

# Family Violence HR Policy FAQs

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# Family Violence HR Policy - FAQs

The *Family Violence Protection Act 2008* (Vic.) defines family violence as 'behaviour that is physically, sexually, emotionally, psychologically or economically abusive; threatening or coercive; or in any other way controls or dominates the family member and causes them to feel fear for the safety or wellbeing of that family member or another person.'

Behaviour that causes a child to hear or witness, or otherwise be exposed to, the effects of any behavior referred to above is also defined as family violence.

As is recognized in our legislation, while anyone can be a victim or perpetrator of family violence, family violence is predominantly committed by men against women, children and other vulnerable persons.

Family violence is prevalent and affects all communities regardless of culture, location or socioeconomic status. The impact of family violence affects us as individuals and families, places extreme demands on our universal and specialist service systems, as well as creating a significant economic burden.

As one of the largest employers in Victoria, the Department is committed to ensuring that all DET employees have access to suitable family violence support services and referrals.

This document aims to provide further information on some frequently asked questions regarding the resources and support available to employees and principals/managers of employees who are experiencing family violence.

## WHAT SHOULD I DO IF THERE IS AN IMMEDIATE RISK?

If an employee is in danger or is requesting immediate assistance, **call the police on 000**. Advise your office reception and/or security immediately.

**Do not attempt to intervene in a situation involving physical violence, or where physical violence might occur.** Doing so could put your safety at risk. Endeavour to take any practical action that will assist in ensuring the safety of the intended target of the perpetrator, and of all employees at the workplace.

## A COLLEAGUE HAS DISCLOSED THAT THEY ARE EXPERIENCING OR BEING AFFECTED BY FAMILY VIOLENCE. WHAT SHOULD I DO?

If a colleague discloses to you that they are experiencing family violence treat the disclosure seriously. If the disclosure reveals that the colleague is in immediate danger call the police on 000 and advise a manager. If the disclosure does not reveal immediate danger, suggest that the colleague accesses support by contacting one of the following specialist services to discuss family violence and access support:

- Employee Assistance Program: 1300 361 008
- Safe Steps - 1800 015 188 (toll free 24 hour 7 days a week) - telephone crisis counselling, referral, information and support, and central contact point for women's refuges in Victoria
- National Sexual Assault, Domestic and Family Violence hotline – 1800 RESPECT (1800 737 732) – 24 hour phone and online counselling service
- MensLine Australia, telephone and online counselling service for men with family and relationship concerns, 1300 789 978, <https://mensline.org.au/>

If the colleague would like to seek assistance from the Department, or understand the supports available, they can contact a Workplace Contact Officer, a People Services Consultant or their principal/manager.

A more extensive list of supports is set out in the Support Services document available on HRWeb, which you can give to your colleague. You can seek advice from People Services about how to manage the matter. There is no need to identify the employee if privacy is a concern.

In addition, the advice below can be a guide in these circumstances:

- Never force disclosure/s beyond what the employee is comfortable revealing.
- Acknowledge what the employee tells you about their experience.
- Respond sensitively and ensure confidentiality is maintained so that the employee's privacy is protected.
- Maintain your relationship as a colleague. There are trained professionals such as counsellors or specialist family violence workers who can be accessed by your colleague to provide counselling support.

- Be aware that a supportive work environment will help your colleague. This includes being supportive of any workplace arrangements, including flexible work, that a manager might put in place to support an employee experiencing family violence.

## **I SUSPECT THAT A COLLEAGUE IS BEING AFFECTED BY FAMILY VIOLENCE. WHAT SHOULD I DO?**

There are signs that can indicate that an employee or colleague may be experiencing family violence or be in an abusive relationship.

These signs may present as a sudden change, or be observed as a slow gradual change over time. Some key indicators could be unexplained physical injuries, behavior suggesting fear, anxiety and emotional distress, increased use of leave and/or decrease in job performance.

A person may not be directly experiencing violence at this time, but anniversaries or events such as White Ribbon Day may trigger distress.

If you suspect that an employee is experiencing family violence but the person has not disclosed to you, discuss the matter with a Workplace Contact Officer or a People Services consultant. The person's privacy should be protected, particularly as they have not disclosed and you are acting on your own initiative.

## **AS A MANAGER, WHAT STEPS DO I FOLLOW IF AN EMPLOYEE DISCLOSES THEY ARE EXPERIENCING FAMILY VIOLENCE?**

- Principals or managers concerned about an employee or colleague who may be experiencing family violence can contact People Services or a Workplace Contact Officer for advice.
- If the employee is seeking Family Violence Leave ensure that the application is forwarded to People Services with appropriate supporting evidence (see below for further information on supporting evidence).
- Advise the employee that there are workplace supports that can be put in place to help them with their experience of family violence. The Family Violence page on HRWeb contains the Family Violence policy and a Workplace Support Plan. (See below for further information about the [Workplace Support Plan](#).)
- Advise the employee that further assistance can be sought from any of the contacts on the Support Services list, including from one of the Workplace Contact Officers and/or a People Services consultant.
- Be aware that there may be significant risks to the employee's safety and welfare and the Department has a responsibility to make every effort to address these risks through the provision of supports wherever possible.
- Be aware that a supportive work environment will assist the employee. Consider whether flexible work arrangements are required and understand that the impact of experiencing family violence can be decreased job performance.

