

## Introduction

### What is Family and Domestic Violence?

Family and domestic violence means violent, threatening or other abusive behaviour by an employee's close relative that:

- Seeks to coerce or control the employee
- Causes them harm or fear

A close relative is:

- An employee's
  - Spouse or former spouse
  - [De facto partner](#) or former de facto partner
  - Child
  - Parent
  - Grandparent
  - Grandchild
  - Sibling
- An employee's current or former spouse or de facto partner's child, parent, grandparent, grandchild or sibling or
- A person related to the employee according to Aboriginal or Torres Strait Islander kinship rules

DFP is committed to supporting employees affected by domestic and family violence. A sensitive and holistic approach to supporting employees allows them to continue to participate in the workplace during a difficult time.

This policy provides a framework to support employees who experience domestic and family violence. Employees who are experiencing, or who are at risk of experiencing, domestic and family violence are encouraged to seek support from the workplace.

This policy also acts as a guide for managers and colleagues supporting employees whose work life is affected by domestic and family violence. It outlines support available within and outside the workplace for individuals, their managers and their colleagues.

### Immediate Danger

If you are feeling unsafe in the workplace right now, contact your DFP Consultant or your host Manager or call 000.

### Confidentiality

DFP will handle information about an employee's experience of family and domestic violence sensitively. If information is mishandled, DFP employees need to be aware that it could have adverse consequences for the employee. DFP should work with the employee to discuss and agree on how this information will be handled.

Information about a domestic and family violence situation should be handled similarly to other personal and health information.

Discussion should not include personal information without obtaining prior consent from the employee. However, the Australian Privacy Principles permit the use and disclosure of personal information in certain circumstances including lessening or preventing a serious threat to life, health or safety, or taking appropriate action in relation to suspected unlawful activity or serious misconduct.

DFP is not prevented from disclosing information if:

- It is required by law or
- It is necessary to protect the life, health or safety of the employee or another person

## Roles and Responsibilities

### Employees

Employees who wish to access any of the support available within the workplace can contact any of the following people:

- Their DFP Consultant or a DFP Manager
- Their immediate Line Manager on the host site
- A more Senior Manager or
- Human Resources at the host site or at DFP

Employees can also seek assistance from an external service. A list of services, including 24 hour support services, and their contact details can be found at the end of this document.

Employees experiencing domestic and family violence may choose to disclose their situation to a trusted colleague. Where such information is disclosed, the colleague should provide support to the employee by:

- Listening without judgement and respecting their decisions
- Maintaining appropriate confidentiality
- Encouraging them to seek help from a domestic and family violence support organisation
- Encouraging them to seek support from their Manager and DFP Consultant
- Referring them to this policy, the Employee Assistance Program, or any of the external support services listed at the end of this document

Where the colleague is concerned about health and safety, they should speak to DFP or management on site.

Employees who have had information disclosed to them are encouraged to seek support for themselves within or outside the workplace, including through the Employee Assistance Program or an external support service.

### Branch Managers and Account Managers

Managers are responsible for ensuring employees are aware of this policy, and providing support, consistent with this policy, to employees affected by domestic and family violence. They may also be required to coordinate support with DFP People and Performance, the host site's management, including their Human Resources, Security or WHS Departments.

Where a DFP Manager is concerned about the wellbeing of an employee, they should discuss their concerns with the employee, encouraging them to use the assistance available if needed, and/or consult with as necessary with the DFP Manager, People and Performance.

Managers should facilitate support for an employee to the fullest extent possible in the workplace and consult and cooperate with the host client in:

- Developing a safety plan with the employee
- Coordinating security or ICT assistance
- Advising and liaising with the employee's Line Manager
- Liaising with the Manager - DFP People and Performance

If a Manager needs support as a result of an employee disclosing family and domestic violence to them, they can also contact the Employee Assistance Provider or one of the external support services listed below.

A *DFV Risk Assessment Checklist* should be completed by the Supervisor/Manager in consultation with the employee affected by DFV and the host client, prior to completing a *Workplace Safety Plan Agreement*, and include any necessary support and reasonable adjustments.

The *Workplace Safety Plan Agreement* should outline the specific workplace safety needs and arrangements to support the employee such as:

- Any changes in relation to any work patterns, practices or work location
- Any precautionary plans to be undertaken pre or post-work (eg travel arrangements, secure carpark etc) to support the safety of the employee
- Any workplace changes and/or security measures to protect the employee and their colleagues where necessary
- Updated emergency contacts and/or next of kin details
- Arrangements should be reviewed at pre-determined intervals to ensure currency and to ascertain ongoing appropriateness

## DFP People and Performance

DFP People and Performance is responsible for providing advice to employees and managers about this policy.

