**Family and Domestic Violence Policy Framework**

**A resource for Commonwealth Government employers**

**ARE YOU IN IMMEDIATE DANGER?**

If you are feeling unsafe in the workplace right now, **contact** *<insert agency security reference>* on *<insert relevant contact number>* **or call 000**.

Drafting Note:

This is a template policy that agencies can use to develop their own policies on family and domestic violence.

Agencies should tailor this policy to suit their operations. Generic references to the agency, human resources and employee assistance programs should be amended to reflect the arrangements of individual agencies.

Agencies should ensure that the support and leave outlined in their family and domestic violence policies are consistent with other human resources policies, their enterprise agreements and relevant legislation.

Contents

[Introduction 4](#_Toc140755747)

[Application 4](#_Toc140755748)

[The importance of a respectful and supportive workplace 5](#_Toc140755749)

[Understanding family and domestic violence 5](#_Toc140755750)

[Related legislation *<and polices/procedures>* 7](#_Toc140755751)

[Confidentiality and disclosure 7](#_Toc140755752)

[Support available 8](#_Toc140755753)

[Leave arrangements 8](#_Toc140755754)

[Other support 9](#_Toc140755755)

[Evidence requirements 10](#_Toc140755756)

[What is my role? 11](#_Toc140755757)

[Recognising signs of family and domestic violence 11](#_Toc140755758)

[Victim-survivors 11](#_Toc140755759)

[Colleagues 12](#_Toc140755760)

[Managers 13](#_Toc140755761)

[Human Resources/Case Management team 14](#_Toc140755762)

[Working from home – special considerations 14](#_Toc140755763)

[Recording leave 14](#_Toc140755764)

[Perpetrators of family and domestic violence 15](#_Toc140755765)

[Additional resources 15](#_Toc140755766)

## Introduction

1. The *Fair Work Act 2009* defines family and domestic violence as ‘violent, threatening or other abusive behaviour by a close relative of an employee, a member of an employee’s household, or a current or former intimate partner that seeks to coerce or control the employee and that causes them harm or to be fearful’.
2. <*Insert agency name*> has a zero tolerance policy towards violence and any forms of abuse. The safety and wellbeing of our employees is a priority. <*Insert agency name*> and our Executives are committed to creating a supportive culture where employees feel safe to report family and domestic violence through fostering and promoting a healthy and safe workplace for our employees.
3. Family and domestic violence is a workplace issue. *<Insert agency name>* will provide a sensitive and holistic approach to supporting affected employees allow them to continue to participate in the workplace during such difficult times.
4. Victim-survivors, a term commonly used when referring to people who have experienced family and domestic violence, will be treated with respect, and supported in accordance with this policy. The term 'victim-survivor' recognises the ongoing effects and harm caused to an individual by family and domestic violence while also honouring their strength and resilience. This term has been adopted for the purposes of this policy.

Agency note: Where an agency would prefer to use another term other than ‘victim-survivor’ to refer to an employee who is experiencing family and domestic violence, the template can be amended to include the alternate term.

## Application

1. This policy applies to all <*insert agency name*> employees – ongoing, non-ongoing and casual (irregular/intermittent).
2. This policy provides a framework to support victim-survivors. Victim-survivors who are experiencing, or who are at risk of experiencing, family and domestic violence are encouraged to seek support from their workplace and external support services.
3. This policy also acts as a guide for managers and colleagues to understand the forms family and domestic violence can take in order to best support victim-survivors whose work life is affected. Support is available within and outside the workplace for victim-survivors, their managers, and their colleagues.
4. <*insert agency name*> acknowledges that secondees and other workers as defined in the *Work Health and Satey Act 2011* such as contractors (including labour hire) working within <*insert agency name*> may also require support. While this policy does not apply to other workers directly, <*insert agency name*> will work actively with the relevant employer/individual to assist in providing appropriate support mechanisms to support the safety and wellbeing of the individual affected, where possible and practicable.

