

Integrated Impact Assessment (IIA)

Part 1 Scoping

1 Details of the Proposal

Title of Proposal:	Scottish Borders Council Domestic Abuse Policy
What is it?	A new Policy/Strategy/Practice <input type="checkbox"/> A revised Policy/Strategy/Practice <input checked="" type="checkbox"/>
Description of the proposal: (Set out a clear understanding of the purpose of the proposal being developed or reviewed (what are the aims, objectives and intended outcomes, including the context within which it will operate).	<p>This is a review of the existing policy. The Council is aware of its duty of care as a good employer for ensuring, so far as is reasonably practicable, the health, safety and welfare of its employees at work, and for 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. However, the right of employees not to disclose must be respected and no employee should feel pressured into sharing this information if they do not wish to do so. For some employees the workplace is a safe haven and the only place that offers routes to safety.</p> <p>The impact of domestic abuse on the health and wellbeing of staff is a serious, recognisable and preventable problem.</p>

This policy promotes the welfare of staff affected by current or previous experience of domestic abuse. It further aims to ensure that the Council responds appropriately to employees who may be alleged perpetrators of such abuse.

By increasing awareness of the signs of domestic abuse, and providing a safe and supportive working environment, the Council can help an individual experiencing domestic abuse to increase their safety and to make changes in their home or work life to help them to adjust positively to their circumstances and construct lives free from abuse. In addition, the Council can assist alleged perpetrators to address the consequences of their abusive or violent behaviour on others.

The review enables the Council to continue

- Raising awareness of domestic abuse as a serious health and social issue, highlighting its hidden nature and the impact of those affected by it.
- Sending a positive message to employees with experience of abuse that they will be listened to and supported.
- Projecting a clear signal that the actions of employees who perpetrate abuse, within or outside the workplace is unacceptable.
- Ensuring confidential and supportive handling of information about employees who are or have experienced domestic abuse.
- Assisting and support employees who are experiencing domestic abuse in ways which do not increase the risk to them or their family

	<ul style="list-style-type: none"> ▪ Providing a framework for addressing the behaviour of employees who may be alleged perpetrators and who may pose a risk within the context of their work. ▪ Clarifying the scope of Managers in supporting an employee who has or is experiencing domestic abuse as well as allegations of abuse made against an employee. ▪ And introduces the Domestic Abuse (Scotland) Act 2018 into the policy.
Service Area: Department:	Public Protection
Lead Officer: (Name and job title)	Andrea Beavon VAW Coordinator
Other Officers/Partners involved:	Simone Doyle, Equality & Diversity Officer
Date(s) IIA completed:	17/02/2020, 22/06/2020 and 05/08/2020

2 Will there be any cumulative impacts as a result of the relationship between this proposal and other policies?

If yes, - please state here:

The Policy is associated with the following Human Resource Policies:

- Attendance Management
- Disciplinary Procedure for Misconduct
- General Data Protection Regulation and the Data Protection Act 2018.
- Leave

And complements the Corporate Health & Safety Policy

3 Legislative Requirements

3.1 Relevance to the Equality Duty:	
<p>Do you believe your proposal has any relevance under the Equality Act 2010? <i>(If you believe that your proposal may have some relevance – however small please indicate yes. If there is no effect, please enter “No” and go to Section 3.2.)</i></p>	
Equality Duty	Reasoning:
<p>Elimination of discrimination (both direct & indirect), victimisation and harassment. <i>(Will the proposal discriminate? Or help eliminate discrimination?)</i></p>	<p>Yes. This policy provides guidance to staff, colleagues and managers whether someone is experiencing, perpetrating or supporting someone through domestic abuse in order to eliminate the impact of direct victimisation, ongoing harassment or discrimination (both direct and indirect).</p> <p>This is on the basis that domestic abuse is rarely a one off event, but a pattern of controlling behaviour that may, or may not, include physical violence. Therefore ongoing harassment and victimization may be evident particularly if the employee decides to take action in disclosing. This policy therefore provides the framework that should enable employees to make safe decisions without the potential for ongoing victimization.</p> <p>The policy applies to both women and men, therefore there is no intended discrimination as a result of this policy.</p>
<p>Promotion of equality of opportunity? <i>(Will your proposal help or hinder the Council with this)</i></p>	<p>Yes. This policy acknowledges that domestic abuse cuts across boundaries of class, ethnicity, age, disability, sexual orientation, religion and belief</p>

	and promotes the welfare of staff; providing a non-judgemental and supportive environment for employees and increasing awareness of the signs and barriers to disclosure of domestic abuse.
Foster good relations? <i>(Will your proposal help or hinder the council's relationships with those who have equality characteristics?)</i>	The aim of this policy is to strengthen the council's relationship with all staff through the promotion of this policy and associated training materials in order to raise awareness and understanding of the dynamics of domestic abuse for both staff and managers. This policy illustrates the Council's commitment to the promotion of equality and understanding of the unique barriers that staff with equality characteristics face in accessing support.

