



Risks, considerations and conversations about safety when domestic and family violence comes to work.

(with a COVID-19 update)

2 September 2020



Acknowledgement of country



On behalf of Community Legal Centres Queensland, DFV Work Aware and The Services Union, we acknowledge the traditional owners of the lands on which we are gathering to share this presentation.

We pay our respects to all First Nation elders, past, present and emerging, and acknowledge the important role Aboriginal and Torres Strait Islanders continue to play in our society.

As this presentation is being viewed throughout Queensland, we also pay respect to the traditional owners of the land throughout the State and extend a warm welcome to any First Nations Australians listening to this presentation.

CLCQ, TSU and DFV Work Aware acknowledge the disproportionately high rates of domestic violence experienced by Aboriginal and Torres Strait Islander peoples, the ongoing impacts of colonisation and the additional challenges this creates in responding to this issue and we recognise that the wisdom of the Elders has much to teach Australians in that regard.

Important information



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Important information....

Keep safe – Content warning:

Community Legal Centres Queensland wants to ensure that community legal centre workers and others accessing these training materials feel safe, and are able to access appropriate and timely help and support.

Some content in these training materials may be disturbing, upsetting or trigger strong/negative emotions for victims and survivors of violence and trauma, and others.

Community Legal Centres Queensland respects your autonomy and privacy. If you feel triggered or upset by any of the content or materials provided here, we encourage you to use your discretion as to whether you should continue reading, watching or listening to the material.

You may also wish to access more information and resources, as well as professional support or advice from one of the free and confidential organisations listed on our Keep Safe website page: <http://communitylegalqld.org.au/keepsafe>.

About the presenter

Kerriann is a senior industrial social worker. She was the CEO of the Queensland Working Women's Service from 2003 to 2017 overseeing the delivery of a state-wide employment advisory and advocacy service for vulnerable women where domestic and family violence was a common issue that intersected with the employment issues of clients of the service.

Kerriann performed the lead role in developing the DFV Work Aware program with the National Working Women's Centres. Currently Kerriann is a Director of WorkCover Queensland and has recently joined the Sector Sustainability team at CLCQ.



DFV Work Aware

when domestic & family violence comes to work





What this webinar covers:



- Why domestic and family violence is a workplace issue
- The impacts of DFV on employees and co-workers including safety and wellbeing
- Practical information to guide the development workplace risk assessments and safety planning at work as part of an overall DFV workplace strategy.



What is domestic and family violence (DFV)?

- DFV is a pattern of abusive behaviour in an intimate or family relationship where the person who uses the violence is motivated by a desire to **dominate, control** or **oppress** the other person in a way that causes **fear**.
- DFV can take many different forms including **intimidation, coercion or isolation** and can involve **emotional, physical, sexual, financial and spiritual abuse**.
- DFV can happen to anyone (across genders) and occurs in all socio-economic and cultural settings.





1 in 6 women and 1 in 16 men have experienced physical violence by a current or former partner since the age of 15

1 in 4 women and 1 in 6 men have experienced emotional abuse by a current or former partner since the age of 15

Women are eight times more likely to experience sexual violence by a partner than men.



Key drivers of DFV

Although there is **no single cause** there are certain factors that consistently predict - or drive higher levels of violence against women.

These include beliefs and behaviours reflecting **disrespect for women, low support for gender equality** and adherence to **rigid or stereotypical gender roles, relations and identities**.

First Nations people experience racialised structural inequality and the ongoing impacts of colonisation with high exposure and tolerance of violence. An estimated **25% of First Nation people** experienced one or more incidents of physical violence in the past 12 months.

'Let's Change the Story: Violence Against Women in Australia' 2016

'Change the Picture' Prevention Violence against ATSI Women' 2018

(Our Watch)





When DFV comes to work

- Domestic and family violence can become workplace violence when a perpetrator such as a partner or ex-partner or other family member attempts to harm an employee at work.
- In some cases there can be a risk to the physical and psychological safety not only of employees who are victims of violence but also to co-workers





The impact of DFV on workplaces:

Issues for both
victims and
perpetrators of
DFV

Reduced
productivity,
performance and
morale

Time and
resources for staff
turnover

Managing poor
performance or
attendance

Perpetrator in the
same workplace as
victim

Moral and ethical
responsibilities

Workplace Health
and Safety
responsibilities

Commitment of
workplace to
gender equality
and respect

Other
organizational risks
including
reputation





Disclosing DFV at work

- Low rate of disclosure to employers
- Higher rate of disclosure to co-worker or manager
- Approximately half of employees did not know if their employer had a DFV policy.
- People who disclosed found it difficult to talk to make the disclosure and 56% described the experience with negative, mixed or neutral sentiments.