## The importance of a respectful and supportive workplace

1. <*Insert agency name*> recognises the critical role the workplace can play in supporting victim-survivors and the impacts family and domestic violence has on their ability to attend work, participate meaningfully and fulfil their role expectations.
2. Victim-survivors often face financial stress, isolation, vulnerability, shame and even homelessness. Work performance and attendance will generally be impacted as affected employees may need additional time off, often unplanned, and may understandably be distracted or anxious when attending work.
3. With the right support mechanisms and culture, the workplace can be a safe place for victim-survivors, and a source of surety and confidence. Creating this environment, including acknowledgement and acceptance of any potential temporary reduction in work performance, is important to <*insert agency name*>.
4. *<Insert agency name>* recognises that the enablers of a workplace culture that is supportive of victim-survivors (and benefits all staff) are the principles of:

* safety – ensuring physical, psychological and cultural safety within the workplace to protect from further harm.
* trustworthiness and transparency – being predictable and reliable by doing what you say you’ll do. Provide clear information, including limits and uncertainties, and ensuring informed consent.
* collaboration and mutuality – interactions are underpinned by respect, collaboration and mutual regard.
* empowerment, voice and choice – giving the lead to victim/survivors in order to uphold their self-determination, dignity and autonomy. Provide options wherever possible.

1. By prioritising the health and wellbeing of employees at work generally, <*insert agency name*> can experience the benefits of improved productivity, engagement and satisfaction of employees at work, reduce staff turnover and reduce absenteeism (and presentism) in the workplace.
2. The <*insert agency name*> is committed to supporting and providing a workplace environment that supports victim-survivors to maintain paid work and continue to engage with work throughout their recovery.

## Understanding family and domestic violence

1. Instances of family and domestic violence can be isolated, or be a continuous pattern of abusive behaviour by one person over another. It can appear in many forms beyond physical abuse, and perpetrators will often use multiple tactics. Some forms of abuse include:

* Controlling behaviour (coercive control) – where an abusive person gains and maintains power over someone else by taking over aspects of everyday life – for example where you can go, who you can see
* Emotional and/or psychological abuse – actions taken to undermine someone’s self-esteem, or intimidate/isolate them, make them question their own sanity
* Financial abuse (economic abuse) – where one person uses money or finances as a means to gain power over another person, or unreasonably impacts their financial autonomy (for example, preventing them from working)
* Sexual abuse – also known as sexual assault, which is any unwanted sexual behaviour that makes a person feel uncomfortable, threatened or scared. It covers:
  + Forced, unwanted sex or sexual acts
  + Child sexual abuse: using power over a child to involve that child in sexual activity
  + Indecent assault
  + Threats or actual harm to property, belongings, pets or others
* Technology-facilitated abuse – using technology as a means to coerce, stalk, harass or threaten to distribute/distribute intimate images without consent
* Spiritual and/or cultural abuse – stopping someone them from practising their religion, putting them through harmful traditional practices (such asfemale genital mutilation) early or child marriage, or dowry abuse.
* Elder abuse

Agency note: This list is an example of what family and domestic violence can look like. Agencies are encouraged to expand this list where needed.

1. Family and domestic violence can affect anyone, but it should be acknowledged that women are more likely than men to experience family and domestic violence. Family and domestic violence is most often perpetrated in the home against women by their male current or former partner.
2. *<Insert agency name here>* acknowledges and understands how intersecting factors contribute to the rates and differing experiences of family and domestic violence as well as greater barriers to safety and support for people from different backgrounds including First Nations Australians, people of a Culturally and Linguistically Diverse (CALD) background, Lesbian, Gay, Bisexual, Transgender, Intersex, Queer/questioning, and Asexual (LGBTIQA+) communities, or people with a disability.
3. *<Insert agency name here>* also acknowledges that family and domestic violence can take many forms and can occur within extended families, kinship networks, inter-generational relationships and through family-like or carer relationships.
4. Family and domestic violence can have short term and long term impacts. These include:
   * poorer physical and mental health and wellbeing
   * social isolation
   * complex trauma
   * disability
   * unemployment
   * homelessness
   * financial destitution
   * injury
   * sometimes death
5. Family and domestic violence is a criminal offence and is subject to the relevant state or territory laws. The police should be notified of any incidents of family and domestic violence that occur in the workplace.

|  |
| --- |
| **If you experience, see or hear family violence occurring call:**  Triple Zero (000) in an emergency or life threatening situation.  Police Assistance Line on 131 444 if it is a non-emergency, but your require police assistance.  Crime Stoppers on 1800 333 000 to report information |

1. There are a number of legislative protections for victim-survivors. <*Insert agency name*> is responsible for meeting these obligations, and for the safety of employees. The *Fair Work Act 2009* provides that employees experiencing family and domestic violence can:
   * Request flexible work arrangements (note that this extends to employees who are caring or supporting a victim-survivor who is a household or immediate family member).
   * Access 10 days paid family and domestic violence leave in a 12-month period
   * Access paid and unpaid personal/carers leave (in some circumstances)
2. This Policy details support measures available to victim-survivor employees above existing minimum legislative obligations.

