

Domestic and Family Violence Workplace Strategy

Domestic and family violence (DFV) is a serious workplace issue. It is in the interests of every organisation to ensure that they support staff affected by it, work to prevent DFV, and foster a culture of respect and gender equality in the workplace.

Organisations should document and communicate their commitment to preventing DFV, and implement strategies which reflect current trends in legislation, research and policy. This information sheet is a brief guide on the basics of developing a workplace DFV strategy, but is not comprehensive, nor a substitute for professional education and training for staff.

What is Domestic and Family Violence?

Domestic and family violence refers to violence, intimidation and coercion most commonly perpetrated by a current or previous intimate partner (including same-sex partners), but also including violence perpetrated between family members, housemates or children. Family relationships include people who are related to one another through blood, marriage or de facto partnerships, adoption and fostering relationships. They include the full range of kinship ties in Aboriginal and Torres Strait Islander communities, extended family relationships, and constructs of family within lesbian, gay, bisexual, transgender, intersex or queer (LGBTIQ) communities. Violence includes but is not limited to physical, sexual, verbal, emotional, financial, psychological and spiritual abuse.

Although men can be victims of DFV, women are overwhelmingly represented as victims/survivors of violence, which is why the terms 'violence against women' or 'gendered violence against women and children' are also used interchangeably with domestic violence. DFV can affect people of all socio-economic groups, cultures, religions, genders, ages and sexual orientations.

Workforce related costs of DFV

Domestic violence can have a significant impact on an employee's health and wellbeing, productivity at work, attendance, as well as potentially being a safety risk for all employees. For an organisation, it can result in lost productivity due to absenteeism, illness, injury, and distraction. According to a report by Deloitte, workforce related costs of DFV include:

- *'Reduced productivity of the survivor due to reduced workforce participation and/or 'presenteeism';*
- *Absenteeism of the survivor, perpetrator and family members;*
- *Costs of replacing lost output through overtime by other workers;*
- *Reduced productivity of the survivor's and perpetrator's co-workers and friends and family;*
- *Additional administrative costs of employers; and*
- *Loss of unpaid household and voluntary work by the survivor, perpetrator, and family and friends.'*¹

Benefits of having a workplace DFV strategy

Promoting a violence free workplace and supporting those experiencing DFV has positive benefits for the individual, their family, colleagues and the workplace:

¹ Deloitte Access Economics, *Change for a better future – Addressing domestic and family violence together: The role of business* (2015)

- Enhanced employee health, wellbeing, attendance and productivity
- Increased awareness of the prevalence of domestic violence and its effects
- Reduced stigma around DFV
- Enhanced employer reputation and status
- Employees feel more comfortable about asking for support
- Improved organisational morale

Support for staff experiencing DFV

Maintaining employment is a critical aspect for leaving an abusive relationship, as the workplace serves as a safe place for the victim/survivor, and provides the financial stability needed to find alternative accommodation and access support resources.

There are a range of employee entitlements that can be offered to individuals experiencing domestic violence to support them to seek help and maintain employment. The following should be included in workplace agreements, or in a separate domestic and family violence policy.

Flexible working arrangements

The right to request flexible working arrangements due to domestic violence was included in the [Fair Work Amendment Act 2013](#), which states that an employee may request flexible working arrangements if *'the employee is experiencing violence from a member of the employee's family'*, or if *'the employee provides care or support to a member of the employee's immediate family, or a member of the employee's household, who requires care or support because the member is experiencing violence from the member's family'*.

These arrangements may include a change to working hours, start and finish times, or alternative work location, for safety or other reasons. An employer can only refuse a request for flexible working arrangements on 'reasonable business grounds'.

Leave entitlements

As of July 2017, a paid leave provision for people experiencing domestic or family violence has not yet been included in the *Fair Work Act*, and is an optional provision for employers. However, the Fair Work Commission has approved provisions for unpaid DFV leave in modern awards, as well as access to personal and carer's leave for DFV.

White Ribbon Australia recommends 10 days' leave per year available to staff experiencing domestic violence. This is for the purposes of attending court and legal proceedings, getting legal advice, attending medical appointments, or to organise alternative accommodation.

Safety Plans

The organisation's Workplace Health and Safety policy should include the process for conducting a DFV risk assessment. If there is a deemed safety risk to the employee or others, a Workplace Domestic Violence Safety Plan should be developed with the staff member, security and other relevant personnel, by a trained manager/supervisor. The safety plan may include:

- Changing the staff member's work phone number, email address, and screening calls to the staff member
- Setting up mobile phones with emergency contacts

- Changing the location of work, work hours or nature of work (e.g. performing work in a more secure area)
- Organising security or a staff member to accompany the employee to and from transportation

Other support

- Referral to external services such as counselling and legal advice
- A return to work plan and/or performance improvement process may be implemented to support the staff member transition back into work after taking domestic violence leave
- Some workplaces offer advance payments of salary, loan mobile phones, etc.

Confidentiality

Employees have the right to choose whether they disclose information about being affected by DFV, and to whom they disclose. Employees who choose to disclose should feel assured that their sensitive information will be treated confidentially.

The organisation's privacy and confidentiality policy should set out in what circumstances an employee's information relating to their domestic violence may be shared, such as in the case where there is a serious risk of harm to the employee or others.

Documentation

Organisational policies and procedures should set out what evidence, if any, is required to request DFV related entitlements. This may be in the form of police or court documents, copy of an Apprehended Violence Order (AVO), or documents from a counsellor or health professional.

Managers/supervisors may use their discretion to approve entitlements without any formal documentation, and access to entitlements should not be denied on the basis of lack of supporting evidence.

