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Policy custodian:	Denise Brine, Director Human Resources
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DCSI strategic objective	Support independence and participation
SA Strategic Plan:	Violence against women

Domestic Violence Workplace Policy

1 Intent

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

2 Context

This policy represents the Department for Communities and Social Inclusion's (DCSI's) position in respect of support and assistance for those employees who are victims of domestic violence. Domestic violence in any form is unacceptable. All employees, but particularly women, may be subjected to domestic violence.

One in three women in Australia have experienced physical violence since the age of fifteen and one in five sexual violence¹. The most common forms of violence against women are domestic violence and sexual assault.²

Almost two-thirds of women who experience domestic violence are involved in the workforce³. This means that the workplace can make a significant difference to the safety and wellbeing of women experiencing violence.

DCSI was the first South Australian organisation to become a White Ribbon Accredited Workplace in support of the Premier's commitment to end men's violence against women.

3 Risk

Domestic violence can result in health problems for employees, both physical and psychological. Accordingly, failure to recognise domestic 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 lowering of performance. It is also possible that a perpetrator of domestic violence may attempt to seek out the victim at their workplace – this may result in the victim and other employees being put at risk.

¹ Personal Safety Survey, Australian Bureau of Statistics, 2006, 30

² Personal Safety Survey, Australian Bureau of Statistics, 2006, 30, 36

³ Personal Safety Survey, Australian Bureau of Statistics, 2006, 34

4 Reference Documents and Links

4.1 Directive Documents

- Public Sector Act 2009 (PS Act)
- Public Sector Regulations 2010
- Public Sector (Honesty and Accountability) Regulations 2010
- 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
- South Australian Public Sector Wages Parity Enterprise Agreement Salaried 2014
- Nursing\Midwifery (South Australian Public Sector) Enterprise Agreement 2013
- SA Public Sector Wages Parity Enterprise Agreement: Weekly Paid 2013
- Work Health and Safety Act 2012
- Fair Work Act 1994
- Equal Opportunity Act 1984
- Whistleblowers Protection Act 1993
- SA Health (Health Care Act) Human Resources Manual
- SA Health Salaried Medical Officers Enterprise Agreement 2013
- SA Health Visiting Medical Specialists Enterprise Agreement 2012
- South Australian Public Sector Wages Parity (Plumbing, Metal and Building Trades Employees) Enterprise Agreement 2011

4.2 Supporting Documents

- Domestic Violence Workplace Policy - Staff Guidelines
- A Guide to Flexible Work and Leave Arrangements in DCSI
- [Respectful Treatment and Ethics at Work Policy](#)
- [DCSI Human Resource Authorisations/Delegations](#)

4.3 Related Documents and Resources

- Office for Women
- Family Safety Framework

5 Scope

This policy applies to all DCSI 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 DCSI.

The policy should be read in conjunction with the documents specified in Section 4 of this policy.

6 Definitions

Domestic Violence

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

- intimate partners and ex-partners;
- children (including those under the guardianship of the perpetrator, step-children, grand children 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 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. Whilst the term domestic violence is used throughout this policy, it is important to recognise that for Aboriginal employees the term *family violence* may be more appropriate.

7 Policy Detail

DCSI does not tolerate domestic 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 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 violence is encouraged to seek assistance from the DCSI [Employee Assistance Program](#).

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

A consequence of domestic 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 violence and the impact this may have on performance when addressing attendance and/or performance issues.

Consideration will be given to changes in an employees 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 Human Resources and/or their Manager/Supervisor that they are experiencing domestic violence will be provided with information on the counselling and support services available through domestic and Aboriginal family violence support services.

Leave

An employee experiencing domestic violence may access *special leave* in accordance with the Guide to Flexible Work and Leave Arrangements in DCSI. 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 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 by the employee's Manager/Supervisor.

8 Aboriginal Impact Statement Declaration

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

9 Policy Approval

Content Author:	Policy Custodian:	Delegated Authority:
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