## Related legislation *<and polices/procedures>*

* [*Fair Work Act 2009*](https://apsc-share.internal.pmc.gov.au/teams/cp/pscinformationmgt/FDV%20Resources/FDV%20Leave%20&%20Policy/2023%20Fair%20Work%20Act%20amendments%20-%20Advice,%20Circulars%20and%20Policy%20Template/20230125%20-%20Reply%20to%20ATO%20-%20FDV%20circular%20clarification.msg)
* [*Workplace Gender Equality Act 2012*](https://www.legislation.gov.au/Series/C2004A03332)
* [*Sex Discrimination Act 1984*](https://www.legislation.gov.au/Series/C2004A02868)
* [*Work Health and Safety Act 2011*](https://www.legislation.gov.au/Series/C2011A00137)
* [*Privacy Act 1988*](https://www.legislation.gov.au/Series/C2004A03712)

Agency note: expand this list to include any details about internal policies and procedures that are relevant (eg. leave policy, flexible working arrangements policy etc) and external sources of relevant information such as [Comcare’s Model Code of Practice - Managing Psychosocial Hazards at Work](https://www.comcare.gov.au/safe-healthy-work/prevent-harm/psychosocial-hazards)

## Confidentiality and disclosure

1. Information obtained by <*insert agency name*> about a family and domestic violence situation is on a ‘need to know’ basis, as far as practicable, and will be handled similarly to other sensitive personal and health related information. It will not be retained on HR systems or other record management systems where there is no need to do so.
2. Any sharing of victim-survivor circumstances will only occur with employee consent, other than in a very limited set of circumstances as permitted by the Australian Privacy Principles, such as the use and disclosure of personal information in certain circumstances including lessening or preventing a serious threat to life, health or safety, or taking appropriate action in relation to suspected unlawful activity or serious misconduct.
3. There are also strict regulations to protect victim-survivor confidentiality when taking leave for family domestic and violence purposes, including restrictions on what can be shown on payslips. Please refer to the ‘Recording Leave’ section for further information.
4. <*Insert agency name*> will ensure that a victim-survivor will not be discriminated against or have adverse action taken against them because of their disclosure of experience/s, or perceived experience/s of, family and domestic violence.

## Support available

### Leave arrangements

1. All full time, part time (ongoing and non-ongoing) and casual employees experiencing family and domestic violence can request paid miscellaneous leave. There are no specific eligibility requirements to be able to access paid miscellaneous leave.
2. While the National Employment Standards provide an employee 10 days paid leave per annum for family and domestic violence purposes, <*insert agency name*> has not applied a maximum to the amount of paid leave support that may be made available to a victim-survivor. Provision of paid leave will be determined on a case by case basis.
3. A victim-survivor who takes paid miscellaneous leave for family and domestic violence leave will be paid their full rate of pay, which is the base rate plus any additional rates such as overtime and loadings.
4. Paid miscellaneous leave may be granted for reasons including, but not limited to:
   * Making arrangements for the safety of the victim-survivor and their dependents
   * Moving into emergency accommodation and seeking more permanent safe housing
   * Attending health and wellbeing, medical or counselling appointments
   * Attending court hearings
   * Attending policing services
   * Accessing legal advice
   * Organising alternative care or educational arrangements for their children
   * Reasonable recovery periods
5. Where an employee requires access to leave for family and domestic violence purposes, notice needs to be given as soon as practicable. This can include after the leave has started.
6. Personal/carer’s leave entitlements can also be used at the request of the victim-survivor in situations of illness or injury at their own request, however paid miscellaneous leave is available allowing the victim-survivor to maintain their balance to personal/carer’s leave which is then able to be access for other health/emergency related purposes.
7. Employees supporting a victim-survivor may access personal/carer’s leave entitlements:
   * To provide care or support to a family or household member who is ill or injured as a result of family and domestic violence; or
   * To provide care or support to a family or household member who is affected by an unexpected emergency as a result of domestic and family violence.
8. Leave is provided in accordance with the *<insert agency name>* enterprise agreement.
9. *<Insert agency name>* understands situations of family and domestic violence are not always one-off events and may continue to occur, and can require long term support. For ongoing circumstances or a request for support (including paid leave), discussions about alternative leave or other supports may take place, with *<insert agency name>* providing the maximum available support. This could include a discussion of using personal leave or an adjustment in working hours to support wellbeing and safety.
10. ***Optional text – based on agency specific arrangements:*** To facilitate this, <*Insert agency name*> will (where practicable) support victim-survivors through an individual case management approach. This means a trusted employee is aware of the victim-survivors’ circumstances, and can provide suitable and appropriate advice.

