



Randwick City  
Council  
a sense of community

INTERNAL

# Family and Domestic Violence Policy

Last Reviewed:	May 2018
Contact Officer:	Manager Human Resources
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## 1. Background

Family and Domestic Violence is contrary to Randwick City Council's organisational culture, values and Code of Conduct and we want to provide support to our workers who are victims of Family and Domestic Violence.

## 2. Objective

The purpose of this policy is to:

- Support workers whose work life is affected by Family and Domestic Violence, whilst encouraging their continued participation in the workplace;
- Create a work environment which promotes respectful relationships.
- Raise awareness of Family and Domestic Violence and the impacts it has on affected workers, family members of workers, and our workplace.

## 3. Scope

This policy applies to any individual employed or engaged directly by Council.

This policy does not impose any contractual obligations on Council. To the extent this policy provides a framework for the conduct of Council in any particular situation, it is a guide only and Council may adopt an alternative course of action if it considers the circumstances warrant it.

## 4. Policy Details

### Education and support

- Workers and family members impacted by Family and Domestic Violence are encouraged to seek specialist assistance from appropriate Family and Domestic Violence support organisations. In this regard, workers can access a list of relevant support services at the back of this policy.
- A worker will not suffer adverse consequences on the basis of their disclosure or experience as a victim of Family and Domestic Violence. Council will make reasonable efforts to provide a safe work environment for all workers.

### Leave options

Leave circumstances for victims of Family and Domestic Violence may require flexibility and this policy allows for immediate leave from work to be provided subject to workers notifying their Supervisor/Coordinator or Manager of the leave request.

Leave options will allow the worker:

- Up to 10 days paid special leave per calendar year which may be granted for use of absence from the workplace to attend to matters arising from Family and Domestic Violence situations. This leave is not accumulative from year to year and will not be paid out on termination of employment.
- In addition, Managers may explore the following paid leave options to help the worker with their situation:
  - Annual Leave
  - Flexi time or Rostered Day Off
  - Carers leave
  - Sick Leave
  - Long Service Leave
  - Health & Wellbeing Days

The General Manager holds authority to grant additional days of special leave (paid or unpaid) in extenuating circumstances.

Upon return to work, the worker is required to provide documentation supporting the leave. This may include documentation issued by either the police, a court of law, a health professional (specialising in Family and Domestic Violence), a Family and Domestic Violence support service provider or a lawyer.

### Work options

Workers are able to request a number of work options with their Manager and these requests will be considered against the operational needs of the organisation. The work options that may be considered include:

- Temporary flexible work hours so the worker can seek protection, go to court, look for new housing, attend counselling appointments, arrange childcare etc.
- Temporary job redesign or changes to duties.
- Temporary relocation to suitable employment within the Council.

- A change to their work telephone number or email address to avoid harassment.
- Leave without pay, if requests are for relatively short periods (once all paid leave entitlements have been exhausted).
- Any other appropriate measure including those available under existing provisions for family friendly and flexible work arrangements as stated in the current Local Government (State) Award.

#### **Change of payroll details**

- Council will act promptly to process the worker's requests for changes to their electronic payroll transfers/accounts.

#### **Performance issues**

- Council is aware affected worker's work performance may be impacted, such as trouble concentrating, as a result of the Family and Domestic Violence.
- Council will make reasonable efforts to consider all aspects of the worker's situation and use all reasonable options to attempt to resolve the performance issues.
- If reasonable attempts to resolve the performance issues are unsuccessful, within a reasonable amount of time, Council may commence performance management in accordance with Council's policies and procedures.

#### **Key contacts:**

Council understands the sensitive nature and importance of confidentiality in situations of Family and Domestic Violence and has therefore identified key contacts for workers who are victims of Family and Domestic Violence:

- **General Manager**
- **Manager Human Resources**
- **Manager Community Development**

Workers may also contact their Manager, Coordinator or Supervisor.

#### **Confidentiality**

Family and Domestic Violence details will be stored confidentially and securely.

Information relating to Family and Domestic Violence will only be disclosed where required by law or where it is

imperative to maintain the safety of a Council worker.

## **5. Committing or threatening Family and Domestic Violence:**

Any worker who threatens or engages in Family and Domestic Violence, which;

- harms or has the potential to harm Randwick City Council's reputation; or
- affects their ability to perform their role at Council

will be subject to disciplinary action up to and including termination of employment.

