



Australian Government
Australian Public Service
Commission

APS DOMESTIC AND FAMILY VIOLENCE POLICY FRAMEWORK TEMPLATE POLICY



Drafting Note:

This is a template policy that agencies can use to develop their own policies on domestic and family violence.

Agencies should tailor this policy to suit their operations. Generic references to the agency, human resources and employee assistance programs should be amended to reflect the arrangements of individual agencies.

Agencies should ensure that the support and leave outlined in their domestic and family violence policies are consistent with other human resources policies and their enterprise agreements.

Purpose

1. The **<insert agency name>** is committed to supporting employees affected by domestic and family violence. A sensitive and holistic approach to supporting employees allows them to continue to participate in the workplace during a difficult time.
2. This policy provides a framework to support employees who experience domestic and family violence. Employees who are experiencing, or who are at risk of experiencing, domestic and family violence are encouraged to seek support from the workplace.
3. This policy also acts as a guide for managers and colleagues to supporting employees whose work life is affected by domestic and family violence. It outlines support available within and outside the workplace for individuals, their managers, and their colleagues.

Introduction

4. Domestic and family violence is a pattern of abusive behaviour in an intimate relationship that over time puts one person in a position of power over another and causes fear. It is often referred to as a pattern of coercion and control. Statistically, domestic and family violence is most likely to be committed against women. Domestic and family violence can include, but is not limited to:
 - a. physical violence
 - b. sexual assault or other sexually abusive behaviour
 - c. emotional or psychological abuse
 - d. verbal abuse
 - e. spiritual or cultural abuse
 - f. economic or financial abuse.

5. Employees may sometimes experience situations of violence or abuse in their personal life which may affect their attendance or performance at work.
6. The **<insert agency name>** recognises the potentially devastating impact that domestic and family violence can have on the lives of those who experience it, including their capacity to work and their financial security. The **<insert agency name>** is committed to supporting employees who experience domestic and family violence and providing a workplace environment that promotes flexibility in times of need.

Immediate Danger

7. If you are feeling unsafe in the workplace right now, contact **<insert agency security reference>** on **<insert relevant contact number>** or call 000.

Confidentiality

8. Information about a domestic and family violence situation should be handled similarly to other personnel and health information.
9. Employees and managers must maintain appropriate confidentiality in regard to personal information. Discussions with managers in the line of reporting or with Human Resources will be on a strictly need-to-know basis.
10. Discussion should not include personal information without obtaining prior consent from the employee. However, the Australian Privacy Principles permit the use and disclosure of personal information in certain circumstances including lessening or preventing a serious threat to life, health or safety, or taking appropriate action in relation to suspected unlawful activity or serious misconduct.

Roles and responsibilities

Employees

11. Employees who wish to access any of the support available within the workplace can contact any of the following people:
 - a. their immediate manager;
 - b. a more senior manager; or
 - c. Human Resources **<insert agency specific details>**.
12. Employees can also seek assistance from an external service. A list of services, including 24 hour support services, and their contact details can be found at the end of this document.
13. Employees experiencing domestic and family violence may choose to disclose their situation to a trusted colleague. Where such information is disclosed, the colleague should provide support to the employee by:

- a. listening without judgement and respecting their decisions
 - b. maintaining appropriate confidentiality
 - c. encouraging them to seek help from a domestic and family violence support organisation
 - d. referring them to this procedure, the Employee Assistance Program, or any of the external support services listed at the end of this document.
14. Where the colleague is concerned about the employee's health and safety, they should speak to **<agency HR/WHS contact>**.
15. Employees who have had information disclosed to them are encouraged to seek support for themselves within or outside the workplace, including through the Employee Assistance Program or an external support service.

Managers

16. Managers are responsible for ensuring employees are aware of this policy, and providing support, consistent with this policy, to employees affected by domestic and family violence. They may also be required to coordinate support with Human Resources for an employee experiencing domestic and family violence.
17. Where a manager is concerned about the wellbeing of an employee, they should discuss their concerns with the employee, encouraging them to use the assistance available if needed, and/or consult with Human Resources.
18. Where a domestic and family violence raises work health and safety concerns, managers should discuss these with **<agency WHS contact>**.
19. Managers should facilitate support for an employee to the fullest extent possible in the workplace.
20. If a manager needs support as a result of an employee disclosing family and domestic violence to them, they can also contact the Employee Assistance Provider or one of the external support services listed below.

Human Resources

21. Human Resources is responsible for providing advice to employees and managers about this policy. They can also provide information on the enterprise agreement and any other relevant policies and procedures.
22. Human Resources is also responsible for coordinating workplace support for employees affected by domestic and family violence. This may include:
- a. developing a safety plan with the employee
 - b. coordinating security or ICT assistance
 - c. advising and liaising with the employee's line manager.

23. The domestic and family violence contact officer in Human Resources is **<insert name and contact details>**.

Support

24. Employees experiencing domestic and family violence may require a range of support. This may include:
- a. Flexible working arrangements—under the National Employment Standards an employee experiencing violence from a member of the employee's family has a right to request flexible working arrangements. These requests can only be refused on reasonable business grounds. Such requests could include:
 - i. a change of hours to allow the employee to meet family commitments;
 - ii. changes to work location; or
 - iii. relocation to suitable alternative employment where this is able to be identified;
 - b. Secure parking and other security measures where possible and as required;
 - c. Change of phone number and email address to limit unwanted contact, or screening or blocking calls and emails;
 - d. Contact with police on the employee's behalf where appropriate;
 - e. Flexibility in performance management—domestic and family violence should be acknowledged as a potential mitigating factor if performance has been affected. Managers should:
 - i. continue to have regular, sensitive conversations with the employee about the job requirements, performance expectations, and development opportunities of that performance cycle;
 - ii. with assistance from Human Resources, offer to develop workload strategies for work to be managed and performance assessed having regard to the employee's circumstances;
 - f. Referral to external support through the **<employee assistance program>**;
 - g. Access to leave entitlements in accordance to the **<insert agency name>** enterprise agreement; or
 - h. Any other measures or changes to normal arrangements that are considered appropriate by the agency.