Agency note: Where an agency would prefer to use a term other than “maximum available support”, this can be amended having regard to the Government’s position that as a model employer, agencies should provide the highest level of support possible to employees experiencing family and domestic violence.

### Other support

1. Victim-survivors experiencing family and domestic violence may require a range of support in addition to leave.  Managers, or HR/Case Managers if more appropriate, will discuss available supports with employees, which may include:
   * Flexible working arrangements that are provided for in <*insert agency names*> enterprise agreement and the National Employment Standards in the *Fair Work Act 2009.* An employee experiencing family violence or providing care and support to a family or household member, who is experiencing family violence, has a right under the *Fair Work Act 2009* to request flexible working arrangements once they have completed 12 months’ service. Such requests can only be refused on reasonable business grounds and could include:
     + A change of hours to allow the employee to meet family, health and wellbeing, medical or legal commitments
     + Changes to work location
     + Relocation or reassignment to suitable alternative employment where this is able to be accommodated
   * Secure parking and other security measures prioritised as required
   * Change of phone number and email address to limit unwanted contact, or screening or blocking calls and emails
   * Contact with police or other support services on the employee’s behalf where appropriate
   * Flexibility in performance management— family and domestic violence should be acknowledged as a potential mitigating factor if performance has been affected. Managers should:
     + Continue to have regular, sensitive conversations with the victim-survivor about the job requirements, performance expectations, and development opportunities of that performance cycle, and
     + With assistance from HR, offer to develop strategies for work to be managed and performance assessed having regard to the employee’s circumstances
   * Referral to external support services such as *<Employee Assistance Program>* or the resources listed in the additional resources section of this policy.
   * Any other measures or changes to normal arrangements that are considered appropriate, reasonable and practicable based on the individual’s circumstances by the agency.

Agency note: The list of supports that agencies can provide should be tailored to suit your organisation’s experiences. The above list is not exhaustive and other supports can be added, along with reformatting the list to provide more clarity about when certain supports might be more appropriate. Other supports that could be adopted may include: a mobile phone or laptop loan scheme to provide employees with a secure means of communication; emergency financial assistance by means of a salary advance that is repaid over an agreed period, e.g. to assist with relocation costs; or family rooms for employees who are required to attend work with their children

Where available, agencies should include a reference to their policy/procedures for flexible working arrangements.

Advice on referral to support services – while in some instances referral to EAP services for employees affected by family and domestic violence may be appropriate, it is recommended that employees are referred to dedicated family and domestic violence services, such as 1800RESPECT, in the first instance. This is recommended due to differences in training for EAP counsellors.

Managers are encouraged to contact EAP services for manager support – the EAP is equipped for this, and should be able to provide suitable support.

Agencies are also encouraged to engage with their EAP providers to confirm what services they are able to offer employees affected by family and domestic violence, including the screening process and approach they take with victim-survivors.

## Evidence requirements

1. As part of the decision making process of providing support to victim-survivors, suitable evidence may be requested. This will always be done sensitively and in many cases, a form of evidence will not be necessary.
2. Where evidence is required, the *<delegate/manager/case manager>* will discuss this with the employee and <*insert agency name*> will ensure this information is either stored securely, or once sighted, returned to the employee and not held by <*insert agency name*>. Where a reasonable evidence request is not fulfilled, this may result in support not being able to be made available to the employee, including paid leave requests.
3. Decisions regarding the suitability and eligibility of support mechanisms will be made on a case by case basis considering individual circumstances and evidence, where requested. Forms of evidence that may be provided include (though are not limited to);
   * A statutory declaration
   * Documents issued by the police service
   * Documents issued by court, or
   * Family violence support service documents

Agency note: Evidence types can be added or removed from this list to suit the agency’s processes

1. Where an employee requests personal/carers leave to provide care or support to a family or household member, the *<delegate/manager/case manager>* may also request suitable evidence. In these cases, the *<delegate/manager/case manager>* will have regard to the privacy of the family or household member.
2. A victim-survivor may dispute decisions made regarding their request for support. *<Insert agency name>* will genuinely and in good faith attempt to resolve the dispute at the workplace level, by discussions between the employee or employees and relevant supervisors and/or management. If discussions at the workplace level do not resolve the dispute, a party to the dispute may refer the matter to the Fair Work Commission.

