

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	Chief People Officer
Review Date	23 May 2028

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.

(2) The University is committed to providing a broad range of support to staff that experience Family Violence and has included 'Family and Domestic Violence Leave' in clause 47 in the [La Trobe University Enterprise Agreement 2023 \(Enterprise Agreement\)](#).

(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 outlines:

- a. a range of resources and additional information for staff;
- b. leave and flexible working arrangements for staff;
- c. how to access safety plans; and
- d. confidentiality and record keeping requirements.

Section 3 - Scope

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

Section 4 - Key Decisions

Key Decisions	Role
Responding to request for information or support from staff who is experiencing Family and Domestic Violence or at risk of experiencing Family and Domestic Violence and working with the staff member and HR and/or Staff Wellbeing Connect in a confidential way to coordinate appropriate support	Supervisor/Manager

Key Decisions	Role
Notification of leave requests in accordance with the Enterprise Agreement and this Policy.	Staff Member
Provide confidential support to staff who experience or at risk of experiencing Family and Domestic Violence.	Staff Wellbeing Connect team member Safer Community for Staff team members People & Culture Business partners
Approving leave requests in accordance with the Enterprise Agreement and this Policy. This includes completing necessary steps in AskHR, discussions with staff and where necessary seeking information from People & Culture.	People & Culture
Contacting staff who are leave for longer absences to undertake check-ins and confirm arrangements for return to work. In addition, promptly seeking assistance from People & Culture in relation to health, safety and wellbeing for staff members on leave.	Supervisor / Manager

Section 5 - Policy Statement

(6) The University condemns all forms of violence including Family Violence. Family Violence is not limited to physical violence, it also includes emotional, financial, sexual or social abuse.

(7) The University is committed to the following:

- a. providing up to ten (10) days paid leave per calendar year for the purpose of attending medical and legal appointments, legal proceedings and court appearances, counselling, seeking safe housing or 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 a 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 or has occurred;
- e. considering 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'), Staff Wellbeing Connect or other confidential support services as required;
- i. providing access to accrued paid carer's leave for staff who require leave to support someone experiencing Family and Domestic Violence by accompanying them to court, related legal appointments, to hospital or to care for children.

Section 6 - Procedures

Part A - Requesting Support

(8) Staff who are experiencing Family and Domestic Violence may contact their supervisor, their manager, their next up manager, another senior manager. Alternatively, they may wish to contact a representative from People & Culture (P&C), Staff Health, Wellbeing and Inclusion, Safer Communities or People & Culture team members. Those involved should work together, confidentially, to coordinate support for the staff member. The range of services are outlined in Part E: Resources of this Policy.

(9) It is recognised that staff experiencing Family and Domestic Violence may disclose their experience in a discussion with their supervisor and/or 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.

(10) The University will take reasonable steps to keep any information about a staff member's situation that is received as part of taking this leave confidential. This includes:

- a. information about the staff member giving notice that they're taking the leave;
- b. any evidence provided in support of the leave;
- c. payslips will not specifically refer to family and domestic violence leave.

(11) The University can disclose this information in some situations. For example, if it is required by law, it is necessary to protect the life, health or safety of the staff member or another person. The University will seek to obtain the information the staff member and where possible obtain consent of the staff member.

Part B - Leave and Flexible Working Arrangements

(12) It is recognised that staff experiencing Family and Domestic Violence may require a range of support including flexible working arrangements, additional safety arrangements and time away from the workplace for attending medical and legal appointments, court appearances, counselling, relocation or other activities related to dealing with Family and Domestic Violence.

(13) 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

(14) All University staff (including casual staff) may access up to 10 days paid leave per calendar year 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.

(15) 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, accessing police services, relocation or arrangements related to organising safe housing or childcare or the safety of children, attending counselling or other health services, and attending appointments with medical, financial or legal professionals.

(16) Ten (10) days paid Family and Domestic Violence Leave is available to all staff from the first day they start work at the University. The entitlement renews every calendar year, beginning in January and does not accumulate from year to year if it isn't used. The entitlement to 10 days does not pro-rata for part-time or casual staff.

(17) 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 period with the University.

(18) 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 blocks of time (including periods of less than one day) which are agreed with the University.

(19) Family and Domestic Violence Leave is paid at the full rate of pay for hours the staff member would have worked

in the period they took the leave, including any loadings, allowances or other amounts they would have been paid if they had worked instead of taking leave. For the avoidance of doubt, part-time or casual staff are paid their full pay rate for the hours they were rostered to work in the period they took the leave.

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

(21) 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

(22) Staff intending to take Family and Domestic Violence leave must:

- 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 include information about the length of leave timeframe.

(23) 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.

(24) The manager or People & Culture may need to discuss this evidence with Legal Services should this be required but steps will be taken to provide the staff member with confidentiality.

Interaction with Other Leave and Access to Carer's Leave to Support Others

(25) In circumstances where a staff member is experiencing Family and Domestic Violence, staff may access personal leave for reasons of Family and Domestic Violence.