Any worker who threatens or engages in Family and Domestic Violence during work hours or at a work related activity or function; or using Council's equipment or resources (eg. email, internet, phone, computer or vehicle) will be subject to disciplinary action up to and including termination.

Some job positions may give a worker access to certain types of information or resources. If he or she uses this access to knowingly enable a person who is using violence to harm a victim, that worker will be subject to disciplinary action.

Workers who breach the Code of Conduct or Harassment and Bullying Policy will be subject to disciplinary action.

## **6. Workplace Disclosure Pathways**

**Workers who are having problems maintaining respectful relationships at home or with former partners:**

There may be occasions when workers may wish to disclose that they have engaged in Family and Domestic Violence for the purposes of seeking help to end such behaviour.

Council will consider any reasonable request for support from a worker who is using Family and Domestic Violence and is actively seeking professional help to prevent reoccurrences.

Support may be granted at the General Manager's discretion with a view to preventing the continuation of Family and

Domestic Violence and is conditional upon the worker providing satisfactory evidence of professional assistance.

The worker may use their leave entitlements in order to attend professional courses/support programs.

Support will not be available if the worker has been charged with a criminal offence.

## 7. Definitions

**Family and Domestic Violence** includes a "*domestic violence offence*" as defined in the Crimes (Domestic and Personal Violence) Act 2007.

It is an offence committed by a person against another person with whom the person who commits the offence has or has had a "family, domestic or intimate" relationship (this includes both opposite and same sex relationships).

Family and Domestic Violence includes physical, sexual, psychological, emotional, verbal, cultural and social abuse. It can also take the form of economic abuse, harassment and/or stalking. These various forms of abuse often occur simultaneously. It involves violent, abusive or intimidating behaviour carried out by a person against a partner or family member (including but not limited to: parent/child or sibling, carer) to control and dominate that person and causes physical and/or psychological harm. It can also affect the family's social and financial wellbeing.

**Worker** includes, employees, casuals, contractors or any person engaged directly with Council.

## 8. Responsibilities

The General Manager is responsible for:

- Providing a safe work environment.
- Approval of Special Leave.
- Determination of disciplinary action up to and including termination of employment if this policy is breached.

Directors, Managers and Coordinators are responsible for:

- Ensuring workers are aware of policies and procedures.
- Applying policies and procedures through their area.

- Adhering to policies and procedures.
- Offering the Employee Assistance Program service to the worker.
- Maintaining confidentiality.
- Escalating matters to Human Resources where appropriate.

Workers are responsible for:

- Adhering to policies and procedures.
- Adhering to the Code of Conduct and organisational values.
- Encouraging other workers who may be experiencing Family and Domestic Violence to access this policy and seek support from the organisation.
- Reporting any issue, incident or concerns they may have become aware of in relation to the safety of themselves or their colleagues related to Family and Domestic Violence. The report should be to their Manager, or any of the key contacts named in this policy, and workers should feel reassured that the report will be treated with sensitivity and remain confidential.
- Keeping details of any such report confidential from other workers, other than the person to whom they have submitted the report.

Human Resources are responsible for:

- Providing information, assistance and advice on policies and procedures.
- Maintaining confidentiality.

## 9. References

- Family and Domestic Violence Checklist
- Local Government Award 2017
- Disciplinary Policy & Procedure
- Drug and Alcohol Policy
- Harassment and Bullying Policy and Procedure.
- Crimes (Domestic and Personal Violence) Act 2007
- Police: In an emergency **000**
- Domestic Violence Line **1800 656 463 or 1800 671 442 (24 hours)**
- National Sexual Assault, Domestic & Family Violence **1800 737 732**
- **No To Violence** – Men's referral service: **1300 766 491**

- Domestic Violence Legal Advice Line **(02) 8745 6999**
- LGBTI Support ACON **(02) 9206 2000 or 1800 063 060**
- Relationships Australia Support Groups including LGBTIQ: **1300 364 277**
- NSW Rape Crisis Centre **1800 424 017 (24 hours)**
- Women's & Girls' Emergency Centre **(02) 9319 4088**
- National Family Violence Prevention Legal Services for Aboriginal and Torres Strait Islander **03 9244 3333**
- Aboriginal Medical Services (02) **9212 4777**
- Lifeline **13 11 14**
- Mensline: **1300 78 99 78**
- Worker Assistance Program (EAP) brochure
- **Key contacts:** General Manager, Manager Human Resources and Manager Community Development