

# Domestic Violence Support Policy

## Section 1 - Background and Purpose

(1) The University recognises that staff may sometimes experience situations of domestic violence, family violence or intimate partner violence (hereinafter referred to as 'domestic violence') in their personal life that may have a significant impact on their lives and may affect their attendance or performance at work.

(2) The University is committed to providing a broad range of support to staff that experience domestic violence and has included 'Domestic Violence Leave' clauses in the [Collective Agreement](#).

(3) The purpose of this policy is to provide a supportive workplace in which staff can seek and receive assistance as a result of experiencing domestic violence.

(4) This Policy and Procedure should be read in conjunction with the Domestic Violence Leave clause in the [Collective Agreement](#). Specifically it outlines:

- a. requesting support;
- b. accessing various support services;
- c. implementing safety plans;
- d. document requirements;
- e. confidentiality and record keeping;
- f. appealing a decision;
- g. resources and additional information;
- h. roles and responsibilities.

## Section 2 - Scope

(5) This Policy applies to all staff of the University.

## Section 3 - Policy Statement

(6) The University condemns all forms of violence including domestic violence.

(7) Behaviour must not support or promote violence or unequal power relations between individuals rather it should promote harmonious respectful relations between people.

(8) The University is committed to the following:

- a. providing up to 1 weeks' paid leave ('special paid leave') for the purpose of attending medical and legal appointments, court appearances, counselling, relocation or other activities related to dealing with domestic violence;

- b. further paid leave will be considered by the University on an individual basis considering all the circumstances;
- c. providing access to other accrued leave entitlements or reasonable amount of unpaid leave;
- d. not treating the abused person less favourably or in a discriminatory manner if they disclose to the University what is happening;
- e. providing flexible working arrangements or alternative work arrangements to support the staff member;
- f. providing support that is sensitive to the needs of the staff member;
- g. reviewing measures to prioritise safety at work and make all reasonable efforts to provide a safe work environment;
- h. referring the staff member to the Employee Assistance Program ('EAP') or other confidential support services as required;
- i. providing access to accrued carer's leave for staff supporting someone experiencing domestic violence by accompanying them to court, related legal appointments, to hospital or to mind children.

## Confidentiality

(9) Information concerning matters of domestic violence will be treated confidentiality. Matters of domestic violence will not be discussed outside the University unless:

- a. the staff disclosing the domestic violence has so consented;
- b. those who are required to have knowledge of the information as a means to maintain the safety and/or security of staff;
- c. where required by law.

## Supporting Evidence

(10) Staff may be required to produce evidence to support the need for leave such as a medical certificate, a document issued by the Police or a court, or statutory declaration, a domestic violence support service, lawyer or counselling professional.

## Legal Framework

(11) This Policy operates within the context of the [Collective Agreement](#), University policies, relevant state and federal legislation regarding domestic violence as well as any other relevant legislation.

# Section 4 - Procedure

## Part A - Requesting Support

(12) Staff may contact their manager, their next up manager, another senior manager, Employee Relations or Human Resources to request specific support as outlined below. Those involved should work together, confidentially, to coordinate support for the staff member.

(13) It is recognised that staff experiencing domestic violence may disclose their experience in a discussion with their manager. They may also disclose to another trusted staff member either within or outside their immediate work unit. Employees who are informed by another of domestic violence should encourage the affected staff member to review this procedure, related support materials and/or the Employee Assistance Program.

## Part B - Accessing Various Support Services

(14) It is recognised that staff experiencing domestic violence may require a range of support including flexible work

arrangements, additional safety arrangements and time away from the work place for attending medical and legal appointments, court appearances, counselling, relocation or other activities related to dealing with domestic violence.

(15) All staff have access to a range of leave as outlined in the [Collective Agreement](#). How to access this leave is outlined below:

### **Compassionate, Carers and Sick Leave**

(16) In circumstances where a staff member is experiencing domestic violence, staff may access compassionate leave, carer's leave and sick leave for reasons of domestic violence.

