

Domestic and Family Violence

Policy

Contents

- 1. *Policy Statement* 3
- 2. *Who does this Procedure apply to?* 3
- 3. *Definitions* 4
- 4. *Key Responsibilities* 4
- 5. *Confidentiality* 5
- 6. *Support* 5
- 7. *Leave* 6
 - 7.1. *Recording Absences* 7
- 8. *Perpetrators of DFV* 7
- 9. *Further Assistance* 7
- 10. *Further information and resources* 8
 - 10.1. *Internal Policies* 8
 - 10.2. *Legislation* 9
 - 10.3. *Other resources* 9
 - 10.4. *Support and/or advice* 9
- 11. *Document management* 10

1. Policy Statement

The Greater Cities Commission (Commission) is committed to supporting staff affected by Domestic and Family Violence (DFV). A sensitive and holistic approach to supporting staff allows continued participation in the workplace during a difficult time and provides a workplace environment that promotes flexibility in times of need.

The Commission recognises the potentially devastating impact that DFV can have on the lives of those who experience it, including their capacity to work and their financial security.

DFV is a pattern of abusive behaviour in an intimate relationship that over time puts one person in a position of power over another and causes fear. It is often referred to as a pattern of coercion and control. Statistically, DFV is most likely to be committed against women. DFV can include, but is not limited to:

- physical violence;
- sexual assault or other sexually abusive behaviour;
- emotional or psychological abuse;
- verbal abuse;
- spiritual or cultural abuse; or
- economic or financial abuse.

Staff may sometimes experience situations of violence or abuse in their personal life which may affect their attendance or performance at work.

The DFV Policy (Policy) provides a framework to support staff who experience DFV. Staff who are experiencing, or who are at risk of experiencing, DFV are encouraged to seek support from the workplace.

This Policy also acts as a guide for managers and colleagues to support staff whose work life is affected by DFV. It outlines support available within and outside the workplace for individuals, their managers, and their colleagues.

2. Who does this Procedure apply to?

The DFV Policy applies to all staff including:

- permanent staff;
- temporary staff;
- casual staff; and
- other Government sector employees who are on secondment or assigned to the Commission.

This Policy applies to contractors, volunteers, consultants, or employees of organisations who provide services under contract to the Commission, where their engagement requires adherence to the Commission's Code of Ethics and Conduct – Staff.

For the purposes of this Policy, “staff” refers to all people to whom this Policy applies.

In this Policy, a reference to a senior executive manager means:

- Chief Executive Officer;
- Executive Director; and
- Director.

3. Definitions

Domestic and Family Violence (DFV)	means a pattern of abusive behaviour in an intimate relationship that over time puts one person in a position of power over another and causes fear.
Flexible working arrangements	means flexible working options available to staff of the Commission that balance work – for the purpose of this Policy a staff member experiencing violence from a member of the staff member’s family has a right to request flexible working arrangements.
Personal/carer’s leave	means leave entitlement for illness or injury affecting the staff member resulting from DFV, to provide care or support to a family or household member who is ill or injured as a result of DFV, or to provide care or support to a family or household member who is affected by an unexpected emergency as a result of DFV.
Work Health and Safety (WHS)	means the relevant definitions, principles, policies, and procedures used by the Commission to protect the health and safety of its workforce, including those staff working from home.
Domestic and Family Violence (DFV)	means a pattern of abusive behaviour in an intimate relationship that over time puts one person in a position of power over another and causes fear.

4. Key Responsibilities

Senior executive managers and managers

A senior executive manager or manager responsible for supervising or managing an individual or group of staff, is responsible for:

- ensuring staff are aware of this Policy;
- providing support consistent with this Policy to staff affected by DFV;
- coordinating support with People and Culture for a staff member experiencing DFV;
- discussing their concerns with the staff, where this is concern about their wellbeing, encouraging them to use the assistance available if needed, and/or consult with People and Culture;
- discussing with People and Culture where DFV raises work health and safety concerns;
- facilitating support for staff to the fullest extent possible;
- advising staff of relevant rights and responsibilities in relation to this Policy;
- contacting the Commission’s Employee Assistance Program provider or one of the external support services listed in this policy should they need support as a result of a staff member disclosing DFV; and
- ensuring their behaviour models the standards required in accordance with the Commission’s Code of Ethics and Conduct – Staff and the Public Service Commission’s Code of Ethics and Conduct for NSW Government Sector Employees.

All staff

All staff, who wish to access any of the support available within the workplace can contact any of the following people:

- their manager;
- a senior executive manager; or
- People and Culture.

Staff can also seek assistance from an external service. A list of services can be found under Section 9. Further Assistance.