## **IF AN EMPLOYEE OR COLLEAGUE DISCLOSES THAT THEY ARE PERPETRATING FAMILY VIOLENCE HOW SHOULD I RESPOND?**

A disclosure from an employee or colleague that they are perpetrating family violence may be inadvertent and therefore unintended, or may occur as a result of a decision by the person to disclose. Your response would vary depending on the nature of the disclosure. Where the disclosure establishes an actual or potential risk of harm to others, including to children, you should contact the Employee Conduct Branch (ECB) in People Services to seek advice on the matter and on an appropriate course of action.

Where the family violence involves an employee engaging in behavior that causes significant emotional or psychological harm to a child ECB may need to report the matter to the Commissioner for Children and Young People (CCYP) consistent with DET's obligations under the Reportable Conduct Scheme.

Information for DET employees about the Reportable Conduct Scheme can be found in the School Policy Advisory Guide at <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/reportableconductscheme.aspx>

## **I AM EXPERIENCING FAMILY VIOLENCE AND DO NOT FEEL COMFORTABLE TALKING TO MY PRINCIPAL OR MANAGER. WHO ELSE CAN I TALK TO?**

You could talk to a more senior manager, a Workplace Contact Officer, union delegate or a People Services Consultant. You may also choose to have a colleague, friend or family violence outreach worker support you. You could contact the Department's EAP provider on 1300 361 008 or seek assistance from one of the contacts on the Support Services list on HRWeb if you are uncomfortable talking to someone in the workplace about your experience.

## **IF I APPLY FOR FAMILY VIOLENCE LEAVE WILL MY INFORMATION BE KEPT CONFIDENTIAL?**

Information that you provide will be kept strictly confidential and will only be used for the purposes for which it was collected. Only those who 'need to know' will be made aware of your situation unless there is a legal requirement to report the matter (for example, when child safety reporting requirements apply) or your safety and/or that of another employee is at risk.

Explaining to your principal/manager or a colleague that there is an issue can be beneficial, as supports can be put in place which may enable you to continue to perform your job and/or gain support.

If you are concerned about the collection, use or disclosure of any information you provide, you can contact the Department's Privacy Officer on [privacy@edumail.vic.gov.au](mailto:privacy@edumail.vic.gov.au) or by calling (03) 9637 3141.

## **WHAT CONSTITUTES APPROPRIATE SUPPORTING EVIDENCE FOR A FAMILY VIOLENCE LEAVE APPLICATION?**

Where an employee is disclosing experience of family violence and is seeking to take leave the employee will be required to provide suitable evidence. This may take the form of a statutory declaration or a document indicating the employee is experiencing family violence, issued by one of the following:

- Victoria Police or another police service
- a Court
- a general practitioner, nurse, a district nurse or other registered health practitioner
- a Family Violence Support Service
- a maternal and child health nurse
- a lawyer.

Evidence must be provided for each family violence leave application.

## **WHAT SUPPORT CAN BE PROVIDED TO AN EMPLOYEE EXPERIENCING FAMILY VIOLENCE?**

The Department's Family Violence Policy sets out the support available to employees experiencing family violence, and employees supporting someone experiencing family violence.

This support could include leave, flexible working arrangements, the creation of a Workplace Support Plan and provision of information about other support services available, including referral to the Department's Employee Assistance Program, or to external organisations. See [HRWeb Family Violence page](#).

A consequence of family violence may be the deterioration in an employee's attendance and/or performance at work. If you are experiencing family violence and you believe it may be impacting on how you perform your job, it is important that you let your principal/manager know, so they can take this into account and provide appropriate support.

If you are not comfortable discussing this with your principal or manager you can seek advice from a more senior manager, a Workplace Contact Officer, or a People Services consultant.

## **WHAT DOES A WORKPLACE SUPPORT PLAN INVOLVE AND HOW WILL THIS BE DEVELOPED?**

A Workplace Support Plan is developed by you in conjunction with your principal or manager, or more senior manager. The plan should reflect your specific needs and take into account the nature of your role and the workplace environment. It may include changes to work times or shift patterns, days of work, time fraction, leave required or any other relevant adjustment to your role.

The Support Plan also includes a workplace safety component, where you and your principal/manager will look at your safety in the workplace, and that of other employees. A workplace safety checklist is provided in the Plan template to assist with the assessment of workplace safety needs.

If you are not comfortable discussing this with your principal or manager you can seek advice from a more senior manager, a Workplace Contact Officer, or a People Services consultant.

The Workplace Support Plan template is available on HRWeb.