Drafting Note:

The list of support that agencies can provide should be tailored to suit your organisation. The above list is not exhaustive. Other supports that could be adopted include:

- a a mobile phone loan scheme to provide employees with a secure means of communication;
- b emergency financial assistance by means of a salary advance that is repaid over an agreed period, e.g. to assist with relocation costs;
- c family rooms for employees who are required to attend work with their children.

Leave



Drafting Note:

Agencies should tailor this section to suit their organisation. The details listed below should be consistent with your agency enterprise agreement or other industrial instrument.

- 25. Leave is provided in accordance with the **<insert agency name>** enterprise agreement.
- 26. The **<insert agency name>** enterprise agreement contains leave entitlements designed to assist employees and allow them flexibility to deal with personal crises, such as being affected by domestic or family violence.
- 27. The **<insert agency name>** is committed to supporting employees experiencing domestic or family violence. A flexible and supportive approach will be taken to management of leave for employees affected by domestic or family violence.
- 28. Employees who are affected by domestic or family violence may be granted leave for reasons including:
 - a. Attending medical or counselling appointments;
 - b. Moving into emergency accommodation and seeking more permanent safe housing;
 - c. Attending court hearings;
 - d. Attending police appointments;
 - e. Accessing legal advice;
 - f. Organising alternative care or educational arrangements for their children;
 - g. Reasonable recovery periods.
- 29. Personal/carer's leave entitlements should be used:
 - a. for illness or injury affecting the employee resulting from domestic or family violence;
 - b. to provide care or support to a family or household member who is ill or injured as a result of domestic or family violence; or

- c. to provide care or support to a family or household member who is affected by an unexpected emergency as a result of domestic or family violence.
30. In circumstances where personal/carer's leave does not apply, or if an employee has exhausted their personal/carer's leave entitlements, the **<insert agency name>** will make reasonable allowances, subject to the **<agency enterprise agreement>**. This may include the employee accessing other leave including annual leave, long service leave or miscellaneous leave. Miscellaneous leave may be approved with or without pay depending on the reason for and length of leave.
 31. Employees may be given flexibility in work hours, and may be allowed to make up time where leave cannot be used.
 32. Where an employee's absence for reasons associated with domestic and family violence needs to be supported by evidence, the delegate will discuss with the employee the available options, such as a statement from a legal representative or court.

Recording Absences

33. The recording of absences will balance the privacy of the employee and the need to monitor and report on leave usage.
34. All records are to be kept securely and confidentially according to the **<insert agency name>** **<Privacy Policy>** and **<Records Management Policy>**.



Drafting Note:

This section should be tailored to reflect the details of agencies' leave types and leave management systems. Agencies may take a range of approaches to ensuring the employee's confidentiality. These may include:

ensuring that leave management systems include an 'Other' category where a reason must be specified for personal or miscellaneous leave

having the delegate or the domestic and family violence contact officer in Human Resources facilitate the leave application. A sample clause of this kind is below:

To ensure confidentiality, **<Human Resources>** will advise the employee's line manager that **<Miscellaneous Leave—Other>** has been approved and will organise for a leave form to be submitted on the **<HR system>** on behalf of the employee.

Perpetrators of Domestic and Family Violence

35. The **<insert agency name>** understands that the workplace may include not only employees who are victims of, or affected by, domestic and family violence, but also perpetrators—and that this must also be handled appropriately and sensitively.

36. The **<insert agency name>** will not tolerate domestic and family violence being perpetrated in or from the workplace. The APS Code of Conduct requires APS employees, when acting in connection with their employment, to treat people with respect and courtesy and without harassment. Any employee who:
- a. threatens, harasses or abuses a partner, ex-partner, family or household member at, or from, work or
 - b. uses workplace resources such as phones or email to threaten, harass or abuse a family or household member may be investigated for a potential breach of the APS Code of Conduct.
37. An employee suspected of perpetrating violence will also be referred to the relevant support services, including the Employee Assistance Program.
38. Domestic and family violence is a criminal offence and is subject to the relevant state or territory laws. The police should be notified of any incidents of domestic and family violence in the workplace.

Further assistance

39. For any queries regarding the operation of this policy please contact Human Resources.
40. If you or someone you know is experiencing domestic and family violence, or you simply want to find out more, the following external services are available to provide information and assistance:
- a. [1800Respect – National sexual assault, domestic family violence counselling service: 1800 737 732](#)
 - b. **<insert agency name>**'s Employee Assistance Program—**<insert details>**
 - c. Lifeline: 13 11 14—24-hour crisis support and referral
 - d. [Relationships Australia: 1300 364 277](#)
 - e. Mensline: 1300 789 978
 - f. [EveryMan: 6230 6999](#)
 - g. [Department of Human Services Family and Domestic Violence Services](#)
 - h. [Department of Social Services – Family Safety Pack](#)
 - i. [Domestic Violence Crisis Centre](#)
 - j. [National Disability Insurance Scheme - information for employees with a disability](#)
 - k. [Safesteps](#)
 - l. [Australian Indigenous Health Infonet – Family violence](#)
 - m. [Another Closet – Domestic and Family Violence in LGBTIQ Relationships](#)