

## Family and Domestic Violence Policy

### 1. Purpose

Inala Community House (ICH) is committed to providing a safe and supportive workplace for workers who may be experiencing family or domestic violence. ICH does not condone family and domestic violence in any situation (whether at home or in the workplace). ICH also recognises the significant physical, emotional and financial impacts which can occur as a result of family and domestic violence.

This policy seeks to:

- Establish a zero-tolerance stance to family and domestic violence
- Raise awareness of family and domestic violence and the impacts it has on people in the workplace and how to support individuals affected
- Create a safe workplace which promotes gender equity and models non-violence and respectful relationships
- Create a supportive environment that encourages individuals experiencing family and domestic violence or persons using violence to seek support
- Respond to any risks associated with family or domestic violence within the workplace
- Ensure all disclosures of family or domestic violence are treated confidentially and seriously
- Provide information about leave and flexible work arrangements
- Establish an appropriate response to situations where workers use or are suspected of using family and domestic violence

ICH recognises that while family and domestic violence predominantly affects women, it can affect any person regardless of their gender, identity or sexual orientation.

### 2. Scope

This policy applies to all employees, Board members, volunteers, students, trainees and contractors engaged in service delivery. For the purposes of this policy, these persons shall be referred to as workers.

### 3. Definitions

**Family and Domestic Violence:** Violent, threatening or other abusive behaviour by a worker's close relative, a current or former intimate partner, or a member of their household that both seeks to coerce or control the worker and which causes them harm or fear. Family and domestic violence can take many forms, examples can include:

- Physical violence
- Sexual assault or sexually abusive behaviour
- Verbal abuse
- Emotional or psychological abuse (including gaslighting)
- Stalking

- Financial abuse
- Spiritual or cultural abuse
- Abuse or threatened abuse of pets
- Damage to property or belongings
- Technology assisted abuse
- Serious neglect where there is a relationship of dependence
- Behaviour by a person using violence that causes a child to be exposed to the effects of family and domestic violence

**Family Member:** A spouse or former spouse, de facto partner or former de facto partner, child, parent, grandparent, grandchild or sibling of the worker. It also includes a worker's current or former spouse or de facto partner's child, parent, grandparent, grandchild or sibling. This also includes family members related to them according to Aboriginal or Torres Strait Islander kinship rules.

## 4. Policy

ICH will seek to provide a caring and supportive response to workers who are experiencing domestic and family violence. ICH recognises that family and domestic violence can affect anyone regardless of their education, occupation, cultural background, sexual orientation, affluence or position in the community.

ICH recognises that family and domestic violence is a workplace issue which can have serious impacts upon workers' wellbeing, performance and productivity.

### 4.1 Recognising Family and Domestic Violence

There are two ways in which family and domestic violence issues can be recognised, these include:

- Disclosure by a person experiencing family and domestic violence; or
- By recognising signs that a person is experiencing family and domestic violence

ICH encourages workers experiencing family and domestic violence to raise this with a senior worker, Manager or with Human Resources.

ICH recognises that workers may feel more comfortable disclosing their experience to a co-worker. It is important therefore that all staff are aware of how to respond to a disclosure.

Recognising the signs that a worker is experiencing family and domestic violence gives Managers and co-workers the opportunity to provide the worker with support and help them explore their options.

If Managers suspect that a worker may be experiencing family and domestic violence, they are encouraged to raise their concerns with the worker. Similarly, a co-worker who suspects that a person is experiencing family or domestic violence can raise this with the person or

report this to their Manager. The conversation should be handled confidentially, sensitively and respectfully.

## 4.2 Responding to Disclosures

### 4.2.1 *Providing Support*

Workers can provide support to individuals experiencing family and domestic violence by actively listening, treating the disclosure seriously, checking for safety and encouraging access to family and domestic violence services or the EAP. It is important to respond supportively without expressing judgement or criticism.

Managers and senior workers can take further action to support the individual such as addressing safety risks within the workplace and making adjustments to working arrangements.

ICH will seek to provide persons experiencing violence with information about other government and non-government support that they may be eligible to access.

A person experiencing family and domestic violence should not be pressured to access support services or to make a police report. Support appropriate to what the person is willing to accept should be provided regardless of their choice to access services or make a report.

### 4.2.2 *Safety within the Workplace*

ICH recognises that family and domestic violence can occur within the workplace where the person using violence seeks to cause fear, harm or distress to the worker. ICH shall, where appropriate and in consultation with the worker, develop a plan to ensure their safety and the safety of others.

ICH will respond to emergencies in accordance with the ICH *Emergency Policy*.

To be clear, ICH will contact the police if there is a serious concern for the life, health or safety of the worker or another person. This includes if a family and domestic violence incident is witnessed which is of a nature that causes safety concerns.

### 4.2.3 *Leave*

ICH recognises that workers experiencing family and domestic violence may need time away from the workplace. All employees (including part time and casual employees) are eligible to receive access to 10 days of paid family and domestic violence leave for every 12 month period starting from the date of their commencement. This leave does not accumulate each year. Leave can be taken as a continuous period, as a day or by agreement as less than a day.

Employees are eligible to take paid family and domestic violence leave if they:

- Are experiencing family and domestic
- Need to do something to deal with the impact of family and domestic violence
- It is impractical for them to do that outside of their working hours

An employee who wishes to take unpaid family and domestic violence leave must provide notice to their Manager or HR as soon as practicable and include the expected period of the leave.