(26) A staff member will not be taken to be on 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.

(27) Staff who are entitled to paid carer's leave may access this type of leave in order to support someone (including a member of their Immediate Family (as defined in Schedule 10 – Definitions of the Enterprise Agreement), who is experiencing Family and Domestic Violence in order to deal with impacts of the Family Violence where it is not practical to do so outside their work hours. This may include making arrangements for the safety of a family member or member of the employee's household; by accompanying them to court, related legal appointments, accompanying the person to hospital or to assist in childcare or support in seeking safe housing or relocation.

(28) Casual staff may access up to 14.5 hours of unpaid carer's leave to support a member of their Immediate Family (as defined in Schedule 10 – Definitions of the [Enterprise Agreement](#)), who is experiencing Family and Domestic Violence in order to deal with the impacts of the Family Violence where it is not practical to do so outside their work hours.

Recreation and Long Service Leave

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

Flexible Working Arrangements

(30) 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.

(31) 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.

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

Information to be provided in Payslips

(33) The information provided in the payslip for staff who have applied for Family and Domestic Violence Leave will not have a reference to Family and Domestic Violence Leave for privacy and confidentiality reasons.

Part C - Safety Planning

(34) When a staff member requests support, the staff member's manager and People & Culture should discuss with them whether Family Violence Support Safety Plan Checklist 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.

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

- a. the plan must be developed in consultation with the manager and/or supervisor 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, Infrastructure and Operations and Information Services (IS). This will be coordinated by the Manager on a confidential basis (regarding the reason as to why intervention is sought);
- g. the actions that are to be taken if the staff member does not arrive at work.
- h. the Family Violence Support Safety Plan Checklist should only be saved to the staff's personnel file.

(36) 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

(37) 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.

(38) 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.

(39) 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

Staff Wellbeing Connect

(40) 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 the intranet or via Referral Form . For further information email staff.wellbeing@latrobe.edu.au.

Staff members may also seek confidential information and support from People and Culture, who can be contacted via Ask HR.

Safer Community

(41) Safer Community is a free, confidential support service if you are experiencing concerning, threatening, inappropriate or uncomfortable behaviour for staff and students at La Trobe University. Staff can contact the service on (03) 9479 8988 or via email safercommunity@latrobe.edu.au.

Safe Steps (Victoria)

(42) Safe Steps (Victoria) provide specialist support services for anyone in Victoria who is experiencing or afraid of family violence. Contact details: www.safesteps.org.au, 1800 015 188 (24 hours per day/7 days per week), safesteps@safesteps.org.au

1800RESPECT

(43) 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. 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. Contact details: [1800RESPECT website](http://1800RESPECT.org.au) or 1800 737 732.

inTouch Multicultural Centre Against Family Violence (Victoria)

(44) 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 details: [inTouch website](http://intouch.org.au) or 1800 755 988 (9am and 5pm Monday to Friday).

Safe and Equal (Victoria)

(45) 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. Contact details: [Safe and Equal website](http://safeandequal.org.au) or email admin@safeandequal.org.au.

Family Relationship Advice

(46) 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. Contact details: 1800 050 321 (8 am and 8 pm, Monday to Friday, or 10 am to 4 pm on Saturday (EST)) excluding national public holidays,

Kids Helpline

(47) [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

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

Men's Referral Service

(49) 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 or abusive behaviour and don't know how where to go for further assistance. 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.

(50) Support options for staff may include:

- a. Supervisor/Manager
- b. People & Culture
- 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.

(51) Staff may access the Employee Assistance Program (EAP) for access to people/resources to assist or support staff and provide information, advice or appropriate referrals.

Part F - Roles and Responsibilities

Staff Members

(52) Staff members are responsible for contacting their Supervisor and/or Manager, or People & Culture if they wish to access the support outlined in the Policy or this Procedure, related procedures and/or the [Enterprise Agreement](#).

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

People & Culture

(54) People & Culture via AskHR are responsible for providing advice to staff and supervisors/managers about this Policy and Procedure, related procedures and to the [Enterprise Agreement](#) and may coordinate support for a staff member.

Supervisors and/or Managers

(55) Supervisors and/or 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. Supervisors and/or managers may request support from their People & Culture Business Partner.

(56) Supervisors and/or 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.

(57) While Supervisors/Managers/People & Culture can advise and assist staff, please note they are not able to act on behalf of, or as an advocate for staff.

Section 7 - Definitions

(58) 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:
 - i. Violent, threatening or other behaviour by an Immediate Family Member, a member of a person's household, or a current or former intimate partner of a person, that:
 - seeks to coerce or control the person; and
 - causes the person 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 member is defined in Schedule 10 – Definitions of the [Enterprise Agreement](#).

Section 8 - Authority and Associated Information

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

(60) 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.

Status and Details

Status	Current
Effective Date	23rd May 2025
Review Date	23rd May 2028
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Responsible Manager - Policy	Regan Sterry Chief People Officer
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