Workplace support for staff who experience family violence
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Acknowledgement of Country: Our Watch acknowledges the traditional owners of the land across Australia on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander people.
### Workplace Equality and Respect documents available on the website

- Workplace Equality and Respect Standards
- Workplace Equality and Respect Implementation Guide
- Workplace Equality and Respect Self-Assessment Tool
- Workplace Equality and Respect Key Progress Indicators
- Workplace Equality and Respect Staff Survey

**Practice guidance:**

- Engaging leaders
- Communications guide
- Dealing with backlash
- Equality and respect for all women - an intersectional approach
- Reducing risk in workplace initiatives to prevent violence against women
- Responding to disclosures
- Understanding your rights in the workplace and Victorian anti-discrimination law
- Workplace responses to staff who perpetrate violence
- Workplace gender equality and the law
- Workplace policies to support equality and respect
- Working in rural, regional and remote workplaces to prevent violence against women
- Workplace support for staff who experience family violence
This guide aims to help you by providing information on:

- family violence and the workplace
- benefits to organisations of having family violence policies
- workplace policy and practice considerations
- a sample family violence policy.

The workplace is an important space for providing support to staff who experience family violence.¹ This summary provides information for employers seeking to improve workplace policy and practice to support staff experiencing family violence, both as it impacts at work and at home. It does not provide information on responding to individuals who disclose their experience or use of violence. Please see the Practice guidance: Responding to disclosures document for this information.

**Family violence and the workplace**

Workplaces can play a crucial role in reducing the risk of existing family violence² escalating, and in doing so prevent the physical, psychological, social and financial harms that may result.

¹ This guidance does not include information on responding to staff who perpetrate violence against women. For guidance on responding to perpetrators, please refer to the Practice guidance: Employers responding to staff who perpetrate violence against women.

² Women experience a range of other forms of violence at work including sexual harassment and bullying based on their gender. Women also experience discrimination based on their gender and their parental, pregnancy, breastfeeding and carer status at unacceptable rates. These issues are out of scope for the purpose of this summary but are discussed in detail elsewhere. See, https://www.ourwatch.org.au/getmedia/5d67c6a4-bc42-425e-85a9-e5c2c1ca71c5/Promising-Practices-Workplace-Organisational-Approaches-PVAW.pdf.aspx
Australian research has also shown that employment is critical to prevent a woman becoming economically trapped in a violent relationship and forms a key pathway to leaving a violent relationship. More broadly, family violence, even if occurring in the home, impacts the workplace in a range of ways, including lost productivity, increased unplanned leave and high staff turnover.

Family violence can also affect workplaces directly; for example, if a perpetrator of family violence attends the workplace to harass or stalk their partner, ex-partner or her co-workers at work; or if both the victim and perpetrator work in the same organisation. It is therefore important that workplaces have strategies to manage incidences that directly impact the workplace, and to support staff affected by family violence.

Currently, employers are obliged under state and federal laws to ensure all staff have a safe workplace free from discrimination and harassment. Workplaces are also required to accommodate requests for flexible working arrangements for parents and carers, including where staff need flexibility following experiences of family violence (for example, to arrange a new place to live or attend legal appointments).

Even though these laws exist, women still experience violence at work, have difficulty accessing flexible arrangements when they need it, and are vulnerable to losing their employment and financial stability as a result of experiencing family violence.

While many workplaces are including family violence leave provisions in their industrial agreements, this is not a widespread practice and there is no consistency in the way that disclosures are handled within workplaces, including the provision of effective safety planning.

So, while employers seeking to support staff impacted by family violence should improve industrial instruments and compliance with workplace laws, this is just the foundation.

Workplaces can go further than baseline legal requirements by tailoring their policy and practice so that staff are supported to remain in paid employment and manage the stressful and time-consuming tasks caused by the violence they have experienced.
The workplace benefits of a family violence policy

Having workplace family violence clauses and paid leave entitlements is a demonstration of the workplace’s commitment to their staff and has been shown to result in a more positive, supportive work environment.6

Other positive effects of having policies to support staff who experience family violence included raising awareness of family violence as a workplace and social issue, and enhancing the overall reputation and status of the organisation.

Workplace family violence policy considerations

By promoting effective and supportive policy and practice, employers can play an important role in ensuring long-term positive outcomes for their staff through providing a workplace that shields survivors of family violence from the risk of losing their job and supporting staff to ensure their safety and the safety of their families.

Having policies and procedures is critical to supporting employees and it is important that the policies consider how the workplace will support LBTIQ women as well as women impacted by other forms of discrimination. Appendix 1 provides some context for workplaces on how to consider women who do not fit into the binary definition of women and men in their policies.

It is also important to note that having a policy alone is not enough; a demonstrated commitment to the policies as well as practical support and a culture that supports employees to use these entitlements is also vital.

The Workplace Equality and Respect Standards identifies three key areas for action with both an external (stakeholder) focus and an internal (staff) focus. Following are a number of areas identified in the Workplace Equality and Respect Standards where workplaces should make changes to achieve the Standards³.