3.2 Which groups of people do you think will be or potentially could be, impacted by the implementation of this proposal? (You should consider employees, clients, customers / service users, and any other relevant groups)				
Please tick below as appropriate, outlining any potential impacts on the undernoted equality groups this proposal may have and how you know this.				
	Impact			Please explain the potential impacts and how you know this
	No Impact	Positive Impact	Negative Impact	
Age Older or younger people or a specific age grouping		x		The review of this policy illustrates the Council's commitment to the promotion of equality and understanding of the unique barriers that staff who have equality characteristics face. This includes addressing the misconception that young and older people do not experience domestic abuse and the specific barriers to disclosure they experience are removed through raising awareness and understanding of the dynamics of domestic abuse for both staff and managers and giving staff confidence to disclose their abuse.

<p>Disability e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring</p>		x	<p>The review of this policy illustrates the Council's commitment to the promotion of equality and understanding of the unique barriers that staff who have equality characteristics face. This includes addressing the specific barriers to disclosure that people with a disability can experience through communication, their level of understanding or access to support. The policy supports managers to make workplace adjustments to remove barriers to accessing support for people with disabilities particularly where their work patterns and location increases the risk of further harm.</p>
<p>Gender Reassignment Trans/Transgender Identity anybody whose gender identity or gender expression is different to the sex assigned to them at birth</p>		x	<p>The policy acknowledges that all employees, regardless of gender, including trans men/women will be supported. Domestic abuse is a recognised form of gender-based violence but it is also recognised that although it is predominantly women who experience domestic abuse; men, transgender and transsexual people can also experience it from a current or ex-partner. Through raising awareness and understanding of the dynamics of domestic abuse for both staff and managers it is hoped that this in turn will give all staff the confidence to disclose their abuse.</p>
<p>Marriage or Civil Partnership people who are married or in a civil partnership</p>		x	<p>This policy recognises that domestic abuse is defined by the intimate relationship of the people involved, not their marital status; therefore the policy includes those in civil partnerships and this may afford a greater number of people support irrespective of their marital status</p>
<p>Pregnancy and Maternity (refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth),</p>		x	<p>The risk of domestic abuse is known to escalate or start during pregnancy and can continue throughout the post-partum period. This policy will compliment Council's Maternity Policy with a recognition that employees can safely ask for additional support during this time.</p>

<p>Race Groups: including colour, nationality, ethnic origins, including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers)</p>		<p>x</p>	<p>Research indicates that barriers to receiving effective support can include race, ethnicity due to a variety of factors including language barriers, cultural influences and immigration status. The Policy acknowledges these barriers and provides for such barriers with access to Translation and Interpretation service, access to specialist services such as Shakti Women’s Aid.</p>
<p>Religion or Belief: different beliefs, customs (including atheists and those with no aligned belief)</p>		<p>x</p>	<p>Managers will receive training so that they are aware of the potential barriers that make it difficult for employees to seek support and should be conscious not to make judgements or to provide counselling or advice but seek expert input from Domestic Abuse Advocacy Support (DAAS) service and/ or HR, where appropriate. This includes those who have different beliefs or customs and who may be concerned that they will be ostracised in their communities, or accused of bringing dishonour on their families if they disclose abuse. They may be fearful of feeding racist or stereotypical views within the work place which may minimise or dismiss their experiences.</p>
<p>Sex – Gender Identity women and men (girls and boys) and those who self-identify their gender</p>		<p>x</p>	<p>The policy acknowledges that all employees, regardless of gender, including trans men/women will be supported. Domestic abuse is a recognised form of gender-based violence but it is also recognised that although it is predominantly women who experience domestic abuse; men, transgender and transsexual people can also experience it from a current or ex-partner. Through raising awareness and understanding of the dynamics of domestic abuse for both staff and managers it is hoped that this in turn will give all staff the confidence to disclose their abuse irrespective of how they identify their gender</p>
<p>Sexual Orientation, e.g. Lesbian, Gay, Bisexual, Heterosexual</p>		<p>x</p>	<p>Managers will receive training so that they are aware of the potential barriers that make it difficult for employees to seek support and should be conscious not to make judgements or</p>