### **Annual and Long Service Leave**

(17) In addition to the above, staff may also utilise accrued annual leave and long service leave. If all paid leave has been exhausted staff may also apply for leave without pay.

### **Special Paid Leave**

(18) Staff may access up to 1 weeks' paid leave ('special paid leave') for the purpose of attending medical and legal appointments, court appearances, counselling, relocation or other activities related to dealing with domestic violence. Further paid leave will be considered by the University on an individual basis considering all the circumstances.

### **Flexible Working Arrangements**

(19) Staff may request flexible work arrangements including part-time employment, flexible start/finish times, changing work location or email etc.

(20) Flexible working arrangements will vary dependent on the circumstances of the staff member. Generally they will be for a defined period and regularly reviewed by the manager.

## **Part C - Implementing Safety Plans**

(21) When a staff member requests support, the staff member's manager and Human Resources (Health & Safety representative) should discuss with them whether a safety plan should be developed to assist the staff member to perform their duties safely and productively.

(22) In developing a safety plan the following should be considered:

- a. the plan must be developed in consultation with the manager, with the staff member agreeing to the plan;
- b. the plan should be reviewed by the staff member and their manager on a regular basis;
- c. the staff member's emergency contact details must be kept up to date;
- d. all reasonable attempts should be made to ensure the staff member maintains their normal working hours and working conditions (including contacts) to minimise the impact on them and others;
- e. when there are legal orders (e.g. Apprehended Violence Orders) the plan may be required to conform with and respect stipulations in the orders;
- f. the plan may require consultation with other areas within the University such as Security Services and ICT. This will be coordinated by the Manager on a confidential basis;
- g. the actions that are to be taken if the staff member does not arrive at work.

(23) A template guide to developing a safety plan can be found as a attachment A to this document - [Domestic Violence Support Safety Plan Checklist](#)

## Part D - Document Requirements

(24) Staff may be required to produce evidence to support the need for leave such as a medical certificate, a document issued by the Police or a court, or statutory declaration, a domestic violence support service or lawyer or counselling professional.

(25) The manager or Human Resources may need to discuss this evidence with Legal Services should this be required.

## Part E - Confidentiality

(26) Information concerning matters of domestic violence will be treated confidentially. Matters of domestic violence will not be discussed outside the University unless:

- a. the staff disclosing the domestic violence has consented to do so;
- b. those who are required to have knowledge of the information as a means to maintain the safety and/or security of staff;
- c. where required by law.

## Part F - Resources and Additional Information

### Domestic Violence Victoria

(27) [Domestic Violence Victoria](#) (DV Vic) is the peak body for women and children's domestic violence services in Victoria. Staff can contact DVVIC via email [admin@dvvic.org.au](mailto:admin@dvvic.org.au)

### Safe Steps (Victoria)

(28) [Safe Steps Family Violence Response Service](#) provides at no cost a range of professional support services for women and children experiencing violence and abuse from a partner or ex-partner, another family member or someone close to them. Staff can contact them 24/7 on 1800 015 188 or via email to email: [admin@safesteps.org.au](mailto:admin@safesteps.org.au) or through the [Safe Steps website](#).

### 1800RESPECT

(29) 1800 RESPECT is the national domestic violence/sexual assault counselling service. It is a free, confidential service available 24 hours a day, 7 days a week. Call 1800 737 732 to speak to a professional counsellor.

### Family Relationship Advice

(30) The Family Relationship Advice Line provides information and advice on family relationship issues and parenting arrangements after separation. It can also refer callers to local services that can provide assistance. Call 1800 050 321 between 8 am and 8 pm, Monday to Friday, or 10 am to 4 pm on Saturday (EST), except national public holidays.

### Kids Helpline

(31) Kids Helpline is a free, private and confidential, telephone and online counselling service specifically for young people aged between 5 and 25. Call 1800 551 800, 24 hours a day, 7 days a week.

### Lifeline

(32) [Lifeline](#) provides crisis support services. Call 131 114, 24 hours a day, 7 days a week.

