

Greater Dandenong Policy

Family Violence – Employee Support Policy

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1. Purpose

Why do we have this policy?	The Greater Dandenong City Council (Council) is committed to being a workforce and community leader in the prevention of Family Violence. It recognises that Family Violence is a serious issue in society generally and within our communities and, as an employer, Council can play a role in supporting employees who may be subject to, or in any way involved with Family Violence.
What will this policy do?	This policy supports the creation of a safe and supportive work environment which will encourage employees who may be subject to, or in any way involved with Family Violence, to come forward for help and support. The policy also acts as a guide for managers and colleagues to support employees who are affected by family violence.

2. Scope

Who does this policy apply to, and what does it do?	This policy applies to all Council Staff, Volunteers and Contractors engaged by Council and: • Informs Employees of the internal and external support available to employees who may be subject to, or in any way involved with Family Violence, including Family Violence-related leave provisions in the Enterprise Bargaining Agreement (EBA) and related processes, • Ensures disclosures raised in relation to Family Violence will be treated sensitively and with strict confidentiality, and • Requires all Council Staff, Volunteers and contractors recognise and respect Council's zero-tolerance to Family Violence. This policy is available on Council's intranet and copies will be made available to individuals upon request.
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3. Human Rights and Responsibilities Charter

Compatibility Statement

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this Policy and are consistent with the standards set by the Charter. These include:

- Your right to recognition and equality before the law
- Your right to privacy
- Your right to freedom of thought, conscience, religion and belief
- Your right to protection of families and children
- Freedom of expression
- Right to be free from discrimination and to be equal before the law.

4. References

Relevant legislation, guidelines and sources are listed below

Legislation, and other reference sources (as amended or replaced from time to time)

- Family Violence Protection Act 2008
- Occupational Health and Safety Act 2004
- Equal Opportunity Act 2010
- Racial Discrimination Act 1975
- Human Rights and Equal Opportunity Commission Act 1996
- Victorian Charter of Human Rights and Responsibilities Act 2006
- Children Youth and Family Act 2005
- Child Wellbeing and Safety Act 2005
- Privacy and Data Protection Act 2014

5. Definitions

Family Violence

Includes; physical, sexual, financial, verbal or emotional abuse by a family member, including a former intimate partner.

Examples of behaviour that may be considered Family Violence include:

- Physical and sexual assault;
- Financial and verbal abuse;
- Causing a child to hear or witness, or otherwise be exposed to the effects of Family Violence;
- Coercing a family member to relinquish control of assets and income;
- Removing or keeping a family member's property without permission, or threatening to do so;
- Threatening to withhold a person's medication; or
- Preventing a person from making or keeping connections with that person's family, friends or culture, including cultural or spiritual ceremonies or practices, or preventing the person from expressing the person's cultural identity;
- Stalking.

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Family Violence occurs due to inequality in power relationships, usually between men and women.

Family violence can also occur in any intimate relationship, whether partners are in heterosexual, same-sex, bisexual or pansexual relationship. Individuals of all genders experience family violence. Family violence does not always stop when the relationship ends, and can occur between ex-partners or estranged family members.

Children are also often affected by family violence, whether directly or indirectly by exposure to abuse.

Family Violence is a crime under the Victorian Government's Family Violence Protection Act 2008.

Family
Violence
Contact
Officers

Are designated Council staff who have volunteered, and undertaken training to assist employees who are experiencing or in any other way involved Family Violence.

Manager /
Supervisor

Means an employee with direct reports (including volunteers) and Managers responsible for external contractors.

"Safety at
Work" Plan

A Safety at Work Plan is a plan developed by the employee experiencing Family Violence in consultation with their manager and, where sought by the employee, a Family Violence Support Agency. The Safety at Work Plan may consider matters such as work location and hours (flexibility of start and finish times), security while at work, alternative emergency contact details and leave/return to work arrangements. (See Appendix 1 for more details).

Family
Violence
Support
Agency

Refers to an agency or a staff member of an agency that provides Family Violence related support to employees who may be subject to, or in any way involved with family violence. (See Appendix 2 for contact information for Dandenong based and other family violence support services).

6. Council Policy

Objectives

Council will take all reasonable steps to ensure employees who disclose Family Violence are supported in a sensitive and confidential manner. Council has established practical measures to create a workplace environment which will encourage employees to come forward for assistance and support. This Policy:

- Raises awareness among Council employees of Family Violence and the impact it has primarily on women and our workplaces;
- Guides responses to employees affected by Family Violence;
- Provides guidelines for Managers when providing assistance to employees experiencing Family Violence;

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- Creates a working environment which promotes gender equity and models non-violent and respectful relationships at all times; and
- Creates a supportive environment to ensure employees who disclose they are subject to, or involved with Family Violence in any way to come forward to seek assistance and support; and
- Sets out the consequences for perpetrating Family Violence, whether in the workplace or where workplace resources are used to perpetuate Family Violence outside the workplace.