Workplace policies and procedures

Procedures for supporting victims/survivors of DFV should be reflected in the relevant workplace policies:

- **Domestic and family violence policy** – including flexible working arrangements, leave entitlements, safety plans. Alternatively, there may be a domestic violence clause in the conditions of employment or comparable policy, setting out the available provisions.
- **Workplace Health and Safety** – including a risk assessment for DFV.
- **Equal opportunity and anti-discrimination policy** – including a clause for preventing discrimination against staff experiencing DFV.
- **Critical incident management policy** – this should detail duty of care, reporting, and debriefing responsibilities, emergency procedures, and support services following incidents.

Preventing discrimination on the grounds of DFV

Discrimination against people who experience DFV can include being fired or demoted for underperformance or non-attendance, or being denied leave or flexible work arrangements relating to DFV. Because of the stigma surrounding DFV and the fear of discrimination, many people who are affected by DFV do not disclose this to managers or HR.

Although there is not currently a specific clause in Commonwealth anti-discrimination legislation preventing discrimination against employees on the grounds of domestic violence, employees may be able to make claims of discrimination against employers on the basis of the *Sex Discrimination Act 1984 (Cth)*, or the *Disability Discrimination Act 1992 (Cth)*.

Organisations should make clear their commitment to providing a safe work environment and that any staff member who chooses to disclose their circumstances will not be discriminated against for doing so. This should be set out in the organisation's Equal Opportunity Employment and anti-discrimination policies.

Dealing with perpetrators of DFV at/from the workplace

DFV is unacceptable at work, home, or in any other setting. Perpetrators of DFV may use work time and/or resources to threaten, harass or abuse others within or outside the workplace. Some examples of this behaviour are:

- emailing, phoning or texting the victim as part of controlling behaviour;
- using work IT systems to access private information about someone without authorisation; or
- making derogatory or demeaning comments/ jokes about a partner or family member.

Organisations should have clear procedures in place for dealing with abusive and threatening behaviour and holding perpetrators accountable. Criminal matters should be referred to police immediately, while non-criminal matters should be investigated internally and appropriate action taken, referral to external support services. Procedures for preventing or responding to perpetrators of DFV should be reflected in the relevant workplace policies:

- **Code of Ethics and Conduct** – Stating the organisation's principles of respect and equality, employee wellbeing and values of nonviolence. The Code communicates the expected standard of behaviour for all employees.
- **Social media policy, Bullying and harassment policy** – This should detail the definitions of 'harassment' and 'sexual harassment'.
- **Performance and misconduct policy, Grievance and complaint handling policy** – These should define 'misconduct', 'serious misconduct', and outline the disciplinary measures for staff found to be perpetrating DFV at/from the workplace.

More detailed information about dealing with perpetrators of DFV in the workplace can be found [here](#).

Prevention of domestic and family violence

Fostering a culture of respect and gender equality

Primary prevention of DFV targets the structural causes of gender based violence, such as gender inequality and gender socialisation. It aims to change the social and cultural beliefs and attitudes which may stem from these and contribute to violence against women. In the workplace, attitude and behaviour change begins with leaders visibly promoting the values of respect and gender equality, and having these values firmly embedded in workplace policies and practices.

Education, training and awareness

An important component of an effective workplace strategy for violence prevention is the implementation of regular and ongoing training and education for staff. Training should cover the key areas of the prevalence and causes of DFV, identification of when someone may be affected, and

appropriate responses to victims/survivors and perpetrators. It can be conducted either face-to-face or online, and can be incorporated into existing training for employee induction, risk management or workplace health and safety.

Specific training should be carried out for managers, supervisors, and key contacts to be able to develop safety plans, and provide appropriate and sensitive support and referral to employees.

All education and training should be conducted by professional accredited violence prevention educators [*refer to links at the bottom of this info sheet for more information about providers of workplace training and education*].

The organisation may also choose to host fundraising and awareness campaigns and events for DFV and DFV related organisations.

Reporting domestic and family violence strategy

The [Workplace Gender Equality Act 2012](#) requires that all organisations in the non-public sector with over 100 employees report annually to the Workplace Gender Equality Agency. Relevant organisations report against a set of standardised gender equality indicators, with a reporting questionnaire which asks about the organisation's strategies, policies or other measures in place to support employees affected by domestic and family violence.

Additional BNG resources

[Domestic and Family Violence Policy template](#)

External resources

Information about DFV

- The Australian Human Rights Commission's [Fact sheet: Domestic and family violence - a workplace issue, a discrimination issue](#)
- The NSW Government has published a number of initiatives and resources to reform the domestic violence system in NSW, available from [NSW Domestic Violence](#) and also the NSW Government's [It Stops Here](#) reforms
- Victorian Government, [Family Violence Reform](#)
- [Workplace Gender Equality Agency \(WGEA\)](#)

Sample DFV policies

- The Queensland Government has developed a [Workplace package for domestic and family violence](#) which includes resources such as policy templates, a workplace approach to employees who use or may use violence and abuse, and how to refer and connect affected employees to support.

- Department of Social Services, [Domestic and Family Violence Policy](#)
- Department of the Prime Minister and Cabinet, [Domestic and Family Violence Policy](#)

Workplace training and education

- 1800RESPECT has compiled this list of [Providers of training and professional development](#)
- White Ribbon Australia [Workplace Accreditation program](#)
- [Australia's CEO Challenge](#) offers workplace training, partnerships, and support in developing policies based on best practice through their Workplace Domestic Violence Prevention Program