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³ As part of the Workplace Equality and Respect project a set of Standards has been developed which set out what needs to be done to truly embed equality and respect in any workplace. The Workplace Equality and Respect Standards are accompanied by a suite of tools and resources. These documents will be publicly available in 2018.
Leadership

- The consistent application of flexible work arrangements for staff who need to change work hours as part of their safety planning process, or need time to attend court dates or other appointments.\(^7\)
- Training for staff with management or supervisory responsibilities to appropriately manage disclosures and/or requests for flexibility.
- Clear communication across the workplace to promote awareness of organisational commitment and build capacity for appropriate responses to family violence disclosures. See Appendix 4 for an example of a workplace poster.

Strategy\(^4\)

- The inclusion of paid family violence leave as a workplace entitlement (modelled on the ACTU model clause for family and domestic violence).\(^8\)
- The inclusion of family violence provisions in Occupational Health & Safety (OH&S) policies.\(^9\)
- The inclusion of family violence as a ‘protected attribute’ in equal opportunity or anti-discrimination policies to protect women from being discriminated against (that is, sacked or denied promotion opportunities).\(^10\)
- The provision of internal policies to manage disclosures of family violence in a sensitive and confidential manner, with designated staff trained to support individual staff members disclosing experiences of family violence.\(^11\)
- In instances where the employer believes that criminal behaviour has occurred, the policy should provide the employer with clear guidelines that determine the employer’s course of action, including when it is appropriate to contact authorities (police/court system).

Norms and practices

- The provision of workplace safety planning with specific measures to minimise the risk that employees will be subject to violent or abusive behaviour at work and protocols for dealing with a crisis situation.\(^12\)

\(^4\) See Appendices 2 and 3 for a sample family violence policy
Clear processes to ensure staff experiencing family violence are referred to relevant organisations for support, including employee assistance programs with family violence expertise.

The provision of a contact person, trained in both family violence and privacy issues, to support employees experiencing family violence. Training for all staff to increase their understanding of workplace responses to family violence to reduce barriers for women staff to disclose experiences of family violence.

Other Practice guidance documents that can assist your workplace in supporting employees who experience family violence include:

- Practice guidance: Reducing risk in workplace initiatives to prevent violence against women
- Practice guidance: Responding to disclosures
- Practice guidance: Workplace responses to staff who perpetrate violence
- Practice guidance: Gender equality and the law
- Practice guidance: Workplace policies to support equality and respect

Useful links


References


5 Ibid.


Ibid.

Ibid.

Ibid.
Appendix 1 | Gender and diversity

The *Workplace Equality and Respect Standards* aims to guide prevention of violence against all women, understanding that women’s and men’s identities, social positions and experiences are shaped not just by gender, but by a range of other social categories of difference, including Aboriginality, culture, race, ethnicity, faith or spirituality, socio-economic status, ability, sexuality, gender identity, education, age and immigration status. While these Standards specifically focus on the forms of disadvantage, discrimination and inequality women face as a result of their gender, it is important to acknowledge that they intersect with many other forms of inequality that individuals may experience in the workplace. The Standards will be publicly available in 2018.

While Our Watch’s mission is specifically to prevent violence against women, we acknowledge that violence is experienced by people whose experience and/or identity does not conform to binary definitions of sex and gender. As such, our definition of ‘women’ includes anyone who identifies and lives as a woman. However, in order to reflect and respond to what existing research and data tells us about the key drivers of violence against women at the population level, the *Workplace Equality and Respect Standards* uses binary terms like ‘men/women’ and ‘male/female’.

The *Workplace Equality and Respect Standards* does not include strategies specifically aimed at preventing all forms of violence against lesbian, bisexual and queer women, or transgender, gender diverse and intersex people, as some of these forms of violence have significant and distinct drivers and contributors other than gender inequality. However, to the extent that such violence shares some similar drivers to violence against women generally (particularly rigid, binary and hierarchical constructions of gender, sex and sexuality), its prevention is likely to be aided by the strategies outlined here. As an important extension of and complement to the strategies outlined here, Our Watch encourages workplaces to consider the practical ways they can acknowledge and support lesbian, gay, bisexual, queer, transgender, gender diverse and intersex people in their workplace. For example, by providing ‘other’ as an answer option on employee forms and personnel records, ensuring gender-neutral toilets are available in the workplace, and avoiding language that assumes heterosexuality in publications and materials.
Appendix 2 | Sample family violence policy

Preventing Family Violence: Workplace Support Policy and Procedures

Overview

The aim of this policy is to support people disclosing experiences of family violence, provide a consistent and positive approach to responding to disclosures of family violence and raise awareness of the issue.

Introduction

Family violence is alarmingly widespread in Australian society. Research demonstrates that men can experience family violence, however women and children are overwhelmingly the victims of men’s perpetration of family violence. ABS data indicates that one in three women had experienced physical violence since the age of 15. Violence cuts across culture, age, and social and economic status. Due to an array of reasons including social stigmas, violence is often under reported, which makes the true impact difficult to determine.

(Name of Workplace) acknowledges that violence in the workplace and community in all forms is unacceptable. Our organisation is committed to supporting a violence free community, by modelling and promoting non-violence, gender equitable and respectful relations.

The aim of this policy is to support people disclosing experiences of family violence, provide a consistent and positive approach to responding to disclosures of family violence and raise awareness of family violence.