Why Family Violence is a Workplace Issue?

Council recognises that Family Violence is private or personal issue, however it may also have negative impacts that flow to the workplace irrespective of where it occurs.

Family violence can result in increased sick leave and stress, decreased productivity and high employee turnover and can also have an effect on co-workers. A supportive workplace can play an important role in assisting an employee to deal with Family Violence; at its very basic level the workplace provides for a stable income and refuge.

7. Procedures

What can an **Employee** do if experiencing Family Violence?

An employee experiencing Family Violence may raise the issue with their Manager, a designated Family Violence Contact Officer, or ask a trusted colleague to seek advice on their behalf. Alternatively, employees may contact the Team Leader Organisational Development and/or a Union Delegate.

All disclosures must be kept confidential by those persons to the extent permitted by the law (see definition).

Council's Managers, Family Violence Contact Officers, Organisational Development Consultants and Union Delegates are trained in what to do next and, only with the employee's permission, confidentially assist the employee to access appropriate support.

Employees experiencing Family Violence are encouraged to develop a Safety at Work Plan with their manager and/or a member of a Family Violence Support Services listed in Appendix 2.

How will **Managers / Supervisors** support staff experiencing Family Violence?

Managers and Supervisors will ensure an employee experiencing Family Violence is listened to and has control of the steps taken to assist them in managing their safety in the work place.

Managers will maintain the confidentiality of Family Violence incidents and any other disclosures to the extent permitted by the law (see definition). Specialist Family Violence Support Services can provide specific advice where required.

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Managers will:

- Provide employees with access to Family Violence Support Services to assist the employee and encourage them to create a safety plan,
- Grant reasonable leave and adjust work schedules or location of assignment for employees who are experiencing Family Violence,
- Make information on support services available so that employees can obtain it without having to request it,
- Encourage employees to access the Employee Assistance Program (EAP), and
- Take into account impacts of Family Violence on an employee when considering matters such as attendance and performance.

What is the role of **Managers** to support a person committing Family Violence?

Council recognises that Family Violence is a complex matter and that there is an opportunity to break the cycle of Family Violence where an employee recognises they have a problem and seeks to address this in order to prevent them from committing acts of Family Violence.

Where an employee seeks assistance to stop committing or prevent acts of Family Violence, Managers will maintain the confidentiality of Family Violence incidents and any other disclosures to the extent permitted by the law (see definition). Specialist Family Violence Support Services can provide advice where required.

Managers will:

- Encourage employees to access Family Violence Support Services to assist the employee,
- Make information on support services available so that employees can obtain it without having to request it,
- Encourage employees to access the Employee Assistance Program (EAP).

Managers should also be aware that safety is paramount when dealing with an alleged perpetrator of Family Violence and should consult with an OD team member for advice.

What role do **Family Violence Contact Officers** have?

Family Violence Contact Officers are trained in what to do when a person raises Family Violence matters with them and, with the employee's permission, will confidentially assist the person to seek appropriate assistance.

Family Contact Officers details can be found on staff notice boards in the kitchenettes and on Webstar.

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How will Council create a safe and supportive workplace?

Council will make all reasonable efforts to provide a safe work environment for an employee who is experiencing Family Violence as well as other employees.

1. Information

Information detailing support for employees and posters identifying Family Violence Contact Officers are available in highly visible locations in the workplace, such as kitchen areas.

This policy is available on the intranet and in hard copy format in workplaces where there is limited access to the Intranet or upon request. Family Violence information is included in employee induction programs.

2. Training

Council provides training for Family Violence Contact Officers, Managers and other relevant staff on actions to take when an employee discloses Family Violence.

Training will also be provided to staff generally on the impact of Family Violence on health and wellbeing in the workplace.

3. Risk identification

Council will continue to refine its risk identification approach to support employees who are concerned about their safety.

Use the Safety Template.

4. Referrals and support

Managers, Contact Officers and other relevant staff will provide information on appropriate Family Violence support services for employees who disclose they are subject to or involved with Family Violence.

5. Systems and processes

Council will ensure that its human resource policies and procedures do not discriminate against people experiencing Family Violence and are responsive to the needs to victims of Family Violence.

What **Leave** is available for staff experiencing Family Violence?

The Family Violence clause in Council's Enterprise Bargaining Agreement (EBA) outlines the support available, including the provision of special leave and other assistance.

Council will make all reasonable efforts to help employees who need time to arrange medical and legal assistance, Intervention or Restraining Orders, attend court, counseling, modification of start/finish times, relocation, or other options or safety arrangements as identified. This will include support to attend the needs of children or family members affected by violence. These arrangements will be negotiated between the employee and their Manager in confidence and in accordance with the Family Violence provisions of the EA.

A request for Family Violence Leave may require supporting documentation which can be in the form of an agreed document issued by the Police Service, a Court, a Doctor, Registered or Enrolled nurse, a Family Violence Support Service or Lawyer. A signed statutory declaration can also be offered as proof.

