

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – People and Technology****Council: 17 June 2022**

Subject: Violence and Harassment Convention**1. Purpose**

To provide Council with a summary of the work being undertaken in support of the Violence and Harassment Convention, and to address the specific points raised in the motion submitted to Council on 9th February 2022.

2. Recommendations

2.1 Council is asked to note the update.

3. Background

3.1 On 13 December 2021, Parliament gave approval for Government to sign up to a convention to address harassment and violence in the world of work. The International Labour Organisation's Violence and Harassment Convention (ILO C190) 'recognises the right of everyone to a world free from violence and harassment, including gender based violence and harassment' (Appendix 1). This convention will become law in November 2022.

3.2 At the Council meeting on 9th February, and in response to Councillor Bollan's motion on same, it was agreed to:

- Review all staff policies to mitigate the risk of harassment and violence at work;
- Ensure a clear and transparent policy against harassment and violence is known and available to employees, and acted upon if complaints are received; and
- Use its influence to encourage local businesses to review and improve their policies on violence and harassment.

3.3 A full report to be remitted to the June Council meeting was requested, providing details of WDC's current policies and any changes required to meet the terms of the new convention.

4. Main Issues

4.1 WDC has a long established commitment to equality, respect and protection of the workforce. This includes, at its core, steps to eliminate any form of inappropriate behaviour, including harassment and violence, fostering a culture where those behaviours and/or actions are not tolerated. This commitment is enshrined in the Terms & Conditions of employment and the

various policies of the organisation, headlined by the Council's Equality and Diversity in Employment Policy.

- 4.2** All employees are expected to understand and promote equality, ensuring that every employee has a working environment that promotes dignity and respect to all. No form of intimidation or harassment will be tolerated and West Dunbartonshire Council regards such offensive behaviour as serious acts of misconduct. This is supported by a robust Disciplinary process which identifies these behaviours as gross misconduct to be managed as such.
- 4.3** To supplement the guidance contained within the 'Equality and Diversity in Employment' Policy the Council have a comprehensive guide regarding the management of bullying and harassment. This has been in place since 2009, formerly known as for the 'Dignity at Work' Policy which was thereafter superseded by agreement and included in the Council's Grievance Policy. This ensures that employees have appropriate mechanisms to raise any complaints and to ensure that they are promptly and appropriately addressed.
- 4.4** The Chief Officer People & Technology proposed the adoption of an additional Bullying and Harassment toolkit in October 2021. The Convenors and the Chief Officer agreed that a working group would be established to develop a 'Respect at Work' Policy. The purpose of this being to modernise and improve the existing processes and further support managers and employees in their awareness of bullying, harassment and victimisation, including the framework for raising concerns or issues. In light of the Violence and Harassment convention, this policy will also specifically encapsulate violence within its scope and will ensure a clear and transparent policy against harassment and violence is known and available to employees, and acted upon if complaints are received. Violence is currently covered by Safety Management Standard, Code 13 "Violence at Work" as well as the "Accident and Violence at Work" guidance and Healthy Working Lives guidance 'Managing Occupational Violence and Aggression in the Workplace' which is promoted through the Health and Safety team.
- 4.5** In response to the first element of the motion: *review all staff policies to mitigate the risk of harassment and violence at work*, once agreed the Respect at Work Policy will be the primary instrument, however the commitments of the Violence and Harassment Convention will straddle the Equality and Diversity in Employment Policy and other established employment policy and practice.
- 4.6** All public duties are governed by the Equalities Act 2010 and as such these issues are not exclusive to West Dunbartonshire Council, they are part of a broader societal commitment to equality and the elimination of violence and harassment at work. The Equalities Act therefore informs the Council's Equality and Diversity action plan. All linked actions arising from the public duties are reported through the Council's mainstreaming report, and remitted to Corporate Services Committee for Elected Member scrutiny. Within this action plan, the following are relevant to the Violence and Harassment Convention specifically:

- The council identifies from its current Annual Equalities annual report and horizontal and vertical segregation data analysis that there are roles that are predominantly occupied by either males or females. The council will aim within the next 4 years to reduce occupational segregation within predominantly male/female roles.