DFP People and Performance is also responsible for providing advice and workplace support for employees affected by domestic and family violence.

## Support

Employees experiencing domestic and family violence may require a range of support. This may include:

- Flexible working arrangements - under the National Employment Standards (NES) an employee experiencing violence from a member of the employee's family has a right to request flexible working arrangements. These requests can only be refused on reasonable business grounds. Such requests could include:
  - A change of hours to allow the employee to meet family commitments
  - Changes to work location or
  - Relocation to suitable alternative employment where this is able to be identified.
- Secure parking and other security measures where possible and as required
- Change of phone number and email address to limit unwanted contact, or screening or blocking calls and emails
- Contact with police on the employee's behalf where appropriate
- Flexibility in performance management—domestic and family violence should be acknowledged as a potential mitigating factor if performance has been affected. Managers should:
  - Continue to have regular, sensitive conversations with the employee about the job requirements, performance expectations, and development opportunities of that performance cycle
  - Offer to develop workload strategies for work to be managed and performance assessed having regard to the employee's circumstances
- Referral to external support through the EAP
- Access to leave entitlements as per the NES
- Any other measures or changes to normal arrangements that are considered appropriate by DFP and or the host client

## Family and Domestic Violence Leave

DFP is committed to supporting employees experiencing domestic or family violence. A flexible and supportive approach will be taken to management of leave for employees affected by domestic or family violence.

All employees (including part-time and casual employees) are entitled to 5 days unpaid family and domestic violence leave each year. The entitlement to unpaid family and domestic violence leave comes from the NES.

Employees who are affected by domestic or family violence may be granted leave for reasons including:

- Attending medical or counselling appointments
- Moving into emergency accommodation and seeking more permanent safe housing
- Attending court hearings
- Attending police appointments
- Accessing legal advice
- Organising alternative care or educational arrangements for their children
- Reasonable recovery periods

Personal/carer's leave entitlements should be used:

- For illness or injury affecting the employee resulting from domestic or family violence
- To provide care or support to a family or household member who is ill or injured as a result of domestic or family violence or
- To provide care or support to a family or household member who is affected by an unexpected emergency as a result of domestic or family violence

In circumstances where personal/carer's leave does not apply, or if an employee has exhausted their personal/carer's leave entitlements, DFP will make reasonable allowances, subject to agreement by the host client. This may include the employee accessing other leave including annual leave, long service leave or miscellaneous leave. Miscellaneous leave may be approved with or without pay depending on the reason for and length of leave.

Employees may be given flexibility in work hours, and may be allowed to make up time where leave cannot be used.

Where an employee's absence for reasons associated with domestic and family violence needs to be supported by evidence, DFP will discuss with the employee the available options, such as a statement from a legal representative or court.

## Notice and Evidence for Family and Domestic Violence Leave

If an employee takes family and domestic violence leave, they have to let DFP know as soon as possible. This can happen after the leave has started. Employees also need to tell DFP how long they expect the leave to last.

### Evidence Requirements

DFP can ask their employee for evidence that shows the employee took the leave to deal with family and domestic violence. If the employee does not provide the requested evidence, they may not get family and domestic violence leave.

The evidence has to convince a reasonable person that the employee took the leave to deal with the impact of family and domestic violence.

## Types of Evidence

Types of evidence can include:

- Documents issued by the police service
- Documents issued by a court
- Family violence support service documents or
- A statutory declaration

DFP can ask employees to provide evidence for as little as 1 day or less off work.

DFP has to take reasonably practicable steps to keep any information about an employee's situation confidential when they receive it as part of an application for leave. This includes information about the employee giving notice that they are taking the leave and any evidence they provide.

## Perpetrators of Domestic and Family Violence

Perpetrators of domestic and family violence may be investigated for a potential breach of the DFP or host client's Code of Conduct.

DFP understands that the workplace may include not only employees who are victims of, or affected by, domestic and family violence, but also perpetrators = and that this must also be handled appropriately and sensitively.

DFP will not tolerate domestic and family violence being perpetrated in or from the workplace. An employee found to be perpetrating domestic and family violence in or from the workplace may face disciplinary action. This includes an employee who:

- Threatens, harasses or abuses a partner, ex-partner, family or household member at, or from, work or
- Uses workplace resources such as phones or email to threaten, harass or abuse a family or household member

An employee suspected of perpetrating violence may also be referred to the relevant support services including the Employee Assistance Program.