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In addition to providing appropriate support to those who experience violence, we recognise the importance of working to stop violence from happening in the first place. We are currently conducting work to address the underlying drivers of violence against women by:

- Promoting and normalising gender equality
- Promoting women’s independence and decision-making
- Challenging gender stereotypes and roles
- Challenging thecondoning of violence against women

See Addendum 1: Definitions for key terms used within this policy.

**Why is family violence a workplace issue?**

- Just over a third (34%) of women have experienced physical violence since the age of 15.³
- Intimate partner violence is the single greatest risk factor for death, disability and illness in Australian women aged 18-44.⁴
- Family violence damages the health and wellbeing of women and children.
- Reported family violence incidents in Australia cost employers $1.3 billion (2014-2015).⁵
- The experience of sexual violence can severely disrupt and alter a victim’s life across various spheres, including home, work and community.⁶
- Family violence can result in increased sick leave usage, workplace violence and stress, decreased productivity and workplace morale and high employee turnover.

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Objectives

- We recognise the significant pressures, vulnerabilities and risks for workers who are inadequately supported by employers or denied the opportunity to take leave to sort out legal, counselling and other issues associated with the impacts of violence. Family violence can affect co-workers in various ways.

(Name of workplace) is committed to being a workplace and community leader in the prevention of family violence.

This policy has been developed to create a supportive environment which will encourage both victims and perpetrators of family violence to come forward for help and support.

Policy Purpose

We are committed to providing a safe workplace in which family violence is not tolerated. The purpose of this policy is to:

- Raise awareness among our employees of family violence and the impact it has on individuals in and our workplaces;
- Work in partnership with Family Violence Support Services to provide proactive and comprehensive training programs;
- Guide responses to employees affected by family violence;
- Provide an overview of guidelines for Managers and staff, when providing assistance to employees experiencing family violence (recognition is made that staff at all levels including managers can experience family violence).
- Create a working environment which promotes gender equity and models non-violent and respectful relationships between women and men;
- Create a supportive environment which will encourage victims of family violence to seek help and support.
- Ensure our Employee Assistance Program has a support worker available who specialises in working with family violence cases
- Reinforce our obligations to provide, as far as practicable, a working environment that is safe and without risks to health.
- Provide consistency with the principles contained within our Values and Code of Conduct for Employees.

Related documents

- Occupational Health and Safety Act 2004
- Equal Opportunity Act 2010
- Family Violence Protection Act 2008
- Children Youth and Family Act 2005
- Child Wellbeing and Safety Act 2005
- Code of Conduct for Employees

Procedures

**What to do if an employee is experiencing family violence:**

For a list of family violence services, including immediate emergency support, please see Addendum 3.

If an employee is experiencing family violence, they are encouraged to raise the issue confidentially with their Manager or the Human Resources Manager, or ask a trusted colleague to seek advice on their behalf. We acknowledge that all levels of staff, including senior level staff, can experience family violence.

Employees experiencing family violence should be aware that colleagues or managers can accompany employees or advocate on their behalf for workplace support.

Our Human Resources Manager and other managers are trained in what to do next and with the employee’s permission will confidentially arrange for appropriate support. Employees experiencing family violence are encouraged to develop a Safety Plan with a family violence service—see Addendum 3 for a list of service providers. A safety plan is defined in Addendum 2. When developing the Safety Plan, the parties should consider what changes, if any, could be made in the workplace to make the victim safer. Alternatively, employees can contact relevant family violence support services independently of the workplace (Addendum 3). No personal information will be kept on the employee’s written file without their written consent.

**Training, Education and Support**

(Name of Workplace) will make all reasonable efforts to provide a safe work environment for the employee who is a victim of family violence.
Family Violence Help Cards and Posters, which provide details of support services for victims and perpetrators of family violence, are available in highly visible locations in the workplace, such as toilets and kitchen areas.

We will provide links to this policy and Family Violence Help Cards in employee induction programs.

(Name of Workplace) is committed to providing overview training for Managers and other relevant staff on actions to take when an employee discloses family violence. It is the responsibility of Managers to participate in family violence training. Training will also be provided to staff generally on the impact of family violence on health and wellbeing and the workplace. Additional training will be provided to groups based on identified needs.

Managers, Contact Officers and other relevant staff will provide information on appropriate family violence support services for employees who disclose.

**Employee Payroll Requests**

(Name of Workplace) will ensure that any employee requests for changes to their electronic payroll transfers are processed in a timely manner. Examples of payroll requests may include changes in bank account details.

**Performance Issues Related to Victims of Family Violence**

(Name of Workplace) is aware that affected employees may experience performance issues such as absenteeism or have difficulty concentrating at work as a result of family violence. No adverse action will be taken against any employee if their attendance or performance at work suffers as a result of experiencing family violence. Every endeavour will be made to support employees in this situation, which may include seeking independent medical advice.

**Employees Who Commit Acts or Threats of Family Violence**

Any employee who threatens, harasses or abuses a family or household member at, or from, the workplace will be subject to disciplinary action in accordance with our Procedures. This includes employees who use workplace resources such as phones, fax machines, e-mail, mail or other means to threaten, harass or abuse a family or household member.

