



# FAMILY VIOLENCE POLICY

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## 1. Introduction

Family violence is unacceptable at home, in the community or in the workplace. Colac Primary School is committed to creating a workplace which supports employees experiencing family violence to remain safe at work, and retain their employment through times of crisis. .

Whilst both men and women can experience family violence, the majority of victims are women. The Australian Bureau of Statistics estimates that two thirds of women who experienced family violence are in paid employment.<sup>1</sup>

Maintaining stable employment and gaining financial independence is critical to enabling a victim of family violence to leave a relationship. Supporting victims to remain in paid employment can assist them on their pathway out of violence. Many women who have experienced family violence have also been subjected to financial abuse, which makes paid employment all the more important.

## 2. Purpose

This policy is intended to support employees experiencing family violence by providing access to workplace safety planning, and information and referral.

## 3. Scope

This policy applies to all employees.

## 4. Definitions

**Employee** refers to any person employed by Colac Primary School on a full-time or part-time basis and casual employees.

**Employee's immediate family** means the employee's spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee, or the child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner.

**Employer** refers to Colac Primary School.

**Family violence**, as defined in the *Family Violence Protection Act 2008* (Victoria), includes physical, sexual, financial, verbal or emotional abuse by a family member. This can include current or former partners in an intimate relationship, whenever and wherever the violence occurs.

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## **5. Responsibilities**

### **Employer**

Colac Primary School is responsible for:

- providing a sensitive, non-judgemental response to employee who disclose family violence;
- providing a safe working environment for employee;
- providing information, referral and support to employees experiencing family violence;
- ensuring that the privacy of personal information disclosed by employees is protected;
- advising Business Manager that an employee wishes to access Family Violence Leave as required; (\*\*\*\*\* if this is included in EBA)
- ensuring that any changes to working arrangements are documented on the employee's personnel file with the consent of the employee; and
- providing family violence training to employees in a position where it is reasonable to expect they may be required through their role to support staff members.

### **Employees**

Employees who wish to access any of the provisions contained in the Family Violence Workplace Strategy are responsible for:

- seeking information and support (one-off or ongoing) from their Line Manager, Senior Manager, Business Manager, or the Employee Assistance Program (EAP).

## **6. Privacy and Confidentiality**

All employee records concerning family violence will be kept confidential and only divulged in exceptional circumstances where it is necessary to fulfil Colac Primary School's duty of care responsibilities towards employees. Information will not be kept on an employee's personnel file without their express written consent.

Colac Primary School will ensure that the confidentiality of an employee's personal information (including work and residential contact details) is assured against loss, disclosure to third parties, unauthorised access, modification or any other form of misuse.

## **7. Family Violence Leave**

Reference to the EBA if this is approved \*\*\*\*

## **8. Workplace Safety Planning**

Colac Primary School recognises that employees experiencing family violence are vulnerable to abuse and threats by the perpetrator whilst they are at work. Colac Primary School prioritises the provision of support for employees experiencing family violence to remain safe in the workplace. With the consent of the employee, Colac Primary School will work with the employee experiencing family violence to enhance their safety and wellbeing at work by developing a workplace safety plan where this is the wish of the employee.

The purpose of a workplace safety plan is to enhance existing workplace safety strategies but also target specific, known risk factors associated with family violence. In consultation with the employee, the principal will develop a workplace safety plan that considers what changes, if any, can be made to the workplace to enhance the safety and wellbeing of the employee. Depending on the specific measures identified in the safety plan, other employees and managers with particular areas of responsibility e.g. IT, reception, will also need to be informed for the measure to be implemented. However, all efforts to protect the privacy and confidentiality of the affected employee will be made.

Changes made to an employee's work arrangements as part of a workplace safety plan will be time-limited. The workplace safety plan will be reviewed on a regular basis to determine if or whether if additional measures are required. If the employee consents, a copy of the workplace safety plan will be placed on the employee's personnel file. When it has been identified that the employee's safety in the workplace or that of their co-workers is no longer at risk, the employee can request the removal of the workplace safety plan from the personnel file.

## **9. Perpetrator Accountability**

Colac Primary School is committed to holding perpetrators of family violence to account for their use of violence. Perpetrators sometimes use workplace resources to threaten, harass or abuse their victim.

Any (organisation) employee who is found to be misusing work time and/or resources to engage in family violence will be considered to have acted contrary to Colac Primary School's Code of Conduct and disciplinary action may be pursued. If the employee's behaviour amounts to a criminal offence and/or breach of a Family Violence Intervention Order, the employee will be reported to the police.

## **10. Information and Referral**

An employee who discloses to Senior Management, Business Manager or their Line Manager that they are experiencing family violence will be provided with information detailing counselling and support services available externally through mainstream and specialist family violence support services. The employee may choose whether or not to access support services.

## **11. Employee Assistance Program**

Employees experiencing family violence are able to access the Employee Assistance Program (EAP). The EAP is a confidential counselling and advice service that offers external professional counselling to employees who may need assistance with particular issues affecting their wellbeing, both personally and in the workplace.

## **12. Family Violence Training**

Colac Primary School will ensure that staff in a position of management of other employees are trained in identifying and supporting employees experiencing family violence.

Family Violence training will provide staff undertaking the above roles with a sound understanding of their responsibilities, including responding to employees who disclose family violence, Colac Primary School's relevant policies and procedures, workplace safety planning, and referral options.

### **13. Acknowledgement of the impact of family violence**

Colac Primary School acknowledges that family violence may impact on employees in significant and various ways. It may:

- necessitate that an employee take time off work;
- affect an employee's ability to get to work and/or be on time for work;
- affect an employee's safety, and the safety of their co-workers;
- affect an employee's capacity to perform their role.

Colac Primary School will not discriminate against anyone who has disclosed family violence in terms of their existing employment or career development. Managers will be cognisant of the employee's experience of family violence and the impact this may have on performance when discussing attendance and/or performance issues.

### **14. Risk Management**

Representatives from the Leadership Group in conjunction with the Occupational Health and Safety Committee will regularly review existing safety and emergency management systems to identify risks in responding to family violence in the workplace (e.g. office security, information technology, and communications protocols).

Systems and plans will also consider risks associated with the physical presence of a perpetrator in the workplace, as well as the potential for abuse or threats via electronic means.

### **15. Incident Reporting**

A family violence incident that occurs in the workplace will be regarded as an incident under Colac Primary School Risk Management Policy and documented on (Edusafe\*\*\*). As far as practicable, consideration will be given to protecting the privacy and confidentiality of the employee.

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#### **RELEVANT LEGISLATION AND STANDARDS**

- Equal Opportunity Act 2010 (Victoria)
- Fair Work Act 2009
- Family Violence Protection Act 2008 (Victoria)
- Information Privacy Act 2000 (Victoria)
- Occupational Health and Safety Act 2004
- Health Records Act

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#### **RELATED POLICIES AND PROCEDURES**

- Family Violence Workplace Strategy Procedure
- Family Violence Contact Officer Position Description
- Equal Employment Opportunity Policy
- Occupational Health and Safety Policy
- Risk Management Policy
- Privacy Policy
- Employee Assistance Program Procedure
- Code of Conduct Policy
- Duty of Care Policy
- Enterprise Agreement

## **Acknowledgements**

This policy has been amended from information provided by Domestic Violence Workplace Rights and Entitlements Project partners.

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