

Domestic Violence Procedure - Addressing Impact in the Workplace

Section 1 - Purpose

(1) This document sets out Charles Sturt University's procedure for supporting staff who are victims of domestic violence and addressing the impacts of domestic violence in the workplace.

Scope

(2) This Procedure applies to all staff of Charles Sturt University (the University) in Australia.

Section 2 - Glossary

(3) For the purpose of this Procedure:

- a. Domestic violence refers to a pattern of coercive tactics which can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person in order to establish and maintain power and control over another person in a close relationship, or family or domestic situation.

Domestic violence occurs across all social strata, cultures, and age groups. The incidence of domestic violence is not dependent on gender or sexual orientation but the majority of victims of such violence are women.

Section 3 - Policy

(4) Refer to the [Domestic and Family Violence Support Policy](#).

Section 4 - Procedures

Introduction

(5) Domestic violence impacts negatively on a victim's sense of safety, self-esteem and confidence and can have severe health consequences. It is of concern in the workplace as it can adversely affect productivity, attendance and the quality of workplace relationships. It can also provide a conduit for violence in the workplace.

(6) The University seeks to foster a work environment in which staff feel secure in coming to work and in requesting the support and flexibility they need to manage legal, medical, domestic or other matters related to domestic violence.

(7) A staff member who is supported to stay in employment while dealing with domestic violence is more likely to maintain financial and emotional independence, which is critical to breaking the cycle of violence and control.

Responsibilities

managers and supervisors

(8) managers and supervisors are responsible for the following actions:

- a. ensuring the safety of staff and others in the workplace;
- b. offering assistance and support when a staff member who is a victim of domestic violence asks for help;
- c. referring the staff member to the Employee Assistance Program (EAP) for professional advice and counselling;
- d. contacting the Division of People and Culture for advice on the process, if needed;
- e. respecting the right of the staff member to make their own decisions regarding their personal affairs and avoiding judgement;
- f. assisting the staff member by approving reasonable leave and/or adjusting working arrangements such as work schedule or location;
- g. maintaining communication with the staff member during any significant absence;
- h. maintaining confidentiality in relation to the domestic violence situation and the staff member's whereabouts, and only sharing information with those who have a genuine need to know; and
- i. initiating disciplinary procedures against staff members who threaten or commit acts of domestic violence at work or who misuse University resources for such purposes.

Division of People and Culture

(9) The Division of People and Culture is responsible for the following actions:

- a. developing and implementing awareness raising strategies for managers, supervisors and staff about this Procedure and the availability of support for staff experiencing domestic violence;
- b. maintaining an up-to-date list of domestic violence services for referral purposes;
- c. providing advice to managers and supervisors on the procedure for supporting staff members who are victims of domestic violence;
- d. facilitating approved leave and adjustment of working arrangements;
- e. providing advice to managers and supervisors about implementing the disciplinary procedure for staff members who threaten or commit acts of domestic violence at work or who misuse University resources for such purposes; and
- f. maintaining confidentiality concerning domestic violence cases to the extent permitted by law.

Disclosure

(10) Disclosure of concerns related to domestic violence may be made by:

- a. a staff member experiencing domestic violence;
- b. a staff member who is caring for a family member experiencing domestic violence; or
- c. a staff member who is concerned about a colleague or about safety in the workplace because they are aware of a domestic violence situation.

(11) A staff member who has a concern related to domestic violence may contact an appropriate line manager or Human Resources Officer to explore options for support and/or safety measures on campus.

Confidentiality

(12) All information pertaining to a staff member's personal circumstances in terms of domestic violence will be kept

confidential to the extent possible and will not be placed on their personal file.

(13) Other staff members should be informed of domestic violence circumstances on a 'need to know basis' only. Where possible, the need to notify others will be discussed first with the staff member experiencing domestic violence.

(14) It may not be possible to maintain strict confidentiality in circumstances where:

- a. there is a need to act to protect the safety of staff or others on campus;
- b. there are concerns about children or vulnerable adults; or
- c. action is being taken to enforce a court protection order.

Safety

(15) When a disclosure concerning domestic violence is made, the manager/Human Resources Officer will work with the staff member raising the concern to put in place strategies to ensure their safety while at work. Any personal safety measures adopted should be agreed to by the staff member concerned. The manager/Human Resources Officer will need to assess whether others in the workplace or using the premises may also be at risk.

(16) Measures for increasing individual safety in the workplace in the context of domestic violence may include but are not limited to:

- a. when appropriate, advising co-workers;
- b. setting up procedures for alerting security and/or the police;
- c. temporary relocation of the staff member to a more secure area;
- d. options for voluntary transfer or permanent relocation to another position or campus;
- e. change of work schedule;
- f. escort for entry to and exit from the building;
- g. managing telephone, fax, e-mail or mail harassment;
- h. changing the staff member's contact details and/or removing them from public directories;
- i. if a court protection order exists, asking the staff member to consider including the relevant University campus on the order; and
- j. keeping a photograph of the perpetrator and/or a copy of any existing court protection orders in a confidential, on-site location and providing copies to security staff.

(17) When a perpetrator violates a court order by coming into the workplace or when a person becomes violent in the workplace, the relevant manager will:

- a. contact the Police;
- b. contact Security (if appropriate);
- c. document any incidence of violence as soon as possible and, within 24 hours, via a University Accident/Incident Report Form; and
- d. refer any staff members involved in or witnessing the violent incident to the University's EAP.

(18) In the case where a reported domestic violence situation is occurring between two members of staff, the University will explore any reasonable changes to working arrangements necessary to protect the safety of both parties.

Leave and Flexibility

(19) A staff member who is experiencing domestic violence can apply for flexible working arrangements or appropriate

leave in order to obtain assistance, attend court, or make any necessary arrangements to create a safe situation.

(20) The Leave Manual sets out the leave available for a staff member experiencing domestic violence or supporting an immediate family member, which may include drawing on accrued leave, or applying for special leave or leave without pay.

(21) When applying for leave or flexible working arrangements because of domestic violence, the staff member may be required to verify that they (or their family member) are a victim of domestic violence by providing one of the following:

- a. a Police report;
- b. a court protection order;
- c. documentation from a medical professional, other relevant professional or a support agency; or
- d. a statutory declaration.

(22) Where, due to an emergency, it is not possible to provide advance notice of the intention to take leave, the staff member should notify their manager of their circumstances and anticipated length of absence before the close of business (or as soon as reasonably practicable).

(23) Where extended leave is deemed appropriate, the staff member and manager should agree on a return to work plan and the means by which communication with the University will be maintained during the staff member's absence.

Performance Issues Related to Domestic Violence

(24) Where a manager identifies a performance or attendance issue and the staff member discloses domestic violence, the manager will support the staff member to resolve the issue by exploring options for leave or flexibility, making appropriate referrals, and allowing reasonable time for the staff member to obtain assistance.

(25) If the strategies for resolving the performance or attendance issue are not successful within a reasonable timeframe, then a performance improvement plan may be implemented in accordance with the University's Management of Unsatisfactory Performance Guidelines.

Referral

(26) A staff member who discloses that they are experiencing, or participating in, domestic violence will be referred to the University's EAP for support and assistance.

(27) External sources of information and support that may be helpful are:

- a. Safe at Home, Safe at Work (University of New South Wales (UNSW))
- b. How to Guides: Model Policies, Procedures and Safety Plans (UNSW)

Section 5 - Guidelines

(28) Nil.

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Unit Head	Stacey Jenkins Executive Director, Safety, Security and Wellbeing
Author	Sarah McCormick
Enquiries Contact	Division of People and Culture +61 2 63384884