2011 Safe at home safe at work survey

2019 studies Insight Exchange paper





Employees affected by domestic and family violence

- Feeling scared or worried about safety and safety of others
- Experiencing depression, anxiety, and trauma (or other MH issues)
- Trying to manage the abuse and the way they impact at work and other areas of life (covering up, minimising, defending)
- Feeling helpless and unsure what to do
- Impact on productivity and work performance
- Impact on attendance or ability to attend work



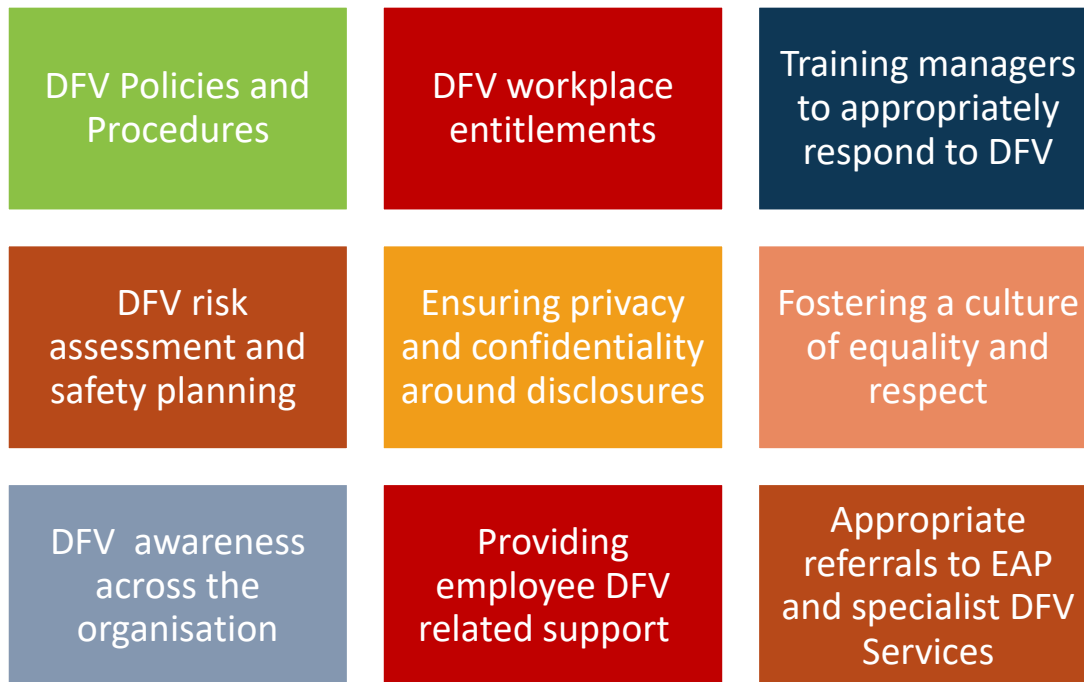
The impact of DFV on other people at work

- Filling in for unproductive or absent workers
- Feeling resentful – gossip and rumour when cause of behaviours not known or when victim blaming occurs
- Trying to protect victim from unwanted contact at work
- Feeling helpless and unsure what to do
- Vicarious negative impact on mental health -fears, anxiety, vicarious trauma, compassion fatigue, stress leave
- Identification of perpetrators in the workplace – trying to protect from unwanted visits, phone calls or contacts

2011 Safe at Home Safe at Work Survey



A DFV workplace strategy:



Benefits of implementing a DFV response or strategy:





A recent and tragic family violence killing that was found to be a workplace death has highlighted the need for workplaces to consider the impact of domestic and family violence on their employees.

This has been further highlighted by the COVID-19 pandemic that has resulted in reports of a spike in cases as a result of the home-based lockdowns.

Case: of Workers' Compensation Nominal Insurer v Hill [2020] NSWCA 54 where an employer was found liable for spousal Homicide.



Workplace responses to DFV during COVID-19

- If possible, provide an option to work either from home or at the workplace
- Provide a mechanism where employees can report concerns about their safety Including DFV at home
- Provide safe and unique log ins to access work material
- Refresh DFV policy and referral information Promote when work arrangements change
- Ensure Managers are equipped Understanding impact of DFV, need for privacy, conversations about support and safety

RRR and SSS





Organisational commitment

Document and communicate the commitment to preventing and responding to DFV, and **implement** strategies that reflect current trends in legislation, research and policy.