				to provide counselling or advice but seek expert input from DAAS and/ or HR, where appropriate. This includes people in lesbian, gay or bisexual relationships who have not disclosed their sexual orientation may be reluctant to discuss domestic abuse, thereby 'outing' themselves in an environment which they may fear to be unsupportive or homophobic. It can also be difficult for men who experience domestic abuse to disclose as they may fear being seen as 'weak' or 'unmanly'.
<p>3.3 Fairer Scotland Duty</p> <p>This duty places a legal responsibility on Scottish Borders Council (SBC) to actively consider (give due regard) to how we can reduce inequalities of outcome caused by socioeconomic disadvantage when making <u>strategic</u> decisions.</p> <p>The duty is set at a strategic level - these are the key, high level decisions that SBC will take. This would normally include strategy documents, decisions about setting priorities, allocating resources and commissioning services.</p>				
<p>Is the proposal strategic? Yes <i>(please delete as applicable)</i>. If No go to Section 3.4</p>				
<p>If yes, please indicate any potential impact on the undernoted groups this proposal may have and how you know this:</p>				
	Impact			State here how you know this
	No Impact	Positive Impact	Negative Impact	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.		x		Managers will receive training so that they are aware of the potential barriers that make it difficult for employees to seek support and should be conscious not to make judgements or to provide counselling or advice but seek expert input from DAAS and/ or HR, where appropriate. There may be circumstances

				when it will be appropriate for a Manager to encourage an employee to disclose what is happening to them so that appropriate help and support can be provided and to prevent the possibility of action being taken due to poor performance / timekeeping/ absenteeism. Favourable consideration to any request for a change of workplace/work arrangements can also be given, as well as approval of requests or an advance of pay. Grant paid special leave in accordance with the Council's Guidelines on Special Leave can also be considered.
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies		x		This policy will assist employees to access the range of support available locally including safe housing options, access to relevant welfare benefits/grants via advice and guidance from specialist services within the Council.
Area Deprivation – where you live (e.g. rural areas), where you work (e.g. accessibility of transport)		X		This policy will assist employees and managers to consider all options re housing, flexible working and transport links which can all be negatively influenced by living with domestic abuse.
Socio-economic Background – social class i.e. parents' education, employment and income	x			
Looked after and accommodated children and young people	x			
Carers paid and unpaid including family members		x		Managers will receive training so that they are aware of the potential barriers that make it difficult for employees to seek support and should be conscious not to make judgements or to provide counselling or advice but seek expert input from DAAS and/ or HR, where appropriate. The financial barriers that carers can experience is recognised and addressed within the policy, stating: There may be circumstances when it will be appropriate for a Manager to encourage an employee to disclose what is happening to them so that appropriate help and support can be provided and to prevent the possibility of

				action being taken due to poor performance / timekeeping/ absenteeism. Favourable consideration will be given to any request for a change of workplace/work arrangements as well as approval for advance pay requests and special paid or unpaid leave, in accordance with the Council's Guidelines on Special Leave.
Homelessness		x		This policy acknowledges that domestic abuse is one of the key drivers for women's homelessness. Access to safe, accessible housing and prevention of requiring to register with the homelessness service would be a key component of any support provided by specialist services.
Addictions and substance use		x		This policy acknowledges the links between domestic abuse and substance use as a cause/consequence relationship. Managers will be supported to ensure staff are provided with information and advice on local drug and alcohol services
Those involved within the criminal justice system	x			There may be an increase in staff members identified as committing offences under the new Domestic Abuse (Scotland) Act 2018 – this may need reflected in the revised policy as this Act did not exist when the policy was written

4 Full Integrated Impact Assessment Required

Select No if you have answered "No" to all of Sections 3.1 – 3.3.

Yes / No (please delete as applicable)

If a full impact assessment is not required briefly explain why there are no effects and provide justification for the decision.

A full impact is not required. This assessment considers the review of the Domestic Abuse Policy. The review has established that the policy remains to be relevant and fit for purpose.

It is recommended that the policy is reviewed every two years or as legislation requires to ensure that the Policy continues to be relevant and fit for purpose.

Signed by Lead Officer:	Andrea Beavon
Designation:	VAW Coordinator
Date:	6 th August 2020
Counter Signature Service Director	Stuart Easingwood
Date:	6 th August 2020