

Family and Domestic Violence Support Policy

Section 1 - Key Information

Policy Type and Approval Body	Administrative - Vice-Chancellor
Accountable Executive - Policy	Chief Operating Officer
Responsible Manager - Policy	Executive Director, Human Resources
Review Date	29 August 2026

Section 2 - Purpose

(1) The University recognises that staff may experience family and domestic violence, including intimate partner violence (hereinafter referred to as 'Family and Domestic Violence') that may have a significant impact on their lives and may affect their attendance or performance at work. The University recognises that women are at least three times more likely than men to experience violence from an intimate partner.

(2) The University is committed to providing a broad range of support to staff that experience Family Violence and has included a 'Domestic Violence Leave' clause in the [La Trobe University Enterprise Agreement 2023](#) (Collective Agreement). This Policy provides for additional entitlements under [Fair Work Act 2009](#) (Fair Work Act) that are not reflected in the [Enterprise Agreement](#).

(3) The purpose of this Policy is to provide a supportive workplace in which staff can seek and receive assistance if they are experiencing Family and Domestic Violence.

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

- a. requesting support
- b. leave and flexible working arrangements
- c. implementing safety plans
- d. confidentiality and record keeping
- e. resources and additional information
- f. roles and responsibilities

Section 3 - Scope

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

Section 4 - Key Decisions

Key Decisions	Role
See below for details	

Section 5 - Policy Statement

(6) (The University condemns all forms of violence including Family 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 10 days 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 Family 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 person experiencing Family and Domestic Violence 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 [Employee Assistance Program](#) ('EAP') or other confidential support services as required;
- i. providing access to accrued carer's leave for staff supporting someone experiencing Family and Domestic Violence by accompanying them to court, related legal appointments, to hospital or to mind children.

Legal Framework

(9) This Policy operates within the context of the [Enterprise Agreement](#), University policies, relevant state and federal legislation regarding Family and Domestic Violence as well as any other relevant legislation.

Section 6 - Procedures

Part A - Requesting Support

(10) Staff who are experiencing Family and Domestic Violence may contact their manager, their next up manager, another senior manager. Alternatively, they may wish to contact a Human Resources (HR) Family Violence Contact Officer, Staff Health and Wellbeing, Safer Communities or HR team member. Those involved should work together, confidentially, to coordinate support for the staff member.

(11) It is recognised that staff experiencing Family and 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 Family and Domestic Violence should encourage the affected staff member to review this Policy, related support materials and direct them to the areas of the University

that can assist.

(12) Staff Wellbeing Connect is a service available for all University staff, offering confidential support, information and referral. The service is free and staffed by experienced health professionals. Staff Wellbeing Connect can provide support to staff dealing with family and domestic violence or to managers and supervisors who have a staff member who they may be concerned about. Staff Wellbeing Connect can be contacted via a [Self Referral Form](#) or the [Referral of a Colleague Form](#) (with the person's consent). For further information email the team at staff.wellbeing@latrobe.edu.au.

(13) Staff members can seek confidential advice from the HR Family Violence Contact Officers, who can be contacted via [Ask HR](#).

Part B - Leave and Flexible Working Arrangements

(14) It is recognised that staff experiencing Family and 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 Family and Domestic Violence.

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

Family and Domestic Violence Leave

(16) All University staff may access up to 10 days paid leave per 12 month employment period ('special paid leave') if:

- a. they are experiencing Family and Domestic Violence; and
- b. they need to do something to deal with the impact of the Family and Domestic Violence; and
- c. it is impractical to do that thing outside their work hours.

(17) Examples of actions that may need to be taken by a staff member to deal with Family and Domestic Violence include arranging for their own safety or a close relative, accessing police services, relocation, attending counselling, and attending appointments with medical, financial or legal professionals.

(18) Family and Domestic Violence leave is available to all staff in full at the start of each 12 month employment period. Family and Domestic Violence leave does not accumulate from year to year.

(19) For casual or fixed term staff, the start of the staff member's employment is taken to be the start of the staff member's first employment with the University.

(20) Staff can take Family and Domestic Violence leave as a single continuous 10 day period, separate periods of one or more days each or in any separate periods (including periods of less than one day) which are agreed with the University.

(21) Further paid leave will be considered by the University on an individual basis considering all the circumstances.

(22) Staff are also entitled to any leave that is provided for victims of crime as prescribed by State or Territory laws.

Notice and evidence requirements

(23) Staff intending to take Family and Domestic Violence leave must comply with the below notice requirements:

- a. the notice should be given to the University as soon as practicable (may be a time after the leave has

commenced); and

- b. the notice must advise the University of the period or expected period of leave

(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, a court, a Family and Domestic Violence support service, lawyer or counselling professional, or a statutory declaration.

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

Compassionate, Carers and Sick Leave

(26) In circumstances where a staff member is experiencing Family and Domestic Violence, staff may access compassionate leave, carer's leave and sick leave for reasons of Family and Domestic Violence.

(27) A staff member will not be taken to be on compassionate or personal leave if the leave period also includes a period of Family and Domestic Violence leave and the staff member has not exhausted their Family and Domestic Violence leave entitlements.

Annual and Long Service Leave

(28) 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.

Flexible Working Arrangements

(29) Staff who are experiencing Family and Domestic Violence or are providing care/support to a family member dealing with Family and Domestic Violence can request flexible work arrangements which may include part-time employment, flexible start/finish times or changing their work location.

(30) 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.

(31) Further instructions on how to request flexible work arrangements are detailed in the [Flexible Work Policy](#).