Staff experiencing DFV may choose to disclose their situation to a trusted colleague. Where such information is disclosed, the colleague should provide support to the staff member by:

- listening without judgement and respecting their decisions;
- maintaining appropriate confidentiality;
- encouraging them to seek help from a DFV support organisation; and
- referring them to this Policy, the Employee Assistance Program, or any of the external support services listed at the end of this document.

Where the colleague is concerned about the staff member's health and safety, they should speak to a People and Culture staff member.

Staff who have had information disclosed to them are encouraged to seek support for themselves within or outside the workplace, including through the Employee Assistance Program or an external support service if required.

All staff are also responsible for:

- understanding and complying with this Policy; and
- understanding and consistently reflecting the Commission's Values and Behaviours Framework and the NSW Public Sector values under the *Government Sector Employment Act 2013* (GSE Act), and ensuring their behaviour models the standards required in accordance with the Commission's Code of Ethics and Conduct – Staff and the Public Service Commission's Code of Ethics and Conduct for NSW Government Sector Employees.

5. Confidentiality

Staff and managers must maintain appropriate confidentiality of personal information. Discussions with managers in the line of reporting or with People and Culture will be on a strictly need-to-know basis.

Discussion will not include personal information **without obtaining prior consent from the staff member**.

However, sections 17 and 18 of the *Privacy and Personal Information Protection Act 1998* (Information Protection Principles 10 and 11) permits the use or disclosure of a person's personal information where it is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual to whom the information relates, or of another person.

6. Support

Staff experiencing DFV may require a range of support. This may include:

- flexible working arrangements – a staff member experiencing violence from a member of the staff member's family has a right to request flexible working arrangements, refer to the Commission's Flexible Working Arrangements Policy. Such requests could include:
 - a change of hours to allow the staff member to meet family commitments;
 - changes to work location; or

- relocation to suitable alternative employment where this is able to be accommodated;
- secure parking and other security measures where possible and as required;
- change of work phone number and email address to limit unwanted contact, or screening or blocking calls and emails;
- contact with Police on the staff member’s behalf where appropriate;
- flexibility in performance management - DFV should be acknowledged as a potential mitigating factor if performance has been affected. Managers should:
 - continue to have regular, sensitive conversations with the staff member about the job requirements, performance expectations, and development opportunities of that performance cycle;
 - with assistance from People and Culture, offer to develop workload strategies for work to be managed and performance assessed having regard to the staff member’s circumstances;
- referral to external support through the Employee Assistance Program; or
- access to leave entitlements in accordance with the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 (Crown Employees Award) and the Commission’s Leave Management Policy.

7. Leave

Leave is provided in accordance with the Crown Employees Award and the Commission’s Leave Management Policy.

The Crown Employees Award contains leave entitlements designed to assist staff and allow them flexibility to deal with personal crises, such as being affected by DFV.

The Commission’s leave system, GovConnect SAP, offers a leave entitlement of 70 hours that staff are able to utilise for leave that relates to DFV-related matters.

The Commission is committed to supporting staff experiencing DFV. A flexible and supportive approach will be taken to management of leave for staff affected.

Staff who are affected by DFV may be granted leave for reasons including:

- attending medical or counselling appointments;
- moving into emergency accommodation and seeking more permanent safe housing;
- attending court hearings;
- attending police appointments;
- accessing legal advice;
- organising alternative care or educational arrangements for their children; or
- reasonable recovery periods.

Personal/carer’s leave entitlements should be used:

- for illness or injury affecting the staff member resulting from DFV;
- to provide care or support to a family or household member who is ill or injured as a result of DFV; or
- to provide care or support to a family or household member who is affected by an emergency as a result of DFV.

In circumstances where personal/carer’s leave does not apply, or if a staff member has exhausted their personal/carer’s leave entitlements, the Commission will make reasonable allowances, subject

to the Crown Employees Award. This may include the staff member accessing other leave including annual leave, long service leave or miscellaneous leave. Miscellaneous leave may be approved with or without pay depending on the reason for and length of leave.

Staff may be given flexibility in work hours and may be allowed to make up time where leave cannot be used.

Where a staff member's absence for reasons associated with DFV needs to be supported by evidence, the manager or People and Culture will discuss with the staff member the available options, such as a statement from a legal representative or court.

7.1. Recording Absences

The recording of absences will balance the privacy of the staff member and the need to monitor and report on leave usage.

All records are to be kept securely and confidentially according to the Commission's Privacy Management Plan and Electronic Document and Records Management Policy.

To ensure confidentiality, People and Culture will advise the staff member's line manager that leave has been approved and will organise for a leave form to be submitted in the Commission's People and Culture system on behalf of the staff member.

8. Perpetrators of DFV

The Commission understands that the workplace may include not only staff who are victims of, or affected by, DFV, but also perpetrators - and that this must also be handled appropriately and sensitively.