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To ensure privacy, any leave taken will be recorded as “special leave” which is used to record leave taken for various reasons (not just Family Violence Leave).

For Leave Guidelines and Procedures (Go to Webstar – HR Connection > Payroll> Leave Guidelines and click on Domestic / Family Violence Guideline / Procedures) ([Click here](#)).

Will staff be treated fairly and with respect after disclosing Family Violence information?

Yes, Council’s *REACH* principles and Code of Conduct require all staff to respect the people they work with. Council will not tolerate staff being subjected to adverse action or discrimination.

If anyone thinks they are being treated unfairly in the workplace please contact a member of the Organisational Development Team for assistance.

Will jobs be at risk if staff access Family Violence assistance?

No. Employees will be dealt with sensitively and with consideration to the circumstances at all times including their performance at work and, accessing support in relation to Family Violence will not adversely impact on a staff member’s employment.

Who has access to my information?

Where it is necessary for staff to be made aware of information regarding a matter in accordance with maintaining a safe work environment (e.g. if staff need to be informed to report if a person is on site at a Council workplace or similar) then specific information will be provided to relevant persons or groups on an as needs basis in consultation with the affected employee.

Employees have a right to know who can access their confidential information and what confidential information is being stored. Information will be made accessible on request, stored and destroyed in accordance with the relevant Council policies and procedures and Privacy legislation.

Will Privacy be maintained?

Yes, staff to whom Family Violence disclosures are made will maintain absolute confidentiality to the extent permitted by the law (see definition). All matters will be treated sensitively.

Any documentation relating to Family Violence matters will be securely held in confidential files accessible by a limited number of Organisational Development staff only.

Is there a complaints / dispute resolution process?

Yes. If an individual feels aggrieved by Council’s handling of Family Violence matters they should, in the first instance, raise their concerns with their manager or the Team Leader Organisational Development. They may also access the Staff Grievance or Workplace Complaints Policies.

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8. Related Documents

Related Council documents (as varied from time to time)

- Greater Dandenong City Council Enterprise Bargaining Agreement, 2015 (and its successor agreements)
- Disciplinary Policy and Procedures
- Code of Conduct for Staff
- Equal Opportunity, Anti-discrimination, Harassment and Bullying Policies
- Privacy & Personal Information Policy

Appendix 1

Safety Plans

What is a Safety at Work Plan?

This is a plan to assist an employee address issues arising from Family Violence matters. The plan is developed between the employee experiencing Family Violence, their manager and, where sought by the employee, a Family Violence Service.

When developing a Safety at Work 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 to the wellbeing of other employees and/or customers.

What can a Safety at Work Plan include?

A Safety at Work Plan may consider the following:

- Where an Intervention Order, Restraining Order or other legal document includes the workplace, the employee must provide a copy to Council so the necessary arrangements can be made to have an accessible copy available as required. To facilitate this, the employee may consider providing a copy of the Order to their Manager and/or the Team Leader Organisational Development.
- A Request for a change to and/or unpredictable rotations of work schedule, work site, or work assignment if such a change could enhance the personal safety at work of the employee.
- If an employee will be absent from work because of Family Violence matters, they may discuss developing a to return to work plan with their manager/supervisors that may include keeping in contact with their Manager/Supervisor or other nominated person.
- A review of safety of parking / transport arrangements
- Security when entering and leaving the work place
- The employees ability to keep their Manager advised of their movements by carrying a mobile phone at all times
- Screening an employee's telephone calls at work, and/or changing their work telephone number and email address
- Changing/removing any publically available information on Council websites, brochures or information that discloses the person's work location or contact information.
- Alternative emergency contact details.

Appendix 2

Family Violence Support Services

Police:	Emergency response (24 hours): 000
Dandenong Family Violence Support Services:	National Sexual Assault, Domestic Family Violence Counselling Service: 1800 RESPECT (1800 737 732). (This is a 24 hours per day/7 days per week service.) WAYSS Family Violence Crisis Service (Dandenong): 9792 1205 or 131 450 for an interpreter (7 days per week, 8am – 11pm) Casey Cardinia Community Legal Service: 9793 1993. (Mon to Fri 10am-1pm, 2-4pm) Springvale Monash Legal Service: 9545 7400. (Mon to Fri 9am – 5pm) http://smls.org.au/.
Other Family Violence Support Services	Women's Domestic Violence Crisis Service of Victoria: 1800 015 188 or 9322 3555 (24 hour emergency help) Sexual Assault Crisis Line: 1800 806 292 Safe Steps Family Violence Response Centre: 1800 015 188 (24 hours a day, 7 days a week response line for victims of Family Violence. www.safesteps.org.au) Life Line (24 hours): 13 11 14 Victims of Crime Helpline: 1800 000 055 Men's Referral Service: 9428 2899 or 1800 065 973 Employee Assistance Program: 1300 687 327 (Converge International). This is a 24 hours per day/7 days per week service.