ICH may request that an employee provide evidence of their eligibility to access family and domestic violence leave in accordance with the above provisions. This may include a document issued by the police, the court, a family violence support service or a statutory declaration. If an employee does not provide evidence as requested, they may not receive paid leave.

ICH will maintain a record of family and domestic violence leave however this will not be mentioned on employee pay slips in order to reduce the risk to an employee's safety when accessing paid family and domestic violence leave.

#### *4.2.4 Additional Leave and Flexible Work Arrangements*

If an employee requires additional time off to deal with a family and domestic violence issue, the employee can request to access other types of leave such as personal or annual leave in accordance with the ICH *Leave Policy*.

Alternatively, by agreement with ICH, employees may be able to request and utilise additional unpaid time off. ICH may request evidence in accordance with the above requirements to access additional unpaid time off.

Employees may also request flexible leave arrangements in accordance with the ICH *Flexible Work Policy*.

### *4.3 Workers Who Use or Are Suspected of Using Violence*

ICH does not tolerate domestic or family violence and prohibits violence being perpetrated in, or from the workplace.

If a worker discloses that they have perpetrated family and domestic violence they should, where appropriate and safe to do so, be provided with information on services for persons using violence and encouraged to seek support from these services. Given the complexity and safety of dealing with persons using violence, ICH may seek advice from a family violence service.

If it is suspected that a worker uses violence, ICH will take action which it deems appropriate. If the alleged behaviour has occurred or is continuing to occur at work or during work hours, information must be escalated to the Chief Executive Officer for advice.

ICH may consider whether it would be safe and appropriate to offer support to the person using violence (regardless of whether they are an employee).

#### *4.3.1 Notification Requirements and Potential Consequences of Using Violence*

ICH will not tolerate the misuse of any ICH equipment to engage in behaviour that threatens, harasses or abuses another person. This would constitute a breach of ICH policies and may also constitute a criminal offence or a breach of any protection orders.

Workers who threaten, harass or abuse another person while at work may be subject to disciplinary action, up to and including termination of employment.

Family and domestic violence issues may also affect a worker's suitability and could result in a rejected screening check. A rejected screening check may also result in disciplinary action up to and including termination of employment.

ICH may be required to report incidents of family or domestic violence to relevant funding bodies or insurance. ICH may also report such incidents to the police.

#### 4.4 Incidents and Evidence of Violence or Abuse

ICH requires incident reports for occasions of violence which occur at the workplace.

Evidence of violence or abuse will be stored and maintained for use in disciplinary action in relation to a person who uses violence or to provide to the police (to pursue criminal charges or protection orders).

#### 4.5 Privacy and Confidentiality

ICH recognises that information pertaining to family and domestic violence has the potential to negatively impact the people involved and could result in further harm. Information includes any disclosure, leave records, notice or evidence provided. Information pertaining to family and domestic violence is considered confidential and must not be disclosed except:

- With the consent of the person involved
- In limited circumstances such as where required by law or where it is necessary to protect the life, health or safety of the worker or another person.

Family and domestic violence issues should always be discussed in a safe and confidential place. Disclosure of family and domestic violence issues should only be provided to other workers as required (for example their Manager, HR or the finance team to maintain leave records) and only with the consent of the person experiencing family and domestic violence (except where it is believed that there is a genuine safety risk within the workplace).

ICH will consult with workers regarding the handling of any confidential information or evidence which is supplied.

Family and domestic violence incidents involving children may need to be reported to an appropriate authority in accordance with reporting requirements (in accordance with the ICH *Child and Youth Risk Management Strategy* and the *Service User Protection Policy*). A worker who discloses family and domestic violence incidents involving children should be made aware of reporting requirements.

#### 4.5 Supports Available

For workers experiencing family and domestic violence, support is available through:

- DVConnect Womensline, phone 1800 811 811 or Mensline, phone 1800 600 636
- 1800 RESPECT, phone 1800 737 732
- Lifeline, phone 13 11 14
- ICH Employee Assistance Program

It is also important that any person who is supporting someone who is experiencing family and domestic violence implements appropriate self-care strategies such as:

- Talking to a family and domestic violence support service or to the EAP
- Being clear and communicating with the person what support you can provide and how much
- Recognising that supporting someone is not easy but it is valuable

#### 4.6 Responsibilities

All workers are responsible for:

- Understanding the impact of family and domestic violence on people in the workplace
- Maintaining confidentiality of information relating to family and domestic violence

The CEO, Managers and HR are also responsible for:

- Providing information on workplace supports and referral options
- Responding appropriately to disclosures of family and domestic violence
- Providing information about this policy and procedure
- Providing a safe and supportive environment for people experiencing family and domestic violence
- Managing/approving access to family violence leave and any other forms of leave in accordance with this policy
- Implementing appropriate workplace safety strategies
- Promoting the implementation of this policy
- Creating a safe and supportive culture

#### 4.7 Breaches of this Policy

Breaches of this policy may result in disciplinary action up to and including termination from ICH.

Any suspected breaches of this policy should be immediately reported to the Chief Executive Officer.

#### 5. Review

This policy shall be reviewed every 3 years.

This policy remains in effect unless otherwise determined by resolution of the Board of Directors.

#### 6. Related Documents

##### **Policies**

ICH Code of Conduct Policy  
ICH Anti-Bullying Policy  
ICH Anti-Sexual Harassment Policy  
ICH Information Technology Policy  
ICH Flexible Work Policy  
ICH Performance Counselling and Discipline Policy  
ICH Ending Employment Policy