The Commission will not tolerate DFV being perpetrated in or from the workplace. The Commission's Code of Ethics and Conduct – Staff requires Commission staff, when acting in connection with their employment, to treat people with respect and courtesy and without harassment. Any staff member who:

- threatens, harasses or abuses a partner, ex-partner, family or household member at, or from, work; or
- uses workplace resources such as phones or email to threaten, harass or abuse a family or household member;

may be investigated for a potential breach of the Commission's Code of Ethics and Conduct – Staff.

A staff member suspected of perpetrating violence will also be referred to the relevant support services, including the Employee Assistance Program.

DFV is a criminal offence and is subject to relevant state or territory laws. The Police should be notified of any incidents of DFV in the workplace.

9. Further Assistance

For any queries regarding the operation of this Policy please contact People and Culture.

If a staff member or someone they know is experiencing DFV, or they simply want to find out more, the following external services are available to provide information and assistance:

- the Commission's Employee Assistance Program (AccessEAP) - 1800 818 728
info@accesseap.com.au

- 1800Respect – National sexual assault, domestic family violence counselling service - 1800 737 732
- Beyondblue - 1300 224 636
- Lifeline - 13 11 14 (24-hour crisis support and referral)
- Police and Ambulance (for emergencies) - 000
- Aboriginal Family Domestic Violence Hotline - 1800 019 123
- Relationships Australia - 1300 364 277
- Women’s Legal Service NSW - 1800 810 784 or **(02) 8745 6999**
- Mensline Australia - 1300 789 978
- DFV Helpline - 1300 338 465
- Translating and Interpreting Service - 131 450
- Suicide Call Back Service -1300 659 467
- Kids Help Line - 1800 551 800
- Australian Childhood Foundation - 1300 381 581
- Blue Knot Foundation - 1300 657 380
- National Disability Abuse and Neglect Hotline - 1800 880 052
- NSW Domestic Violence Line - 1800 65 64 63 or 1800 671 422 TTY (Hearing impaired)
- NSW Rape Crisis Centre - 1800 424 017
- Interrelate Family Centres - 1300 473 528 or 02 8882 7800
- Link2home - 1800 152 152
- Women’s Domestic Violence Court Advocacy Service NSW Inc - 1800 938 227
- Legal Aid NSW - 1300 888 529
- The Law Society of NSW - 02 9926 0333
- Child Protection Helpline - 132 111
- Men’s Referral Service - 1300 766 491
- Penda - Penda is a free, national app with legal, financial, and personal safety information and referrals for women who have experienced DFV. Download in Google Play or the iTunes App Store.
- Australian Department of Human Services Family and Domestic Violence Services <https://www.humanservices.gov.au/individuals/subjects/family-and-domestic-violence>
- Australian Department of Social Services - Family Safety Pack <https://www.dss.gov.au/family-safety-pack>
- Another Closet - DFV in LGBTIQ Relationships
- Safework NSW – Information, advice or assistance - 13 10 50

10. Further information and resources

10.1. Internal Policies

- Code of Ethics and Conduct – Staff

- Flexible Working Arrangements Policy
- Flexible Working Arrangements Procedure
- Grievance Resolution Policy
- Grievance Resolution Procedure
- Leave Management Policy
- Prevention of Bullying and Harassment in the Workplace Policy
- Privacy Management Plan
- Records Management Policy
- Work, Health and Safety Policy

10.2. Legislation

Commonwealth

- *Australian Human Rights Commission Act 1986*
- *Disability Discrimination Act 1992*
- *Fair Work Act 2009*

NSW

- *Crimes (Domestic and Personal Violence) Act 2007*
- *Anti-Discrimination Act 1977*
- *Crimes Act 1900*
- *Crown Employees (Public Service Conditions of Employment) Award 2009*
- *Crown Employees (Planning Officers) Award 2016*
- *Government Sector Employment Act 2013*
- *Government Sector Employment (General) Rules 2014*
- *Government Sector Employment Regulation 2014*
- *Industrial Relations Act 1996*
- *Privacy and Personal Information Protection Act 1998*
- *Workers Compensation Act 1987*
- *Work Health and Safety Act 2011*

10.3. Other resources

NSW Public Service Industrial Relations Guide

See section 9 of this Policy for an extensive list of external support services.

10.4. Support and/or advice

Employee Assistance Program – (AccessEAP) 1800 818 728

11. Document management

Approver	Executive Director, People and Corporate Services TBC
Author	Senior Projects Advisor, People and Culture Director, People and Culture TBC
Revision history	Version 1 - May 2019 Version 2 – March 2022
Reviewed by	Senior Projects Advisor, People and Culture Director, People and Culture Governance Officer, Governance and Legal Director, Governance and Legal
Next review date	March 2024
Responsible branch	People and Corporate Services People and Culture
CM9 Reference	DOC22/3823

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