Part C - Safety Planning

(32) 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. [1800RESPECT](#), the National Sexual Assault and Family and Domestic Violence Counselling Service, and local specialist Family and Domestic Violence support services are available to assist with the development of safety plans.

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

- a. the plan must be developed in consultation with the manager and the staff member;
- 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.

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

Part D - Confidentiality

(35) The University will take all possible steps to ensure that information provided by a staff member as notice of or evidence for taking Family and Domestic Violence leave is treated confidentially. Matters of Family and Domestic Violence will not be discussed outside the University unless:

- a. the staff member disclosing the Family and Domestic Violence has consented to the University using the information; or
- b. dealing with the information is necessary to protect the life, health or safety of the staff member or another person; or
- c. where required by law.

(36) Staff must not discuss with others any disclosures of Family and Domestic Violence unless it is required as part of a University support service's response to the disclosure or the reasons specified above.

(37) The University must ensure that staff use of Family and Domestic Violence leave is kept private and confidential. Timesheets and payroll information, including pay slips must not disclose that family and domestic violence leave has been taken by a staff member.

Part E - Resources and Additional Information

Safe Steps (Victoria)

(38) 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 safesteps@safesteps.org.au or through the [Safe Steps website](#).

1800RESPECT

(39) 1800 RESPECT is the national Family and 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 or visit the [1800RESPECT website](#) to access online counselling. Interpreters are also available if needed. 1800 RESPECT also provides secondary consultation (advice) to workers supporting those who have experienced Family and Domestic Violence/sexual assault.

inTouch Multicultural Centre Against Family Violence (Victoria)

(40) inTouch is a state-wide service providing culturally-tailored support in a range of languages to women from migrant and refugee communities who are experiencing or have experienced Family and Domestic Violence. Contact inTouch between 9am and 5pm Monday to Friday on 1800 755 988 or via a Self-Referral Form on the [inTouch website](#).

Safe and Equal (Victoria)

(41) Safe and Equal is the peak body for specialist Family and Domestic Violence services in Victoria which provides helpful publications and resources on its website for practitioners and service organisations who work with Family and Domestic Violence survivors. They also provide an up-to-date directory of Victorian services on the [Safe and Equal](#)

[website](#) and can be contacted via email at admin@safeandequal.org.au.

Family Relationship Advice

(42) 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

(43) [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

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

Men's Referral Service

(45) The Men's Referral Service (MRS) is a male Family and Domestic Violence telephone counselling, information and referral service and is the central point of contact for men taking responsibility for their violent behaviour. MRS also provides support and referrals for male victims of Family and Domestic Violence, women and men seeking information on behalf of their male partners, friends or family members and workers in a range of agencies seeking assistance for their male clients. Call 1300 766 491 or visit the No to Violence Men's Referral Service website.

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

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(49) Support options may include:

- a. Manager
- b. Human Resources
- c. Support Person
- d. Staff Wellbeing Connect
- e. Safer Communities
- f. Union
- g. EAP - Call 1300 OUR EAP (1300 687 327) to access EAP 24 hours 7 days per week pager service.

Part F - Roles and Responsibilities

Staff Members

(50) 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 [Enterprise Agreement](#).

(51) Staff members who have Family and 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.

(52) All staff must follow the confidentiality requirements outlined in Part D of this Policy.

Human Resources

(53) Human Resources via Ask HR are responsible for providing advice to staff and managers about this Policy and Procedure, related procedures and to the [Enterprise Agreement](#) and may coordinate support for a staff member.

Managers

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

(55) 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.

(56) 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 7 - Definitions

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

- a. Close Relative of an employee is defined in the [Fair Work Act 2009](#) as a person who:
 - i. is a member of the employee's immediate family; or
 - ii. is related according to Aboriginal or Torres Strait Islander kinship rules.
- b. Family and Domestic Violence is defined in the [Fair Work Act 2009](#) as:
 - i. Violent, threatening or other behaviour by a close relative of an employee, a member of an employee's household or a current or former intimate partner of an employee, that:
 - seeks to coerce or control the employee; and
 - cause the employee harm or to be fearful
- c. Family Violence is also defined under Section 5 of the [Family Violence Protection Act 2008](#) as:
 - i. behaviour by a person towards a family member of that person if that behaviour:
 - is physically or sexually abusive; or
 - is emotionally or psychologically abusive; or
 - is economically 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
 - ii. 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 (i).
 - iii. The following behaviour may constitute a child hearing, witnessing or otherwise being exposed to the effects of behaviour referred to in paragraph (i):
 - 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.
- iv. Without limiting clause 99 subsection b, family violence includes the following behaviour:
- assaulting or causing personal injury to a family member or threatening to do so;
 - sexually assaulting a family member or engaging in another form of sexually coercive behaviour or threatening to engage in such behaviour;
 - intentionally damaging a family member's property, or threatening to do so;
 - 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.
- v. To remove doubt, it is declared that behaviour may constitute family violence even if the behaviour would not constitute a criminal offence.
- d. Immediate Family is defined in the [Fair Work Act](#) as:
- i. a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee; or
 - ii. a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the employee

Section 8 - Authority and Associated Information

(58) This Policy is made under the [La Trobe University Act 2009](#).

Status and Details

Status	Current
Effective Date	29th August 2023
Review Date	29th August 2026
Approval Authority	Vice-Chancellor
Approval Date	17th August 2023
Expiry Date	Not Applicable
Responsible Manager - Policy	Regan Sterry Executive Director, Human Resources
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