



DOMESTIC/FAMILY VIOLENCE WORKPLACE POLICY

Department of Human Services (DHS)

Summary

Outlines the department's position in respect of support and assistance for those employees who experience domestic/family violence.

Table 1: Document Details

| | |
|---|--|
| Policy Number | PCD/015 |
| Applies to | All DHS employees |
| Issued by | People and Culture |
| Delegated Authority | Tony Harrison Chief Executive |
| Policy Custodian | Kim-Sherie Summers Executive Director, People and Culture |
| Content author (position & phone no) | Fiona Mort Director, Office for Women |
| Implementation Date | March 2012 |
| Approval Date | October 2018 |
| Review Date | October 2021 |
| Confidentiality | Public |

Table 2 – Revision Record

| Date | Version | Revision description |
|--------------|---------|--|
| October 2018 | 2.2 | To reflect new departmental name, terminology and general update |

Table of Contents

Domestic/Family Violence Workplace Policy

| | |
|---|----------|
| 1. Policy Title | 3 |
| 2. Purpose | 3 |
| 3. Context | 3 |
| 4. Scope | 3 |
| 5. Definitions and Terminology | 3 |
| 6. Policy Detail | 4 |
| 7. Risk | 5 |
| 8. Reference Documents | 6 |
| 8.1 Directive documents | 6 |
| 8.2 Supporting documents | 6 |
| 8.3 Related documents and resources | 6 |
| 9. Aboriginal Impact Statement Declaration | 6 |
| 10. Policy Approval | 7 |

1. Policy Title

Domestic/Family Violence Workplace Policy

2. Purpose

The intention of this policy is to provide a workplace that supports the safety and wellbeing of employees who experience domestic/family violence, as well as their co-workers, by encouraging such employees to access departmental assistance and information, including paid time off work and flexible working where that is necessary for related purposes.

3. Context

This policy represents the position of the Department of Human Services (DHS) in respect of support and assistance for those employees who experience domestic/family violence. Domestic/family violence in any form is unacceptable. All employees, but particularly women, may be subjected to domestic/family violence.

More than one in three women in Australia aged over 18 years have experienced physical violence since the age of fifteen and nearly one in five sexual violence¹.

Almost two-thirds of women who experience domestic/family violence are involved in the workforce². This means that the workplace can make a significant difference to the safety and wellbeing of women experiencing violence.

4. Scope

This policy applies to all DHS employees. Weekly Paid employees and Nurses are not covered by Part 7 of the PS Act and therefore the SA Health (Health Care Act) Human Resources Manual or the relevant industrial instrument will apply.

Labour hire, contractors, work experience students or volunteers are expected to conduct themselves in accordance with the requirements of this policy. These are the terms of their continuing relationship with DHS.

The policy should be read in conjunction with the documents specified in Section 8.

5. Definitions and Terminology

Domestic/Family Violence

Domestic/family violence is an abuse of power perpetrated mainly (but not only) by men against women in a range of relationships, including:

¹ ABS 2017 Personal Safety Survey – Summary of 2016 survey results, viewed at <http://www.abs.gov.au/ausstats/abs@.nsf/mf/4906.0>

² *ibid.*

- intimate partners and ex-partners;
- children (including those under the guardianship of the perpetrator, step-children, grandchildren and loco parentis relationships);
- siblings;
- Aboriginal or Torres Strait Islander kinship or other culturally recognised family group; and
- where one is the carer of the other.

A central element of domestic/family violence is an ongoing pattern of behaviour aimed at power and control through fear. The most commonly acknowledged forms are physical and sexual violence, threats and intimidation, emotional, psychological and social abuse, and economic deprivation.

Aboriginal Family Violence

The term Aboriginal Family Violence is accepted amongst Aboriginal and Torres Strait Islanders as a more appropriate term to describe violence perpetrated against Aboriginal and Torres Strait Islanders, families and communities. The term Aboriginal Family Violence includes violence perpetrated within intimate partner relationships, however it is also encompasses other forms of violence perpetrated against individuals, families and communities.

6. Policy Detail

DHS does not tolerate domestic/family violence being perpetrated in or from the workplace. This includes any employee who perpetrates violence and abuse from the workplace including, for example, by use of telephone, fax, mail or email. Such behaviour is in breach of the Code of Ethics for the South Australian Public Sector and disciplinary action will be taken accordingly.

Confidentiality

All employee records concerning domestic/family violence will be kept confidential and only divulged in exceptional circumstances where it is imperative to maintain the safety of the employee and/or other staff.

Support

Any employee who has experienced, is experiencing, or is at risk of experiencing, domestic/family violence is encouraged to seek assistance from the DHS [Employee Assistance Program](#).