Some job positions may give an employee access to certain types of information or resources. If that employee uses this access to perpetrate harm to a family or household member or knowingly enable a perpetrator to harm a victim, that employee will also be subject to our Disciplinary Procedures.
Leaves Options for Employees Who Are Victims of Family Violence

((CancellationToken $name) has adopted a Family Violence provision in our Enterprise Agreement which outlines a Statement of Support and Individual Support including the provision of special leave and other assistance. ((CancellationToken $name) will make all reasonable efforts to help victims who need time to arrange medical and legal assistance, Intervention or Restraining Orders, attend court, counselling, modification of start/finish times, relocation, or other options or safety arrangements as identified. This will include support for victims who are attending to the needs of children or family members affected by violence. These arrangements will be negotiated between the employee and appropriate Manager in confidence and in accordance with the Family Violence provisions as follows:

Enterprise Agreement - Family violence clause:

Statement of support

5.11 Family Violence

5.11.1 General Principle

The employer recognises that employees sometimes face situations of violence or abuse in their personal life that may affect their attendance or performance at work. Therefore, the employer is committed to providing support to staff that experience family violence.

5.11.2 Definition of Family Violence

The employer accepts the definition of Family Violence as stipulated in the Family Violence Protection Act 2008 (Vic). The definition of family violence includes physical, sexual, financial, verbal or emotional abuse by a family member.

5.11.3 General Measures

(a) Proof of family violence may be required and can be in the form of an agreed document issued by a Police Service, a Court, a registered Medical Practitioner or Clinical Psychologist. The employer may accept a Statutory Declaration in circumstances where it is considered appropriate.

(b) All personal information concerning family violence will be kept confidential in line with the employer’s Policy and relevant legislation. No personal information will be kept on an employee’s personnel file without their express written permission.

(c) No adverse action will be taken against an employee if their attendance or performance at work suffers as a direct result of experiencing family violence.
(d) The employer will identify a contact in Human Resources who will be cognisant of family violence and privacy management issues. The employer will advertise the name of the contact within the workplace.

(e) An employee experiencing family violence may raise the issue with their Manager or the Human Resources contact. The Manager may seek advice from Human Resources if the employee chooses not to see the Human Resources contact.

(f) Where requested by an employee, the Human Resources contact will liaise with the employee’s Manager on the employee’s behalf, and will make a recommendation on the most appropriate form of support to provide in accordance with clauses 5.10.4 and 5.10.5 below.

(g) The employer may develop guidelines to supplement this clause which details the appropriate action to be taken in the event that an employee reports family violence.

5.11.4 Leave

(a) An employee experiencing family violence will have access to up to 20 days per year of paid special leave for medical appointments, legal proceedings and other agreed matters arising from family violence. This leave will be in addition to existing leave entitlements and may be taken as consecutive or single days or as a fraction of a day. It is recognised that on occasions such leave may be sought retrospectively and in such circumstances the employee will contact the employer at the earliest opportunity concerning such leave.

(b) An employee who supports a person experiencing family violence may apply to take carer’s leave to accompany them to court, to hospital, or to mind children where circumstances require such additional support be provided.

5.11.5 Individual Support

(a) In order to provide support to an employee experiencing family violence and to provide a safe work environment to all employees, the employer will approve any reasonable request from an employee experiencing family violence for:

(i) changes to their span of hours or pattern of hours and/or shift patterns;

(ii) job redesign or changes to duties;

(iii) relocation to suitable employment within the workplace;

(iv) a change to their telephone number or email address to avoid harassing contact;

(v) any other appropriate measure including those available under existing provisions for family friendly and flexible work arrangements.
(b) An employee experiencing family violence will be assisted in gaining access to an Employee Assistance Program (EAP) provider or such other like specialist practitioner/professional experienced in assisting persons who are the subject of family violence.

An employee that discloses to the employer that they are experiencing family violence will be given a resource pack of information regarding support services.

Guidelines for Providing Assistance to Victims: Managers and other staff

Family violence should **always** be discussed in a safe and private place. It is **vital** that the victim is listened to and has complete control of the situation and next steps. Maintain the confidentiality of family violence incidents and any other disclosures to the extent permitted by law. Disclosing experiences of violence can be exceptionally difficult for individuals and it is important that disclosures are believed and victim behaviors not questioned or linked as a trigger for violence (i.e. do not victim blame). The person responsible for violence is the person using the violence, not the victim. See Addendum 4 for tips on responding to disclosure of violence.

Express that Safety plans (see Addendum 2 for ‘What is a Safety plan?’) can be developed confidentially in consultation with specialist agencies should the victim wish (see Addendum 3 for a list of service providers). Specialist Family Violence Support Services can also provide advice to people responding to disclosures where required (add details of local family violence service).

Managers will:

- Provide employees with access to Family Violence Support Services to assist the employee and offer to engage a specialist service provider to create a safety plan,
- Encourage employees to access the Employee Assistance Program by contacting (Insert name of nominated person on .......). Please note that mobile phone numbers are identifiable on phone bills.
- Grant reasonable leave and adjust work schedules or location of assignment for employees who are victims of family violence.
- Make information on support services available so that employees can obtain it without having to request it.
- Be aware that employees experiencing violence may wish to invite a friend, colleague or support to accompany them to disclose experiences of violence. This person may act as a workplace advocate to help support their requests for workplace support.
- Ensure that no personal information will be kept on the employee’s written file without their written consent. Human Resources will keep de-identified data on the number of
employees accessing this policy and the number of leave days accessed to measure the effectiveness and reach of the policy.