Agency note: Agencies are encouraged to add an outline of their dispute resolution procedures at paragraph 42 were available.

## What is my role?

### Recognising signs of family and domestic violence

*Recognising the signs that an employee is experiencing family and domestic violence gives managers and co-workers the opportunity to provide the employee with support and help them explore their options. It is critical that workplaces know the signs that someone may be experiencing family and domestic violence, so they can help employees access the support they need.*[*Fair Work Ombudsman – Employer Guide to Family and Domestic Violence*](https://www.fairwork.gov.au/sites/default/files/migration/1414/employer-guide-to-family-and-domestic-violence.pdf)

1. While it may not always be the case, victim-survivors will often display behaviours that can indicate they are currently experiencing (or at risk of experiencing) violence. These may include unexplained absences (often at short notice), unexplained injuries, withdrawal and anxiety, distraction or lack of concentration affecting work performance, increased volume of breaks through the day to take personal calls that may leave the victim-survivor in distress and a change in clothing to cover up injuries/bruising (for example, wearing long-sleeved shirts in middle of summer when not normally reflective of how someone dresses).
2. All employees of <*insert agency name*> should be aware of these signs and the role they can play.

### Victim-survivors

1. Victim-survivors who need to access the support available within the workplace can contact any of the following people:
   * Their immediate manager;
   * A more senior manager; or
   * Human Resources <*insert agency specific details or alternative relevant support person. This may include Case Management teams/and or Workplace Harassment Contact Officers*>.
2. To be able to provide the best support possible, victim-survivors need to be open to one or more of the above people contacting them about their situation and to keep them informed about any changes to their situation.
3. Victim-survivors are strongly encouraged to seek assistance from external services to ensure they are receiving all possible support available to them. A list of services, including 24 hour support services, and their contact details can be found at the end of this document.

### Colleagues

**Important!**

Remember that where a victim-survivor is confiding in you, it is ok if you don’t feel as though you can provide assistance. Victim-survivors are able to seek help elsewhere from trained professionals.

Ensure you seek support for yourself within or outside of the workplace. *<add support services available in the agency to employees>.*

1. Victim-survivors may choose to disclose their situation to a trusted colleague. Peer support naturally occurs in a workplace and a colleague’s response to a disclosure is very important and can make a real difference. If someone feels supported by the people around them, they are more likely to explore their options. Where such information is disclosed, the colleague should provide support to the employee using the Look, Listen, Link actions of psychological first aid. This looks like:

* Look
  + Creating physical, psychological and cultural safety
  + Maintaining appropriate confidentiality
* Listen
* Believing them. Listening without judgement and respecting their decisions
* Using empathy and compassion to build understanding
* Being calm and reassuring
* Accepting the person’s feelings
* Not working on solutions or giving information too early in the conversation
* Link
* Encouraging them to seek help from a family domestic and violence support organisation
* Referring them to this policy, including helping them to understand support mechanisms they may access, or referring them to 1800RESPECT, the Employee Assistance Program, or any of the external support services listed at the end of this document.

1. Where a colleague is concerned about the employee’s health and safety, they should speak to *<agency HR/WHS contact/other relevant agency support contact>*, while being mindful of the victim-survivor’s privacy, which may mean seeking advice on an anonymous basis in the first instance
2. It is important to remember that even in a situation where a victim-survivor is confiding in you, you are not a substitute for professional support. You can provide compassionate, kind and connected support to your colleague, while acknowledging the limits of what you can do to help and they are able to seek help elsewhere. It is OK if you don’t feel like you can provide assistance – support your colleague to connect in with other available supports.
3. Looking after yourself is critical after providing support to others. Check in with what you may be experiencing and identify ways to manage those reactions. Seek support for yourself within or outside the workplace. *<Insert support services available to employees and colleagues>*
4. You can enhance your interpersonal skills and learn more about using the Look, Listen, Link actions of psychological first aid, by completing one or both of the APS Mental Health and Suicide Prevention Unit’s personal and social capability eLearning programs. Both programs have a wide application base and are available at no cost to APS employees via APSLearn:
   * [Compassionate Foundations](https://www.apsacademy.gov.au/compassionate-foundations-suicide-prevention-capability-suite)
   * [Connections](https://www.apsacademy.gov.au/connections-core-capabilities-workplace-peer-supporters)

