## FAMILY & DOMESTIC VIOLENCE POLICY

**Company Name** (“**the Company**”) recognises that:

* family and domestic violence is prevalent in the Australian community.
* employees of the Company may be affected by family and domestic violence.
* family and domestic violence can have a significant negative impact on those experiencing it, and it may affect attendance and performance at work.

The Company is committed to addressing family and domestic violence and supporting affected employees.

### PURPOSE

The purposes and aims of this policy are to:

* support the retention, safety and well-being of staff affected by family and domestic violence.
* detail the rights and responsibilities of employees experiencing family and domestic violence who choose to disclose their experience to another employee, the duty of care responsibilities of the Company and the range of ways employees can seek and receive assistance as a result of experiencing family and domestic violence.
* ensure when it comes to the attention of the Company, that an employee who perpetrates family and domestic violence will be held accountable,

### DEFINITIONS

The Company defines family and domestic violence as any violent, threatening or other abusive behaviour by a person against a member of the person's family or household (current or former). This definition includes behaviour that:

* is physically or sexually abusive
* is emotionally or psychologically abusive
* is economically abusive
* is threatening
* is coercive
* in any other way controls or dominates the family or household member and causes that person to feel fear for their safety or wellbeing or that of another person
* causes a child to hear or witness, or otherwise be exposed to the effects of, such behaviour.

### ENTITLEMENT TO LEAVE

This section should be read in conjunction with the Company’s Leave Policy which provides further information and outlines the procedure for taking leave.

The *Fair Work Act 2009* provides for family and domestic violence leave. All employees (including casual employees) are entitled to 5 days unpaid family and domestic violence leave per year to deal with family and domestic violence. It may be taken in a continuous 5-day period or separate periods of one or more days. This type of leave is available in full on commencement of employment with the Company but does not accumulate from year to year.

Family and domestic violence leave may be taken for the purposes of:

* attending medical/counselling appointments
* attending legal proceedings or seeking legal advice
* seeking safe housing
* organising alternate care or education arrangements for children
* rebuilding support networks for children, family or others
* any other activity relating to managing issues of family or domestic violence

While notice is not strictly required prior to taking the leave, an employee should notify their manager as soon as reasonably practicable of their intention to take or remain leave for this purpose. Evidence may be required in accordance with the Company’s Leave Policy.

### FLEXIBLE WORK ARRANGEMENTS

Under the *Fair Work Act 2009*, an employee may also request flexible working arrangements, if they experience family and domestic violence. This may also be extended to employees if they are required to provide care and support to a member of their immediate family or a member of their household who is experiencing, or is affected by, family and domestic violence. These changes may include, but are not limited to, changes to hours of work, varying start and finishing times, temporary change in duties, or temporary changes to work location. Such requests can only be refused on reasonable business grounds,

Eligibility requirements to request flexible working arrangements.

Full-time and part-time employees must have been continuously employed by the Company for at least 12 months before making their request. Casual employees must have been employed by The Company on a regular and systematic basis for at least 12 months before making their request and have a reasonable expectation of continuing employment with the Company on a regular and systematic basis moving forward. The Company will also reasonably consider requests from employees who have not met the eligibility requirement under the Act.

### DOMESTIC VIOLENCE CONTACT PERSON AND INDIVIDUAL SUPPORT

[Recommended] The Company will nominate a contact person to provide support for employees experiencing family and domestic violence and notify employees of the name of the nominated contact person. The contact person has specialist training in how to handle family and domestic violence issues sensitively, and who can provide confidential support and information for employees experiencing family and domestic violence, and for managers or other employees who are concerned about family and domestic violence. The contact will be in possession of appropriate resources and referral information. The details of the Family and Domestic Violence Contact Person are [please insert].

The Company has procedures in place for employees who wish to discuss any issues relating to family and domestic violence. An employee experiencing family and domestic violence may raise the issue with the nominated contact person or their manager. Where requested by an employee, the contact person will liaise with the employee’s supervisor on the employee’s behalf and will make a recommendation on the most appropriate form of support.

[If applicable] Employees experiencing family and domestic violence may wish to be referred to the Employee Assistance Program (EAP) or other appropriate domestic violence support services. The Company EAP includes professionals trained specifically in family and domestic violence.

The Company will take immediate action to act on any potentially dangerous or threatening instances of family and domestic violence that occur within the workplace.

### Roles and responsibilities

The level of assistance you can provide will depend on your role and relationship to the affected person:

### Work colleague

* Listens
* Checks immediate safety
* [If applicable] Encourages employee to make contact with the Family and Domestic Violence Contact Person

### Manager

* Follows above protocols for ‘work colleagues’
* [If applicable] If requested, liaises with the Family and Domestic Violence Contact Person
* Provides ongoing support including workplace adjustment and leave where reasonably necessary

### Director

* At their discretion approves an extended period of leave

### CONFIDENTIALITY

The Company will treat disclosures of family and domestic violence, so far as practicable, as confidential. However, there may need to be disclosure particular information where, for example, the Company deems it necessary to disclose information to protect an individual’s safety.

Employees should also treat disclosures of family and domestic violence, so far as practicable, as confidential. However, there may be situations where is will be necessary to disclose particular information. If an employee is in doubt as to how to deal with a particular situation, they should have a conversation with their Manager [If applicable] [or the Family and Domestic Violence Contact Person], without initially disclosing the identity of the people involved.

### NO ADVERSE ACTION

The Company will not take adverse action against an employee because of their disclosure of, experience of, or perceived experience of, family and domestic violence. The Company will not discriminate against a victim of family and domestic violence in hiring, staffing, or other terms, conditions, or privileges of employment.

### PERPETRATORS OF FAMILY & DOMESTIC VIOLENCE

The Company does not tolerate family and domestic violence and prohibits family and domestic violence being perpetrated in, or from, the workplace.

Any employee who threatens, harasses or abuses a family or household member at, or from, the workplace may be subject to disciplinary action in accordance with the Company’s Discipline and Termination Policy. This may also be a criminal offence.

If an employee is involved in perpetrating family and domestic violence outside of the workplace and this affects their ability to perform their role, or brings the reputation of the Company into disrepute, the employee may be subject to disciplinary action in accordance with the Company’s Discipline and Termination Policy. This may also be a criminal offence.

If an employee is observed, or suspected of, perpetrating family and domestic violence in, or from, the workplace, employees and managers have a responsibility to report the conduct to the Company.

### RELATED POLICIES

Employees are encouraged to read this policy in conjunction with other relevant Company policies, including:

* Leave Policy
* Code of Conduct
* Workplace Health and Safety Policy