4.7 Supported by the overall commitment, led by CoSLA, to address wider societal violence against woman and girls, WDC has an ambitious action plan supporting the Government's 'Equally Safe' strategy. As part of this and as highlighted in a presentation to the Joint Consultative Forum and Elected Members, Council is taking part in initiatives such as Equally Safe in Practice and Equally Safe at Work in addition to developing Transgender guidance to raise awareness, understand and support. The Equally Safe in Practice project focuses on developing an Equally Safe workforce development framework to support, strengthen and scale-up high-quality gender competent violence against women and girls training at local, regional and national levels. West Dunbartonshire Council are currently piloting 3 online training modules as part of level 1 from the pilot on the topics gender, domestic abuse and domestic violence. If successful these modules would become part of the training that we hold on i-learn for all employees. Equally Safe at Work is an employer accreditation programme that supports Scottish local authorities to progress gender equality in the workplace and prevent violence against women. The programme has six standards which align with women's workplace equality: leadership, data, flexible working, occupational segregation, workplace culture and violence against women.

Equally Safe at Work is a tiered programme which enables councils to progress from building a foundation for change to embedding a strong culture of gender equality within the organisation. West Dunbartonshire council is currently participating in the development tier, which is comprised of selected criteria from the bronze tier, enables councils to begin developing gender-sensitive policies and practice that will support them to meet the full criteria for bronze.

4.8 All Policies and People practice are reviewed in line with new and amended legislation and best practice, subject to the usual consultation processes. The Violence and Harassment Convention is once such change. In line with the Policy Development Framework, policy changes are supplemented by awareness raising, training, i-learn packages and are specifically covered under our Learning Agreement with Trade Union partners.

4.9 West Dunbartonshire Council have a zero tolerance approach to domestic abuse and have a specific 'Domestic Abuse Policy' which outlines the expectations, support and careful management of domestic abuse situations. WDC, under the guidance of the Chief Officer Housing and Employability, was the first social landlord in Scotland to introduce a zero tolerance approach to domestic abuse within its' properties when the 'No home for Domestic Abuse' campaign was launched in 2018. This campaign saw greater support for the

victims of abuse, allowing them to remain in the family home and giving the council explicit powers to remove any perpetrator.

4.10 Gender based violence disproportionately affects woman and girls and West Dunbartonshire Council area has the second highest instance of Domestic Abuse in Scotland. The following policies have been reviewed in line with the Violence and Harassment Convention, acknowledging the vulnerability of woman at particular times in their lives, ensuring awareness and appropriate links to the management of violence and harassment, detailing the supports available and promoting WDC's zero tolerance approach to violence and harassment:

- Menopause guidance
- Pregnancy, maternity leave and pay
- Disciplinary
- Grievance
- Domestic Abuse
- Equality and Diversity in Employment

4.11 West Dunbartonshire Council is committed to using its influence to encourage local businesses to review and improve their policies on violence and harassment. We already promote and publicise our commitment to equality and diversity and our zero tolerance approach to violence, bullying, harassment and victimisation. In respect of local businesses, Data Protection legislation restricts how we communicate in this space however we have a number of social media platforms, as do our partners at the Chambers and Federation of Small Businesses that could be utilised to promote across the business community. Once our own work is complete, we can look to explore the communication more widely.

5. People Implications

5.1 All employees are covered by the scope of WDC employment policy and practice, the Violence and Harassment Convention and the wider Equality and Diversity legislation and associated action plan.

6. Financial Implications

6.1 There are no financial implications associated with this report.

7. Risk Analysis

7.1 No risk assessment is required.

8. Equalities Impact Assessment (EIA)

8.1 An EIA screening has been undertaken and this work has a positive impact on gender, with woman and girls most likely to benefit.

9. Consultation

9.1 The Convention was specifically discussed with the Trade Unions at the Convenor Group on 22nd March 2022. A collaborative approach has been adopted in respect of policy development and employment practice with the introduction of the Policy Framework in March 2017, this has enabled the embedding the ethos of the Violence and Harassment Convention. Input and feedback has been requested and Trade unions along with any funding of programs that may be available through the trade union networks.

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Appendices: EIA

Background Papers: None

Wards Affected: None