### Managers

1. Many people who experience family and domestic violence will never report the crime to police, and/or do not access support services. This often can include not disclosing the abuse to anyone, or only opening up about the abuse years after its occurrence.
2. Another obstacle to disclosure is self-identification, as often victims do not interpret their experiences as abuse. It is vital that managers lead in creating a supportive culture and environment in the workplace. This should empower employees to voice concerns about their wellbeing and safety, as well as foster an environment of empathy and understanding.
3. Managers are responsible for ensuring employees are aware of this policy, and providing workplace support, consistent with this policy, to victim-survivors. They may also be required to coordinate with <*insert appropriate agency support contact*> to ensure the full range of support (and those most needed) are made available.
4. Managers should consider the unique challenges faced by different people and engage in a culturally appropriate and sensitive way. Not all victim-survivors will need to the same supports and methods to address their situation.
5. Managers are able to access *<insert training course here if available>* to ensure they feel confident dealing with disclosures and handling confidential information related to family and domestic violence.
6. Where a manager is concerned about the wellbeing of an employee, they should discuss their concerns with the employee, encouraging them to seek assistance if needed, and/or consult with Human Resources.
7. Managers should consider their obligations under WHS legislation. Where appropriate, managers should discuss their obligations with <*agency WHS contact*>, having regard to balance confidentiality with the safety of affected employees.

Agency note: not abiding by work place health and safety obligations can lead to fines, penalties, reputational damage and can present a risk to the health and safety of other staff members.

Agencies are strongly encouraged to provide training for their managers and other relevant staff to assist them with domestic violence identification, prevention, and safety planning as this can greatly enhance the agency’s ability to support victim-survivors Where this cannot be facilitated due to factors like cost of training providers, the agency should consider other avenues such as the [free course](https://www.whiteribbon.org.au/Learn-more/Learning) offered by White Ribbon Australia, [DV-alert](http://www.dvalert.org.au/) online and face-to-face courses, the tools and resources from [OurWatch](https://workplace.ourwatch.org.au/tools-and-resources) or engagement with agencies who have training courses in place.

1. Managers should facilitate support for an employee to the fullest extent practicable.
2. Supporting a victim-survivor can be emotionally challenging. If a manager needs support as a result of an employee disclosing family and domestic violence to them, they are encouraged to contact the Employee Assistance Program and/or one of the external support services listed at the end of this document.

### Human Resources/Case Management team

1. HR/Case Management is responsible for providing advice to employees and managers about this policy. They can also provide information on the enterprise agreement and any other relevant policies and procedures.
2. Victim-survivors can seek assistance from HR for coordinating workplace support. This may include:
   * Developing a safety plan with the employee
   * Coordinating personal security through the Agency Security Advisor or ICT assistance
   * Advising and liaising with the employee’s line manager, if consent has been provided.
3. The family and domestic violence contact officer in HR/Case Management is <*insert name and contact details*>.

Agency note: the Human Resources/Case Management team section should be adapted entirely to suit agency practice and preference. In addition to these sources, the agency may have in place arrangements where suitably trained employees perform an assistance role (eg Workplace Harassment Contact Officers or Family and Domestic Violence Contact Officers). Make provision for any assistance source you have available.

## Working from home – special considerations

1. Under the *Work Health Safety Act 2011, <insert agency name>* has an obligation to ensure that any employees who are working from home are in a safe environment so far as reasonably practicable and recognises that victim-survivors who work from home may be placed at a greater risk.
2. Where a victim-survivor has disclosed they are experiencing family or domestic violence, managers, or HR/Case Managers if more appropriate, will discuss with the employee their home environment to identify and manage risks and any concerns with the proposed control measures.
3. What can be done to minimise the risk at the victim-survivor’s home will be different to what can be implemented in the workplace. Some measures that can be introduced may include:

* Maintaining regular communication with the victim-survivor, while avoiding asking them directly about the violence as this my unintentionally place them at risk
* Where a victim-survivor is not able to be contacted for a defined period of time, a course of action should be agreed between the employee and their manager/HR/Case Manager
* Similarly, a victim-survivor should have a designated contact person

1. If working from home is not safe for the victim-survivor, an alternative work environment will be provided so far as reasonably practicable.

