportunity to debrief & getting support & supervision is essential;
- Self-care, hobbies, fun!
- Spiritual care (e.g. mindfulness);
- Resolve any personal history of trauma;
- Clear boundaries;
- Be patient and compassionate, with yourself, with your co-workers, and with the people you work with;
- Be kind to yourself!
- Learn from the experiences of others – there are positives in people's lives!

There are also many positives that can be gained from working with individuals who have experienced trauma, often called 'vicarious resilience' and with good

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support and supervision staff within NHS Highland will be much less likely to develop vicarious trauma.

## 12. Distribution & Implementation

The policy will be distributed to all policy holders and made available in the workplace and on the intranet.

Training on Violence Against Women issues is available across Highland. Managers and staff can find the current dates in the Gender Based Violence Resources section of the intranet. It is expected that staff with responsibility for implementing this policy be trained to the level outlined in the statutory and mandatory training handbook for NHS Highland for Gender Based Violence. This includes all staff who are confidential contacts, HR managers, Trade Union reps, Investigating Officers and Clinical Governance leads.

## 13. Monitoring & Review

Information from Datix, training statistics and feedback will be used to continue to monitor this policy.

This Policy will be reviewed every 3 years.

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## Appendix 1

### Contact Information for Internal Support Services

#### **Confidential Contacts**

##### *NHS Highland North*

Anna Morrison  
HR Information Officer  
Telephone: 01463 706722  
email: [anna.morrison@nhs.net](mailto:anna.morrison@nhs.net)  
Contact Hours: Monday - Friday, 8am – 4pm

##### *NHS Highland Argyll & Bute*

Helen Cameron  
Senior HR Assistant  
Telephone No: 01436 655051  
eMail: [helen.cameron2@nhs.net](mailto:helen.cameron2@nhs.net)  
Contact Hours: Monday - Thursday, 8:30am – 4:30pm

Tracey Smith  
Senior HR Assistant  
Telephone No: 01436 655059  
email: [tracey.smith18@nhs.net](mailto:tracey.smith18@nhs.net)  
Contact Hours: Tuesday - Friday, 8:30am – 4pm

#### **Occupational Health**

Mark Hilditch  
Manager  
Telephone: 01463 704499  
<http://intranet.nhsh.scot.nhs.uk/org/corpserv/humanresources/occupationalhealth/Pages/Default.aspx>

#### **Chaplaincy Service**

##### *NHS Highland North - Raigmore*

Derek Brown  
Hospital Chaplain  
Email: [derek.brown1@nhs.net](mailto:derek.brown1@nhs.net)

##### *NHS Highland Argyll & Bute*

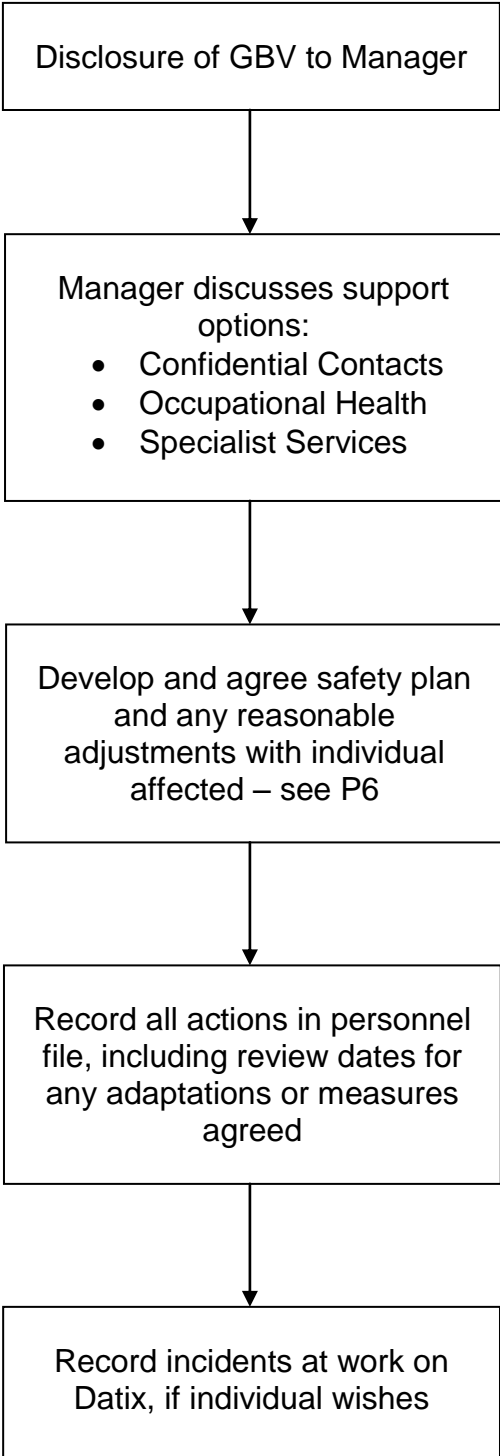
Raymond Deans  
Lead Chaplain  
Email: [raymond.deans@nhs.net](mailto:raymond.deans@nhs.net)