- Leadership and **governance: ethics, compliance and risk**
- Delegations - organisational roles and responsibilities, consultation and participation of employees
- Planning – actions to address risks and opportunities, WHS Objectives and how to achieve them
- Support – resources, competence, awareness, communication, documented information
- Operations – planning and control, eliminating hazards, change management, emergencies preparedness and response
- Evaluation and continuous improvement





Policy checklist

- **DFV policy** Intended outcomes, explanation of DFV entitlements and support, safety planning, response to people using violence, referral information and contact people, privacy and confidentiality
- **Workplace health and safety policy** A specific risk assessment process for DFV (general and individual risks)
- **Non discrimination policy** No discrimination or adverse action because of the impact of DFV
- **Critical incidents policy** Reporting, and debriefing responsibilities, emergency procedures, and the support available following any DFV related incidents.
- **Record keeping policy** Documentation of risks, controls, implementation, responsibilities, review, handling of personal information EVIDENCE





Workplace Safety planning

Operational

- A workplace safety plan usually involves an assessment of risk of the violence occurring at work and can assist to enhance safety at work.
- The process and content will depend on factors such as the size, type, location and number of workers as well as exposure to public access e.g. safe area.
- A case-by-case process for assessing risks when a specific DFV situation is identified

Whole of workplace safety plan or risk assessment

Individual workplace safety plan



A DFV Workplace risk assessment

Risk description Identify the hazards, **who could be harmed and how could it happen**, risk scenario, impact, likelihood

Evaluate risks how to manage risks, data, **existing controls**, consulting employees, effectiveness of control measures, best practice, reduce risk with **precautionary measures**

Risk reduction plan Record findings for each risk: who/when/where and **implement** these

Review and update Develop reporting procedures, ongoing consultation, feedback, monitoring for effectiveness

Sample risk register and assessment

Risk Description	Risk scenario	Existing controls	Impact and likelihood	Actions
<p>DFV related behaviours enter the workplace:</p> <ul style="list-style-type: none"> • unwanted contact and harassment of employee by family member • family member threatening to disrupt the workplace 	<p>Co-workers have identified risk indicators</p> <p>Employee has disclosed</p> <p>Contacts intercepted by third party</p>	<p>DFV policy and procedures</p> <p>DFV training</p> <p>Code of Conduct</p> <p>Safety strategies for phone and digital communication</p> <p>CC TV</p> <p>Security codes</p>	<p>Possible distress or trauma for victim of DFV</p> <p>Possible distress for co-workers</p> <p>Loss of morale</p> <p>Risk may accelerate into other violence</p>	<p>Engage with employee in accordance with policy</p> <p>Cross reference general DFV safety policy</p> <p>Offer individual safety assessment to help identify level of continuing or increasing contact.</p> <p>Ensure employee/s have access to specialist or support services</p>



Individual workplace safety planning

Information to gather

- Up to date contacts Emergency or other
- What sort of support might be helpful
- What are the possible safety risks Is there a DVO
- Industrial needs Leave and entitlements, how to access
- Employee location/work set up Email and phone
- Travelling For work and to and from work
- Work impacts and performance Reasonable adjustments
- Flexible work practices
- Information sharing Privacy, recording, confidentiality
- Relevant information about the person using the person using the violence Photo, description, characteristics



Individual workplace safety planning

Options to consider

- Changing work patterns Hours, start times, location
- Clear reporting procedures Violence or threats of violence
- Preprogramed phone For emergency and work contacts
- Sign in or screening Access for non-employees at work, photo of perpetrator at reception
- Technology screening E-Safety, Emails, calls, messages
- Increase security CCTV, lighting, security protocols or presence
- Legal protection orders DVO's can include workplace if appropriate

Talking about domestic and family violence with a person at work



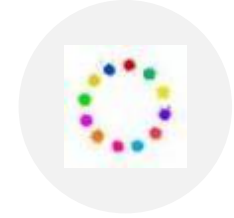
**LISTEN, WITHOUT
JUDGEMENT AND TAKE
SERIOUSLY WHAT THEY SAY**



**ASK WHAT SUPPORT IS
NEEDED AT WORK INCLUDING
ABOUT SAFETY**



**PROVIDE INFORMATION THAT
SUPPORTS THE PERSON TO MAKE
THEIR OWN CHOICES AND
RESPECT THESE DECISIONS**



**BE SENSITIVE AND
APPROPRIATE TO CULTURE
AND DIVERSITY**



Individual workplace safety planning

Other support

- **Support** access to Industrial entitlements or other conditions the workplace can offer
- Referral to **specialist** DFV services such or for counselling and legal advice
- Job **security**
- Support through financial assistance Advance payments of salary, short term loan or loan of mobile phones or equipment to perform duties and stay connected remotely, diverting salary
- Keeping **secure** copies of personal important documents Passports, birth certificates, DVO



Safety and confidentiality

Safety should be the first consideration when taking any action related to DFV in the workplace

Confidentiality is extremely important for the safety and wellbeing of the person disclosing.