Agency note: the working from home section should be amended so it is consistent with the agency’s working from home policy and the [Principles of Flexible Work in the APS](https://www.apsc.gov.au/news-and-events/latest-news/principles-flexible-work-aps).

## Recording leave

1. Leave taken for family and domestic violence purposes will not be displayed as any kind of leave on payslips in accordance with the requirements of the *Fair Work Act 2009* and the *Fair Work Regulations 2009*. It will be displayed as normal hours, or another payment such as allowances. This is to ensure confidentiality and safety of the victim-survivor.
2. Where a victim-survivor requests that any leave taken for family and domestic violence leave purposes be recorded as an alternative form of leave on the payslip this will be facilitated.

Agency note: Agencies may take a range of approaches to ensuring the employee’s confidentiality. This section should be tailored to reflect the details of agencies’ leave types and leave management systems.

## Perpetrators of family and domestic violence

1. <*Insert agency name*> understands that the workplace may include not only employees who are victims of, or affected by, family and domestic violence, but also perpetrators—and that this must also be handled appropriately and sensitively.
2. *<Insert agency name>* will not tolerate family and domestic violence being committed in or from the workplace, including where an employee is working from home or away from the office.
3. The APS Code of Conduct applies to all APS employees. Where it is alleged that an employee has committed family and domestic violence in or from the workplace, they may be investigated for a potential breach of the Code of Conduct.
4. Where both the victim-survivor and the perpetrator are employed by *<insert agency name>*, the safety of the victim-survivor will be prioritised. Any decisions made about the perpetrator will be made with the full involvement of the victim-survivor to avoid any negative impacts on them.
5. The confidentiality of all individuals will be maintained as far as reasonably practicable.
6. Perpetrators of family and domestic violence are **NOT** eligible for paid leave entitlements provided for through this policy. Where disclosure allows for early intervention and a request for support is made, referral to relevant external support services will be at the discretion of <*insert agency name*>.

Agency note: A detailed risk assessment may be necessary to ensure the safety of other employees and to determine if the perpetrator remains employed. Work responsibilities could be modified to prevent the perpetrator from using working hours for abusive behaviours i.e. harassing the victim via work email or phone, and finding personal details of victims on work systems. Consideration also needs to be given to what messages are given to other employees about workplace or operational adjustments.

If agencies want to consider advising the perpetrator of seeking support through EAP, you must check whether they do work with perpetrators. Another factor to strongly consider is whether it is appropriate to refer victim-survivors to the same service as the perpetrator and refer them to another service (refer to the resources section of this document) to maintain the safety of the victim-survivor.

For further guidance on what considerations may need to be made in relation to this matter, refer to the Queensland Government’s guide on a ‘[Workplace Approach to Employees Who Use or May Use Violence and Abuse’](https://www.forgov.qld.gov.au/__data/assets/pdf_file/0036/183798/workplace-approach-to-employees-who-use-or-may-use-violence-and-abuse.pdf.) and Safe Work Australia’s Factsheet on [Family and Domestic Violence](https://www.safeworkaustralia.gov.au/sites/default/files/2021-01/family_and_domestic_violence_information_sheet.pdf).

## Additional resources

1. For any queries regarding the operation of this policy, please contact <*insert relevant contact or HR*> via <*insert contact details*>.
2. The support provided should consider the identity dimensions of employees including gender, Aboriginal and Torres Strait Islander heritage, age, cultural and linguistic background, disability and sexuality. This is important to recognise as family and domestic violence situations may be compounded by these factors. An example of specific support would include interpreters, translators and culturally appropriate and sensitive services, such as AUSLAN interpreters, language interpreters, and organisations or community groups established to specifically support First Nations peoples or people with a CALD background
3. If you or someone you know is experiencing family and domestic violence, or you simply want to find out more, the following external services and resources are available to provide information and assistance. [Note: this is not an exhaustive list].