Domestic and family violence is a criminal offence and is subject to the relevant state or territory laws. The police will be notified of any incidents of domestic and family violence in the workplace.

## Further assistance

For any queries regarding the operation of this policy, please contact the Manager - DFP People and Performance.

If you or someone you know is experiencing domestic and family violence, or you simply want to find out more, the following external services are available to provide information and assistance:

Organisation	What they do	Contact Details
<b>Government</b>		
Police	Law enforcement services – call if you or your child/family is in immediate danger	Phone 000
Department of Human Services	Centrelink, Medicare, Child Support services – Social Workers can provide short term counselling, support and information, and refer you to other support services	Social Work Services, Tel: 13 28 50 Multilingual, Tel: 13 12 02 <a href="http://www.humanservices.gov.au">www.humanservices.gov.au</a>  <a href="#">Family and Domestic Violence Services</a>  <a href="#">Family Safety Pack</a>
National Disability Insurance Scheme	Information for employees with disability	<a href="#">National Disability Insurance Scheme</a>
<b>Financial</b>		
Money Minded	Website to help build skills, knowledge and confidence in managing money	<a href="http://www.moneyminded.com.au">www.moneyminded.com.au</a>
National Debt Helpline	Free financial counselling services – get help in managing bills and debts	Tel: 1800 007 007 <a href="http://www.ndh.org.au">www.ndh.org.au</a>
<b>Legal</b>		
National Association of Community Legal Centres	A directory of not-for-profit community law centres in Australia, focusing on the disadvantaged and people with special needs – request legal and related services	<a href="http://www.naclc.org.au">www.naclc.org.au</a>
Women’s Legal Services Australia	A national network of community legal centres that specialise in women’s legal issues – request legal advice or a referral	<a href="http://www.wlsa.org.au">www.wlsa.org.au</a>
<b>Wellbeing</b>		
Lifeline	Crisis support services	Tel: 13 11 14 Open 24x7
EAP	DFP’s Employee Assistance Program	1300 687 327
1800 RESPECT	Free, confidential family violence and sexual assault counselling services	Tel: 1800 737 732 Open 24x7 <a href="http://www.1800respect.org.au">www.1800respect.org.au</a>
Family Relationship Advice Line	Information and advice on family relationship issues and parenting arrangements after separation	Tel: 1800 050 321 Open weekdays 8am-8pm, and 10am-4pm on Saturdays
SafeSteps - Family Violence Advice Centre	Victorian based 24/7 family violence support service	<a href="tel:1800015188">Tel: 1800 015 188</a> <a href="http://www.safesteps.org.au/">Open 24x7</a> <a href="http://www.safesteps.org.au/">www.safesteps.org.au/</a>
Relationships Australia	Counselling, mediation and family dispute resolution services	Tel: 1800 364 277 Local call cost from anywhere in Australia

Mensline Australia	Telephone and online support services for men	Tel: 1300 78 99 78 <a href="http://www.mensline.org.au">www.mensline.org.au</a>
Domestic Violence Crisis Service	Canberra based organisation offering emergency and long term support, advice, domestic violence resources and services.	Tel: 02 62 800 900 Open 24x7 <a href="https://dvcs.org.au/">https://dvcs.org.au/</a>
EveryMan	Canberra based organisation focused on men's issues, offering services including counselling and violence prevention programs	<a href="http://www.everyman.org.au/">EveryMan</a> Tel: 02 6230 6999 Call Monday to Friday <a href="http://www.everyman.org.au/">www.everyman.org.au/</a>
WIRE Women's Information – Any woman. Any issue.	Free generalist information, support and referral service for Victorian women – visit the walk-in Information Centre, call the phone support line or start an online chat.	Tel: 1300 134 130 <a href="http://www.wire.org.au">www.wire.org.au</a> Walk-in Information Centre: 372 Spencer St, West Melbourne, Vic. Open weekdays from 9:30am-4:30pm.
Australian Indigenous HealthInfoNet	Support for Aboriginal and Torres Strait Islanders, focusing on health issues, including family safety.	<a href="http://www.healthinfonet.net.au">Australian Indigenous Health InfoNet</a>
Another Closet	Domestic and Family Violence in LGBTIQ+ Relationships	Tel: 1800 65 64 63 Open 24x7 <a href="http://www.anothercloset.com.au/">www.anothercloset.com.au/</a>



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