Employees who are experiencing or escaping domestic/family violence are encouraged to advise People and Culture and/or their Manager/Supervisor so that appropriate support in the workplace may be provided.

A consequence of domestic/family violence may be a deterioration in an employee's attendance and/or performance. Managers/Supervisors will be sensitive to the employee's experience of domestic/family violence and the impact this may have on performance when addressing attendance and/or performance issues.

Consideration will be given to changes in an employee's work telephone numbers, working hours, nature and place of work, either on a temporary or permanent basis, where necessary to support the safety of the employee.

An employee who discloses to People and Culture and/or their Manager/Supervisor they are experiencing domestic/family violence will be provided with information on the counselling and support services available through domestic/family violence support services.

Leave

An employee experiencing domestic/family violence may access *special leave with pay for domestic/family violence* in accordance with the department's Leave Guideline. Special leave may be required to enable the employee to attend appointments, for example, with support organisations, solicitors, court applications, and for other activities that may be necessary to maintain safety and progress towards a life free from domestic/family violence. To maintain confidentiality, 'urgent pressing necessity' will be recorded as the leave reason in such situations.

Perpetrators of domestic/family violence are not able to access special leave with pay for domestic/family violence.

Safety

In consultation with the employee concerned, the relevant Manager/Supervisor is to give consideration to developing strategies, such as a *Workplace Domestic Violence Safety Plan* detailed in the Domestic Violence Workplace Policy – Staff Guidelines, to ensure the safety of the employee whilst at work, including, but not limited to:

- programming mobile phones with emergency and contact numbers;
- screening incoming calls to the employee; and
- changing work role/locations (on a temporary basis) to improve safety.

Where an abusive partner/family member has come to the workplace and has threatened or harassed the employee or any other employee, the police are to be advised immediately. The incident should also be reported on RISKMAN, the department's incident reporting system, by the employee's Manager/Supervisor.

7. Risk

Domestic/family violence can result in health problems for employees, both physical and psychological. Accordingly, failure to recognise domestic/family violence as a possible cause of health problems may lead to employees attending the workplace when they may not be fit enough to do so or may lead to an increase in absence and/or a decrease in performance. It is also possible that a perpetrator of domestic/family violence may attempt to seek out the victim at their workplace – this may result in the victim and other employees being put at risk.

8. Reference Documents

8.1 Directive documents

- [Public Sector Act 2009 \(PS Act\)](#)
- [Public Sector Regulations 2010](#)
- [Public Sector \(Honesty and Accountability\) Regulations 2010](#)
- [Fair Work Act 1994](#)
- [Equal Opportunity Act 1984](#)
- [Whistleblowers Protection Act 1993](#)
- [Work Health and Safety Act 2012](#)
- [Code of Ethics for the South Australian Public Sector](#)
- [Independent Commissioner Against Corruption Act 2012 \(ICAC Act\)](#)
- [Independent Commissioner Against Corruption Directions and Guidelines](#)
- [Intervention Orders \(Prevention of Abuse\) Act 2009](#)
- [Criminal Law Consolidation Act 1935](#)
- [Commissioner Determination 3:1 – Employment Conditions – Hours of Work, Overtime and Leave](#)
- [SA Modern Public Sector Enterprise Agreement: Salaried 2017](#)
- [SA Public Sector Wages Parity Enterprise Agreement: Weekly Paid 2017](#)
- [Nursing/Midwifery \(South Australian Public Sector\) Enterprise Agreement 2016](#)
- [SA Health Salaried Medical Officers Enterprise Agreement 2013](#)
- [SA Health Visiting Medical Specialists Enterprise Agreement 2017](#)
- [South Australian Public Sector Wages Parity \(Plumbing, Metal and Building Trades Employees\) Enterprise Agreement 2016](#)
- [SA Health \(Health Care Act\) Human Resources Manual](#)
- [Conditions for Employment for Weekly Paid Employees](#)
- [Leave Policy](#)
- [Respectful Treatment and Ethics at Work Policy](#)

8.2 Supporting documents

- [Domestic Violence Workplace Policy - Staff Guidelines](#)
- [Leave Guideline](#)
- [Flexible Work Guideline](#)
- [Human Resource Authorisations/Delegations](#)


8.3 Related documents and resources

- Office for Women
- Family Safety Framework

9. Aboriginal Impact Statement Declaration

The needs and interests of Aboriginal people have been considered in the development of this policy.

10. Policy Approval

| | |
|--|---|
| Content Author: Name: Fiona Mort Business Unit: Office for Women Phone: 8303 0962 Date: / / | <p>.....</p> <p>Name: Sarah White Acting Executive Director, People and Culture</p> <p> / /</p> |
| Comments: | <p>APPROVED</p> <p></p> <p>-----</p> <p>Tony Harrison Chief Executive</p> <p>19 / 10 / 18</p> |