|  |  |
| --- | --- |
| Support service | Description |
| **1800RESPECT, the National Sexual Assault, Family and Domestic Violence Counselling Service**  24/7 Phone: 1800 737 732  Website: [www.1800RESPECT.org.au](http://www.1800RESPECT.org.au) | 1800RESPECT is a confidential and interactive online and telephone counselling service, available 24 hours a day, 7 days a week. The service provides support to people who are experiencing or at risk of sexual assault and/or family and domestic violence, as well as those who have experienced this in the past. It also provides support to the family and friends of people subjected to violence. |
| **Domestic Violence Crisis Centre**  24/7 Phone: 02 6280 0900  Website: [www.dvcs.org.au](http://www.dvcs.org.au)  (ACT only) | Domestic Violence Crisis Service (DVCS) began providing services in the Canberra Community in 1988. DVCS is a not-for-profit specialist domestic and family violence service providing crisis and long term support services to help break the cycle of violence. |
| **Safesteps**  24/7 Phone: 1300 015 188  Website: [www.safesteps.org.au](http://www.safesteps.org.au)  (Victoria only) | Provides specialist support services for anyone in Victoria who is experiencing or afraid of family violence. |
| **Legal Aid ACT**  Domestic Violence Unit: 02 6207 1874  Helpline: 1300 654 314  Website: [www.legalaidact.org.au/what-we-do/dv-unit](http://www.legalaidact.org.au/what-we-do/dv-unit)  (ACT only) | Provides free legal help for applying for, understanding and responding to Family Violence Orders as well as referrals to non-legal support services and assistance to access non-legal solutions. |
| *<****insert other region specific domestic crisis services and legal aid services****>* | *<insert details>* |
| *<****insert agency name****>***’s Employee Assistance Program** | *<insert details>* |
| **Beyond Blue**  24/7 Phone: 1300 224 636  Website: [www.beyondblue.org.au](http://www.beyondblue.org.au) | Beyond Blue is focused on supporting people affected by anxiety, depression and suicide. |
| **Family Violence Law Help**  Website: [www.familyviolencelaw.gov.au](http://www.familyviolencelaw.gov.au) | An Australian Government website providing information about domestic and family violence and the law in Australia. |
| **Kids Help Line**  24/7 Phone: 1800 551 800  Website: [www.kidshelp.com.au](http://www.kidshelp.com.au) | Counsellors are available to talk to children confidentially about any issue that are affecting or worrying them. Email or web counselling is also available from the Kids Help Line website. |
| **Lifeline**  24/7 Phone: 131 114  Website: [www.lifeline.org.au](https://www.lifeline.org.au/) | Information on domestic abuse and family violence, 24 hour crisis support and suicide prevention services. |
| **eSafety Women**  Website: [www.esafety.gov.au/women](http://www.esafety.gov.au/women) | Resources for women on how to take control of their online experience. |
| **MensLine**  24/7 Phone: 1300 789 978  Website: [www.mensline.org.au](http://www.mensline.org.au) | MensLine offers support to men with family and relationship concerns, including those who experience family and domestic violence. The service offers 24/7 counselling and can also assist men who have used violence not to reoffend. |
| **Every Man**  Phone: 02 6230 6999 Monday - Friday  Website: [www.everyman.org.au](http://www.everyman.org.au)  (ACT only) | Supporting men who are at risk of homelessness, living with mental health issues like depression or anxiety, living with disabilities, men who are perpetrators or survivors of violence, men who are ex-prisoners, socially isolated, or having relationship or parenting difficulties. |
| **No to Violence**  Phone: 1300 766 491  Website: [www.ntv.org.au](http://www.ntv.org.au) | No To Violence are a support service who work with men who use family and domestic violence, and the sector that supports them to change abusive behaviour. |
| **InTouch**  Website: [www.intouch.org.au](http://www.intouch.org.au) | Provides services, programs and responses to family and domestic violence in migrant and refugee communities. |
| **QLIFE**  Phone: 1800 184 527  Web Chat: 3pm – Midnight 7 days a week  Website: [www.qlife.org.au](http://www.qlife.org.au) | QLife Is Australia’s first nationally-oriented counselling and referral service for LGBTIQ+ people. |
| **LGBTIQ Domestic Violence Interagency (Another Closet)**  24/7 Phone: 1800 65 64 63  Website: <http://ssdv.acon.org.au/> | LGBTIQ Domestic Violence Interagency (formally the Same Sex Domestic Violence Interagency) was formed in April 2001 in Sydney, Australia, as the result of a number of non-Government and Government agencies coming together with the aim of creating a collaborative response to the issues surrounding same sex domestic violence. |
| **Relationships Australia**  Phone: 1300 364 277  Website: [www.relationships.org.au](http://www.relationships.org.au) | Relationships Australia is a leading provider of relationship support services for individuals, families and communities to achieve positive and respectful relationships. |