- Ensure employees are aware of other potential support options:
  - Changes in phone number, email addresses, and changes in bank accounts for payments

Managers and supervisors are strongly encouraged to take a leadership role on this issue and provide a supportive culture within their team and/or department to raise awareness of the prevalence and underlying causes of family violence and raise staff awareness of this policy.

Guidelines for Providing Assistance to Perpetrators: Managers and Staff

Family violence issues should **always** be discussed in a safe and private place. Maintain the confidentiality of family violence incidents and any other disclosures to the extent permitted by the law. Specialist Family Violence Support Services can provide advice where required.

Managers will:

- Provide employees with access to Family Violence Support Services to assist the employee-Men’s Referral Service: 1800 065 973
- Encourage employees to access the Employee Assistance Program (EAP), and
- Make information on support services available so that employees can obtain it without having to request it.

More information on responding to perpetrators can be found on the Workplace Equality and Respect Resource Hub:

- **Practice guidance: Workplace responses to staff who perpetrate violence against women**

Guidelines for Managers and Employees when Developing a Safety Plan

**For Managers**

If Managers become aware that an employee is experiencing family violence, they have a responsibility to offer support and ask if the employee would like to develop a Safety Plan. See Addendum 2 for further details relating to a safety plan.

A Safety Plan should be developed in consultation with the victim and a specialist Family Violence Service. See Addendum 3 for family violence support services.

When developing the Safety Plan, the parties should consider what changes, if any, could be made in the workplace to make the employee safer. Consideration must also be given to the potential risk of physical harm to other employees and/or customers and, where necessary, it is essential to take reasonable measures to provide protection for them as well. The employee should be
provided with the opportunity to identify if their circumstances or risk changes over time and amend their Safety Plan as required.

For Employees

If an employee is experiencing family violence, they are encouraged to raise the issue confidentially with their Manager, the Executive Manager Human Resources, or ask a trusted colleague to seek advice on their behalf.

Managers and the Executive Manager Human Resources are trained in what to do next and with the employee’s permission will confidentially arrange for appropriate support. Employees experiencing family violence are encouraged to develop a Safety Plan with a family violence service (Addendum 3). Alternatively employees can contact relevant family violence support services (Addendum 1) independently of the workplace.

Addendum 1: Definitions

Terms used in this policy are defined as follows:

Family Violence:
“Domestic and family violence is the repeated use of violent, threatening, coercive or controlling behaviour by an individual against a family member or someone with whom they have, or have had, an intimate relationship. Domestic and family violence can include behaviours such as regularly putting someone down using verbal abuse, making threats, using physical violence, damaging property, and controlling or keeping tabs on who someone sees, what they do and where they go.

People who use domestic and family violence assume they have the right to be in charge and dominate people close to them. Their behaviour causes people to feel fear for their own safety and sometimes for the safety of other family members or pets. Family violence happens to women (and, less often, men) from all cultures and walks of life. Most often it involves men abusing their female partners, girlfriends or wives. But abuse can also happen in gay and lesbian relationships, between parents and older children, and between siblings, or any other family members. People with disabilities can be abused by carers whether they are family members or not.

In Aboriginal and some other communities the definition of family may include kinship groups and other community members”.


Family Violence is a crime under the Victorian Government’s Family Violence Protection Act 2008. Family Violence is defined as:
a. behaviour by a person toward a family member of that person which:
   • is physically of sexually abusive; or
   • is economically or psychologically abusive; or
   • is threatening; or
   • is coercive; or
   • in any other way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person; OR

b. behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, behaviour referred to in paragraph (a).

Family violence can affect anyone in the community – regardless of gender, age, location, socio-economic and health status, culture, sexual identity, ability, ethnicity or religion. While it can be perpetrated by any member of a family against another, it is more likely to be perpetrated by men against women and children.

**Sexual Violence:**

“Sexual assault is any unwanted sexual behaviour to which a person does not consent. It typically makes a person feel uncomfortable, frightened or threatened and can cause serious physical injury.

The use of emotional or physical violence to force another person to engage in sexual activity also constitutes sexual assault. Sexual assault can take various forms, some of which are criminal offences:

- Touching, fondling, kissing
- Being made to look at, or pose for, pornographic photos
- Voyeurism
- Exhibitionism
- Sexual harassment
- Verbal harassment/innuendo
- Rape
- Incest/intrafamilial child sexual assault
- Stalking.  


**Victim:**

The person against whom a perpetrator directs their coercive and violent acts. Such people can sometimes be referred to as ‘survivors’ or ‘victim survivors’. 
Perpetrator:
A person who carries out a pattern of coercive tactics against a partner, spouse or family member (the victim) and may involve elder abuse or abuse by an adolescent family member.

Family Violence Support Service:
An agency or a staff member of an agency that helps victims or perpetrators of domestic violence. Services include employment assistance providers, residential programs (refuge) and rehabilitation services (see Addendum 3 for a list of Victorian family violence support services).