If there is a risk to the safety of the people in the workplace there is a duty under Workplace Health and Safety Laws to advise management (PCUB).

Always make the person experiencing violence aware if a disclosure to others at work needs to be made.

If concerns are raised about the safety of children mandatory reporting may also apply

<https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>



People using DFV at work

How workplaces respond to perpetrators in their workforce sends a vital message about taking action against domestic violence.

Canadian studies revealed that 44% of perpetrators had disclosed information about their violence to a work colleague and on quarter of PUV admitted using work time to perpetrate abuse including stalking and use of workplace resources

Sometimes the warning signs for people who perpetrate violence against their partners or family members can be similar to those for as for victims, including being distracted, reduced productivity or absenteeism

Good practice responses would observe principals that are both safe and constructive and are clear that abuse is always unacceptable and may constitute criminal behaviour.

Bystander support: a broader focus of the role we can all play in preventing violence
<https://matebystander.edu.au/>





Stopping violence at work

Co-workers or other people in the workplace exposed to or witnessing abusive behaviours, may become distressed or concerned for the victims or their own safety.

DFV can be a complicated and often a hidden and unpredictable issue. If you are concerned about the behaviours of a person at work then a DFV specialist service should be able to help you to identify some of the risks and precautionary measures to put in place.

If WHS concerns are identified a workplace should act to uphold WHS legislation by implementing appropriate risk management processes. If management or co-workers recognise the signs that DFV may be being perpetrated, then action should be taken to stop the abuse.



For women:

Refer to
specialist
services

DV Connect Queensland: www.dvconnect.org Women's line: 1800 811 811
24 hour Queensland help-line and emergency accommodation service

1800 RESPECT: 1800 600 636 24 hrs. national counseling help-line

In an
emergency
dial 000

Brisbane Domestic Violence Service: (07) 3217 2544
Brisbane 24 hour assistance service for women

To find a domestic violence service anywhere in Queensland:
<https://www.communities.qld.gov.au/swe/find-a-support-service>

Google –
DAISY APP
(for national
services by
regional area)

Women's Legal Service: 1800 957 957 www.wlsq.org.au Free legal advice and support in
the areas of family law, child support, child protection, domestic violence and some areas of sexual
assault.

Immigrant Women's Support Service: (07) 3846 3490 www.iwss.org.au Free
confidential practical and emotional support to immigrant and refugee women from
NESB and to their children who have experienced DFV or sexual violence.

North Queensland Women's Legal Service: 1800 244 504 <https://ngwls.com.au/>
Rural regional and remote legal services in all areas of law that commonly affect women.



Additional Resources

For men

<https://mensline.org.au/> general support and information for men 1800 78 9978 (National service for telephone and online counselling services)

First Nations People

Misconceptions about violence against Aboriginal and Torres Strait Islander Women take the focus away from the deeper issues that need urgent attention. Challenging these can help direct attention, effort and resources to the underlying drivers of this violence. For more information <https://www.ourwatch.org.au/resource/changing-the-picture/>

E-safety

Australia's NGO Expert on Technology and Violence Against Women:

<https://techsafety.org.au/resources/resources-women/>

For more information about technologically facilitated abuse – and how to recognise it: <https://www.esafety.gov.au/key-issues/domestic-family-violence>



Additional Resources

Employment Entitlements and Policy Resources

Fair Work Ombudsman website <https://www.fairwork.gov.au/leave/family-and-domestic-violence-leave/employer-guide-to-family-and-domestic-violence> A checklist for employers

The Services Union Model Policy for Paid DFV Leave

<https://www.theservicesunion.com.au/?request-download&file=2016%2F05%2FDV-Model-Clause.pdf>

Queensland Government Support for employees affected by domestic and family violence (Directive 03/20):

<https://www.forgov.qld.gov.au/documents/directive/0320/support-employees-affected-domestic-and-family-violence>

Office of Industrial Relations Preventing and responding to work-related violence

https://www.worksafe.qld.gov.au/_data/assets/pdf_file/0010/82648/preventing-respond-work-violence.pdf





New resources

When domestic and family violence comes to work

Domestic and family violence safety planning tool

These resource booklets were a collaborative project funded by a grant from the Office of Industrial Relations. *For a copy please email: membership@theservicesunion.com.au*



**Community
Legal Centres
Queensland**



By your side



DFV Work Aware

when domestic & family violence comes to work

Thank you.

www.communitylegalqld.org.au