#### **Violence & Aggression Team**

Manager, Diane Fraser  
Telephone: 01463 706884  
<http://intranet.nhsh.scot.nhs.uk/org/corpserv/humanresources/healthandsafe/violandaggress/Pages/Default.aspx>

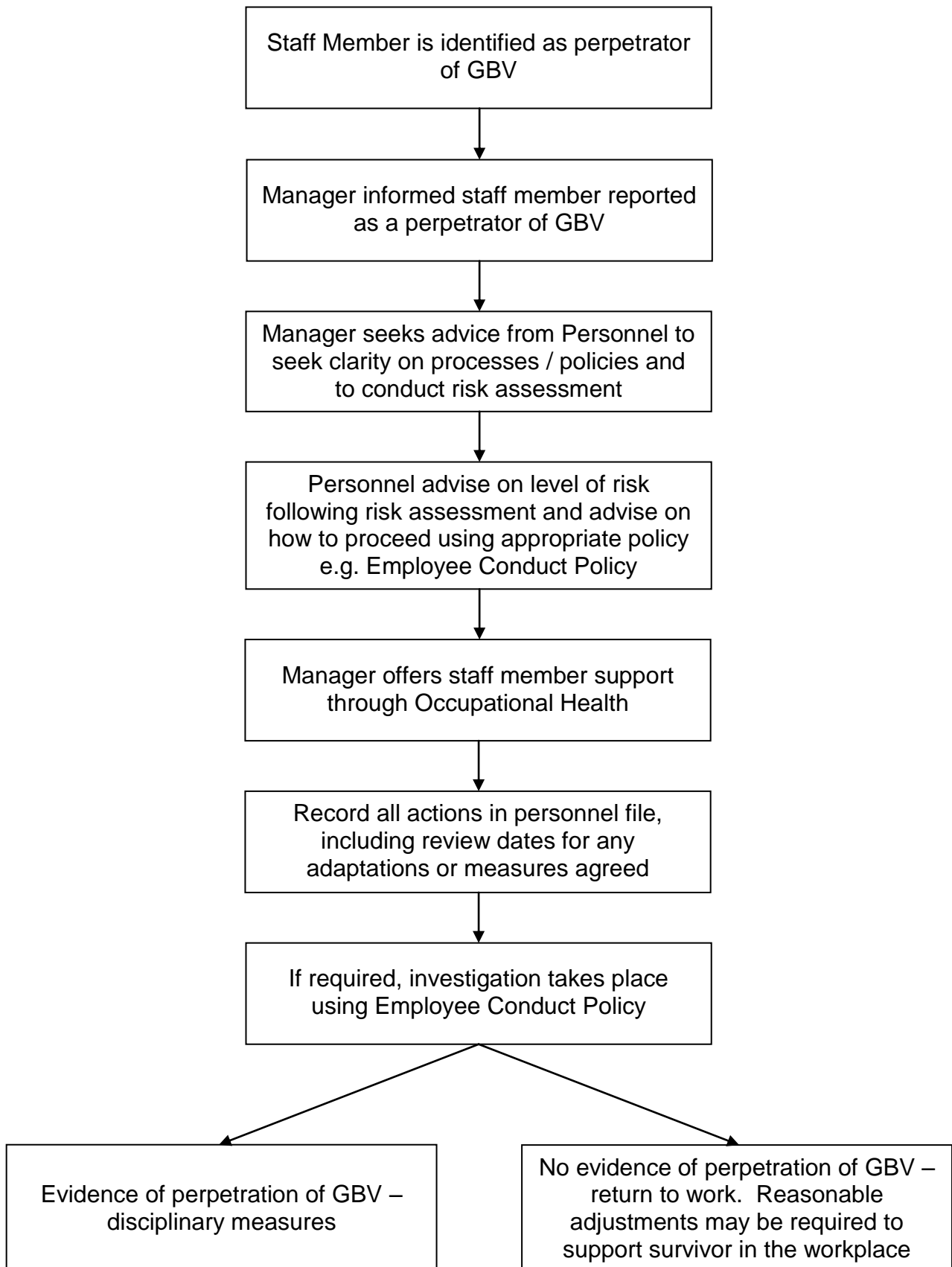
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Response Flow Charts – Survivors of Abuse



Appendix 3

Response Flow Charts – Perpetrators of Abuse



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