Addendum 2: What is a Safety plan?
A safety plan is a guide for staying safe from violence.

Planning for your safety is a process of looking at your situation and assessing what you might need to help you feel and be safer. Your safety plan must be relevant to your needs and be adapted if your situation changes. It needs to incorporate an escape plan as well as practical strategies to improve your home and personal security. Safety planning is not about focussing on living in fear; it is about proactive steps to improve your safety. If you have children, the plan is about keeping them safe also. It’s about taking safety strategies for different environments such as home, social, work and vehicle safety.

Extract from ‘Safety plan’ brochure, from Scope Regional Service, Queensland

Considerations in a safety plan
Those who are experiencing violence best know their situation and should lead decisions about how to keep safe. Employee should be provided with the opportunity to identify if their circumstances or risk changes over time and amend their Safety Plan as required.

For information about what to consider in a safety plan, please click here:
http://www.thelookout.org.au/fact-sheet-3-planning-for-safety

A safety plan might include the following:

- Consider obtaining an Intervention Order or Restraining Order that includes the workplace, and keep a copy on hand at all times. The employee might consider providing a copy of the Order to their Manager and the Manager Human Resources
- Consider requesting a change to and/or unpredictable rotations of work schedule, work site, or work assignment if such a change could enhance safety at work
- If an absence from work is required, be clear about the plan to return to work. While absent, the employee should maintain contact with their Manager where possible
• Review the safety of their parking/transport arrangements
• Where possible enter and leave the work place accompanied by another person
• Carry a mobile phone at all times and keep their Manager advised of your movements
• Consider having their telephone calls screened at work, and/or changing their work telephone number and email address.

Addendum 3: Family Violence Support Services [update for relevant state, territory and locality]

If you are in immediate danger always call 000

• Police
  Emergency response (24 hours)
  000
• Women’s Domestic Violence Crisis Service of Victoria
  24 hour emergency help
  1800 015 188 / 9322 3555
  1800RESPECT
• Enter details of local services here

Support Services:
Help Cards for men and women experiencing violence:
Workplace Services:
Employee Assistance Program (EAP):
Appendix 3 | Sample family violence policy

DAREBIN CITY COUNCIL ENTERPRISE AGREEMENT 2013-2017

APPENDIX 2. – SPECIFIC CONDITIONS

Family Violence

Introduction

Council acknowledges that violence in the workplace and in the community, in all its forms, is unacceptable and will not be tolerated. As an organisation, Council has a powerful role in influencing behaviours and attitudes within the workplace, and can positively contribute to creating a violence-free community by modeling non-violent, equitable and respectful gender relations.

Council is strongly committed to this role and has developed this Family Violence Appendix to recognise and address the impact of family violence and, specifically, violence against women.

Family violence is best described as the repeated use of violence, threatening, coercive or controlling behaviour by an individual against a family member/s or with someone with whom they have had an intimate relationship. Violence at home can include physical assaults, power and control tactics used together with one another including direct or indirect threats, sexual assault, emotional and psychological torment, control of money, property damage, social isolation and behaviour which causes a person to live in fear.

Violence is a significant risk to women’s health and wellbeing. Women who have been exposed to violence have a greater risk of developing stress, anxiety, depression, pain syndromes, phobias and medical symptoms.

Family violence damages the health and wellbeing of children. Infants exposed to significant trauma may be less able to form healthy attachments and can have significant emotional, physical and developmental issues.

This appendix supports Council’s obligations under the Occupational Health and Safety Act 2004 to provide, as far as practicable, a working environment that is safe and without risks to health.
Family violence can result in increased use of sick leave, workplace violence and stress, decreased productivity and high employee turnover.

Family violence also affects co-workers in various ways, including:

- backfilling absent or non-productive workers,
- resentment towards victims needing time off – and the subsequent impacts on workloads,
- trying to protect victims from unwanted phone calls/visits,
- not knowing how to intervene - therefore feeling helpless and distracted from their own work, and
- fearing for their own safety.

**Purpose**

Council is committed to providing a workplace in which family violence is not tolerated or excused. The purpose of this appendix is to:

- raise awareness amongst our employees of family violence and the impacts it has on women and our workplaces;
- guide responses to employees whose work-life is affected by family violence;
- create a working environment which promotes gender equity and models nonviolent and respectful relationships; and
- create a supportive environment which will encourage victims of family violence to seek help and support.

**Definitions**

Terms used in this appendix are defined as follows:

**Family Violence:**

a. behaviour by a person toward a family member of that person which:
   - is physically or sexually abusive; or
   - is economically or psychologically abusive; or
   - is threatening; or
   - is coercive; or
   - in any other way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person; OR

b. behaviour by a person that causes a child to hear or witness, or otherwise be exposed
Family violence can affect anyone in the community – regardless of gender, age, location, socio-economic and health status, culture, sexual identity, ability, ethnicity or religion.

While it can be perpetrated by any member of a family against another, it is more likely to be perpetrated by men against women and children.

Victim:
The person against whom a perpetrator directs their coercive and violent acts.

Perpetrator:
A person who carries out a pattern of coercive tactics against an intimate partner, spouse or family member (the victim).