## **Mensline Australia**

(33) [Mensline Australia](#) provides telephone and online support, information and a referral service. They provide counselling support for men to help deal with relationship problems in a practical and effective way. They also provide specialist support to those who use or experience domestic violence. Call 1300 789 978.

## **White Ribbon**

(34) The [White Ribbon website](#) provides a list of national and state based support organisations which may be of assistance where domestic violence is a concern.

## **Support Services at the University**

(35) Staff may access the [Employee Assistance Program](#).

(36) There are people/resources available to assist or support staff and provide information, advice or appropriate referrals.

(37) Support options may include:

- a. Manager
- b. Human Resources
- c. Support Person
- d. Union
- e. [EAP](#) - Call 1300 OUR EAP (1300 687 327) to access EAP 24 hours 7 days per week pager service.

## **Support Hotline**

If you have experienced or are concerned about violence, please call the Violence Prevention and Support Hotline on 1300 687 399. This free and confidential service is provided by independent professionals and can be accessed 24 hours a day, 7 days a week.

# **Part G - Roles and Responsibilities**

## **Staff Members**

(38) Staff members are responsible for contacting their Manager if they wish to access the support outlined in the policy or this procedure, related procedures and/or the [Collective Agreement](#).

(39) Staff members who have domestic violence disclosed to them by a colleague are encouraged to refer the staff member to this policy and procedure and to encourage them to access support.

## **Human Resources**

(40) Human Resources via HR Assist are responsible for providing advice to staff and managers about this policy and procedure, related procedures and to the [Collective Agreement](#) and may coordinate support for a staff member.

## **Managers**

(41) Managers are responsible for providing advice to staff about this policy and procedure, related procedures and the [Collective Agreement](#), as requested by staff, and may coordinate support for a staff member. Managers may request support from their Human Resources Business Partner.

(42) Managers may approve leave applications and/or requests for flexible working arrangements for their staff, safety plans and other contingencies in accordance with the procedure.

(43) While Managers/Human Resources are able to advise and assist staff, please note they are not able to act on behalf of, or as an advocate for staff.

## Section 5 - Definitions

(44) For the purpose of this Policy and Procedure:

a. Domestic violence is defined under Section 5 of the [Family Violence Protection Act 2008](#) as:

(1) For the purposes of this Act, family violence is—

(a) behaviour by a person towards a family member of that person if that behaviour—

- (i) is physically or sexually abusive; or
- (ii) is emotionally or psychologically abusive; or
- (iii) is economically abusive; or
- (iv) is threatening; or
- (v) is coercive; or
- (vi) 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).

### Examples

The following behaviour may constitute a child hearing, witnessing or otherwise being exposed to the effects of behaviour referred to in paragraph (a)—

- overhearing threats of physical abuse by one family member towards another family member;
- seeing or hearing an assault of a family member by another family member;
- comforting or providing assistance to a family member who has been physically abused by another family member;
- cleaning up a site after a family member has intentionally damaged another family member's property;
- being present when police officers attend an incident involving physical abuse of a family member by another family member.

(2) Without limiting subsection (1), family violence includes the following behaviour—

- (a) assaulting or causing personal injury to a family member or threatening to do so;
- (b) sexually assaulting a family member or engaging in another form of sexually coercive behaviour or threatening to engage in such behaviour;
- (c) intentionally damaging a family member's property, or threatening to do so;
- (d) unlawfully depriving a family member of the family member's liberty, or threatening to do so;
- € causing or threatening to cause the death of, or injury to, an animal, whether or not the animal belongs to the family member to whom the behaviour is directed so as to control, dominate or coerce the family member.

(3) To remove doubt, it is declared that behaviour may constitute family violence even if the behaviour would not constitute a criminal offence.

## Section 6 - Stakeholders

Responsibility for implementation – Managers.

Responsibility for monitoring implementation and compliance – Deputy Director, Employee Relations.

## Status and Details

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<b>Effective Date</b>	22nd November 2016
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