Family Violence Support Service:
An agency or an employee member of an agency that helps victims or perpetrators of domestic violence. Services include employment assistance providers, residential programs (refuge) and rehabilitation services (see Appendix 1 for a list of Victorian family violence support services).

Procedures

A. Education and Support for Employees Who Are Victims of Family Violence
Council recognises that employees may face situations of violence or abuse in their personal life that may affect their attendance or performance at work. Therefore Council is committed to providing support to employees that experience family violence.

Council will:

1. Make reasonable efforts to provide a safe work environment for the employee who is a victim of family violence.

2. Make available the Family Violence Help Cards, which provide a list of supports for victims and perpetrators of family violence. The Help Cards and related posters will be placed in highly visible locations in the workplace, such as toilets and kitchen areas.

3. Provide copies of this appendix and Family Violence Help Cards in employee induction kits.

4. Develop an eLearning module which will be available to all employees.
5. Identify family violence support officer/s from the People and Development and Corporate Risk Management Units, who will be trained in family violence and privacy issues. Management will advertise the name/s of the family violence support officer/s within the Council.

6. Arrange for capacity building of appropriate officers (including managers, coordinators and team leaders) regarding family violence and the impacts it has on employees and our workplace. Managers will be encouraged to refer employees to a family violence support officer or appropriate family violence support services where appropriate.

B. Leave Options for Employees Who Are Victims of Family Violence

Council will, as far as is practicable, support employees who are victims of family violence who require time to arrange medical and legal assistance, intervention or restraining orders, attend court, counselling, relocation, or to make other safety arrangements. This will include support for employees who are victims of family violence attending to the needs of children or other immediate family members affected by violence.

As agreed between the employee, the appropriate manager and the Senior Coordinator People and Development (or his/her delegated representative) Council support may include access to trauma leave, statutory entitlements, leave without pay, modification of start/finish times or other options determined to be appropriate.

C. Employee Payroll

Council will ensure that employee requests for changes to their electronic payroll transfers are processed in a timely manner.

D. Performance Issues Related to Being a Victim of Family Violence

Management is aware that employees may experience performance issues such as absenteeism or have difficulty concentrating at work as a result of family violence. Affected employees may present as traumatized, highly anxious, stressed or fearful. They may also exhibit startle reactions, hyper vigilance, fatigue, and physical and personality changes.

In situations where an employee’s performance or conduct is below their normal standard and management has observed changes (as mentioned above) or is aware/made aware that issues resulting from family violence are contributing factors to the change in performance or conduct, Council will work with the employee in an
encouraging and supportive manner to develop and implement actions that will assist in the improvement of the employee’s performance and conduct.

To this end, Council will ensure that the employee is aware of the support mechanisms available and will encourage the employee to utilise the supports and work with Council to develop and implement an appropriate and supportive Workplace Safety Plan (‘Plan’). (Refer Section 8)

Where the employee chooses not to work with Council and the employee’s performance and conduct is and/or remains below standard Council may, if considered appropriate after taking into account all the circumstances, implement a performance management process. The process could include actions considered appropriate in the Plan e.g. change in work assignment, responsibility etc.

E. Employees Who Commit Acts or Threats of Family Violence

Any employee who threatens, harasses or abuses a family or household member at, or from, the workplace could be subject to disciplinary action. This includes employees who use workplace resources including, phones, fax machines, e-mail, mail or other means including social media to threaten, harass or abuse any person.

Some job positions may give an employee access to certain types of information or resources. If they use this access to knowingly enable a perpetrator to harm, harass, threaten or abuse a victim, they may also be subject to disciplinary action.

F. Evidence of Family Violence

For the purposes of determining support and assistance, including the conditions in the Plan, access to trauma and other leave arrangements, changes in working arrangements and conditions of employment, management may require an employee to furnish evidence of family violence.

The employee is not expected to divulge sensitive or confidential matters, but rather provide the Manager with reasonable information having regard to the circumstances, that can be used to assess the level of support and assistance required.

The information could be in the form of an agreed document issued by the police, a court, a doctor, district nurse, maternal & child health nurse, a family violence support service, a lawyer or through direct discussion between the employee and management.

G. Trauma Leave

1. Trauma Leave is available to support employees who are victims of family violence and who require time away from work to deal with matters arising from such violence.

   Time away from work may be required to:

   • arrange medical treatment;
• arrange legal assistance,
• organise intervention or restraining orders,
• attend court,
• organise and attend counseling,
• relocate,
• make other safety arrangements,
• provide support for employees who are victims of family violence who are attending to the needs of children or other immediate family members affected by violence.

2. To access trauma leave an employee is required to discuss the circumstances with a family violence support officer or their Manager who shall discuss the request with the Manager People and Development (or his/her delegated representative).

The employee is not expected to divulge sensitive or confidential matters, but is required to provide the violence support officer or Manager with reasonable information having regard to the circumstances.

Trauma leave arrangements, including the review of the arrangements, shall be documented in the employee’s Plan.

3. Where there is an urgent need to have time away from work, and there is no Plan in place and/or management have not had an opportunity to consider the employee’s circumstances, the employee can access statutory entitlements or take leave without pay.

Following consideration of the circumstances, including the need for or development of a Plan, Council may reimburse the employees statutory entitlements and make up pay for leave without pay up to the maximum amount available for trauma leave.

4. Employees who are victims of family violence and require time away from work can, subject to the provisions of this appendix access up to 20 days per year (non accumulative) paid special leave referred to as trauma leave.

5. The daily paid leave in accordance with sub-clause (4) shall be defined as the same payment that an employee would have received had they continued at work.

Guidelines for Developing a Workplace Safety Plan for Managers and Employees

Employees who are victims of family violence are likely to exhibit personality and/or physical changes. Managers who observe changes, or are made aware that an employee maybe experiencing family violence have a responsibility to confidentially raise the matter with the employee. The employee is to be advised of and provided with information on the external support services available to them and encouraged to use such services.
Additionally, the employee should be advised of and provided the names of Council’s family violence support officer/s that are available to provide direct support to the employee.

To ensure every effort is made to provide a safe work environment and to mitigate the impact family violence has on an employee’s work-life, the manager should encourage the employee to participate in the development of a Plan. The Plan should be developed in consultation with the employee and his/her manager, a family violence support officer, a specialist Family Violence Service, such as Berry Street Northern Family and Domestic Violence Service and the Manager Corporate Risk Management.

When developing the Plan, the parties should consider what changes, if any, could be made in the workplace to make the employee safer. Consideration must also be given to the potential risk of physical harm to other employees and/or customers and, where necessary, it is essential to take reasonable measures to provide protection for them as well.

The Plan may include:

- Obtaining an Intervention or Restraining Order that includes the workplace, and keep a copy on hand at all times. The employee should consider providing a copy of the Order to their Manager the Manager Corporate Risk Management, and/or People and Development.

- Considering a change in work schedule, including span or pattern of hours or shift patterns, work site, or work assignment if such a change could enhance safety at work.

- Absence from work for a limited period of time if deemed appropriate together with a clear arrangement for the return to work. While absent, the employee should maintain contact with Corporate Risk and People and Development.

- Review the safety of parking/transport arrangements.

- Where possible enter and leave work place accompanied by another person.

- Carrying a mobile phone at all times and keeping the Manager advised of the employees movements.

- Considering having telephone calls screened at work, and/or changing work telephone numbers and email address.

Management will continue to provide direct support to the employee while at work and will monitor the employee’s demeanor whilst issues resulting from family violence continue to affect the employee. The Plan actions and timelines will be reviewed as necessary to ensure the best interests of the employee and the operational needs of the Council are (as far as practicable) met.
Additional Information for Direct Managers Providing Assistance to Victims:

Direct Managers:

- Who observe changes in an employee, or are made aware that an employee maybe experiencing family violence, must (confidentially) immediately advise the Manager People and Development and Manager Corporate Risk.
- Shall always discuss Family Violence issues in a safe and private place.
- Shall at all times maintain the confidentiality of family violence incidents and any other disclosures to the extent permitted by law. If advised of harm experienced by children, there may be a requirement to advise the Department of Human Services. Advice should be sought from the Director Community Development prior to any notification being made. Alternatively, specialist Family Violence Support Services can provide advice where required.
- No information shall be kept on the employee’s personal file without the employee’s written consent.
- Shall participate in family violence awareness training,
- Shall encourage workplace education on family violence, and
- Shall make information on support services available so that employees can obtain it without having to request it.
Appendix 4 | Sample family violence workplace posters

IF YOU ARE IMPACTED BY FAMILY VIOLENCE, YOU WILL BE SUPPORTED AT WORK

Our workplace provides 20 days of 'family violence leave' for you to get the help and support you need. You might need to attend court, appointments with support services, move houses or even take some time off to care for your kids. You are entitled to take this time.

There are other ways our workplace can help you to feel safer at work. For example:

- modify your split/fixed times, work in or job duties
- change your split/fixed times and work duties
- set up and change or implement a secondary work email address and replacement phone number
- consider different transport or car parking arrangements and modify your workplace duties

If you are concerned, speak to a Family Violence Contact Officer who can talk to you about the ways this City of Whittlesea can support you. Our Family Violence Workplace Support Policy is available on MRED.

WHAT IS FAMILY VIOLENCE?

Sometimes people are unsure if what is happening to them is family violence. Family violence is not always physical – it might be behaviour that puts you down, makes you feel worthless or controls you. It can be hard to believe that a person you love and trust can hurt you.

Understanding the warning signs

Does your partner, ex-partner, or a family member:

- make you feel unimportant or alone
- often say you need to sort out your life
- try to stop you from seeing your friends
- make you feel scared or worry about things
- control your money
- control your access to transport
- try to limit who you see or who you talk to
- check what you buy
- make you feel small and insignificant
- stop you from using social media
- try to limit your access to the internet
- say you don't deserve to live
- say you are the problem
- say you are not good enough
- say you are the problem
- say you are not good enough
- say you are the problem
- say you are not good enough

Family Violence Contact Officers

Sarah Smith
Family Violence Contact Officer

Key external service numbers

1800 727 930
Call 1800 727 930 to speak with a Family Violence Policy Officer.

Work Related Services

1300 304 867
Call 1300 304 867 to make a complaint.

Work Health and Safety

1300 658 688
Call 1300 658 688 to make a complaint.

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