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| Support for staff impacted by family violence |
| Guide for health services on policy development |
| OFFICIAL |

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# Introduction

This guidance aims to assist health services in developing policies to support staff who disclose that they are experiencing family violence (victim survivors).

In this document, staff experiencing family violence are referred to as victim survivors. People using family violence are referred to as such – not as perpetrators.

It is based on the [Victorian Family Violence Multi-Agency Risk Assessment and Risk Management (MARAM) Framework](https://www.vic.gov.au/family-violence-multi-agency-risk-assessment-and-management) <https://www.vic.gov.au/family-violence-multi-agency-risk-assessment-and-management>.

**Please note:** This guide is not intended for services using the Strengthening Hospital Responses to Family Violence (SHRFV) initiative, and its Family Violence Workplace Support Program.

## About MARAM

MARAM – the Family Violence Multi-Agency Risk Assessment and Management Framework – has been designed to increase the safety and wellbeing of Victorians by supporting prescribed services to identify, assess and manage family violence risk effectively.

MARAM sets out key principles and pillars that should be embedded into an organisation’s policies, procedures, practice guidance and tools, and identifies the responsibilities of various organisations and staff across the system. MARAM has been established under Part 11 of the *Family Violence Protection Act 2008*.

# Family violence

Family violence can happen to anyone, anywhere. However, it is usually gendered. Adults using violence tend to exploit power inequalities relating to the other person’s gender, characteristics, circumstances, or experience.

Adults using violence tend to be a male that the victim survivor knows, usually their partner or ex-partner. They usually carry out violence against women and children or through gendered dynamics in same-sex relationships. It can occur across the family, extended family, and family-like relations, such as within a community or to a person with a disability with an unpaid carer. Elder abuse is also a form of family violence.

## In law

Under Victoria’s *Family Violence Protection Act 2008*, family violence is defined as behaviour towards a family or family-like member that is physically, sexually, economically, emotionally, and/or psychologically abusive, threatening, coercive, or controls, dominates and causes fear. It includes behaviour that causes a child to hear or witness, or be exposed to the effects of, behaviour identified under the Act. This is unlawful in Victoria.

Legal action can be taken against adults for family violence that is a criminal offence, such as stalking, physical assault, sexual assault, threats, pet abuse, property damage and theft. Some risk factors recognised as family violence may be the subject of a family violence intervention order (FVIO).[[1]](#footnote-2)

Family violence in the workplace is addressed in the following laws:

* *Family Violence Protection Act 2008 (Vic)*
* *Occupational Health and Safety Act 2004 (Vic)*
* *Fair Work Amendment (Family and Domestic Violence Leave) Act 2018 (Cth)*

## As a workplace issue

Workplaces should allow staff to stay safe and well. Health services have an obligation to promote a workplace and community free from all forms of violence.

Employees experiencing family violence should be actively supported with special leave options, dedicated counselling services, flexible work arrangements, workplace safety and support planning. This leave, and other support and accommodation, should not be recorded as relating to family violence in an employee’s file.

Staff, including managers, responding to other staff experiencing family violence should be trained before they act. Information on MARAM training is available on the [Department of Health website](https://www.health.vic.gov.au/health-workforce/family-violence-multi-agency-risk-assessment-and-management-framework#maram-training) <https://www.health.vic.gov.au/health-workforce/family-violence-multi-agency-risk-assessment-and-management-framework#maram-training>

Employers should also establish appropriate policies, procedures and guidelines to support the organisation’s response.

# Key policy elements

A workplace policy to support staff impacted by family violence should:

* guide responses to employees who are affected by family violence that applies to all employees. This includes responses to victim survivors as well as responses to people using violence who are employees
* establish a safe working environment for gender equity, diversity, and non-violent, respectful relationships
* create a supportive environment for victim survivors to seek help and support
* improve employee understanding about family violence, its impacts, and how to support co-workers.

A sample policy for responding to family violence in the workplace is outlined in [Appendix 1](#_Appendix_1_–). The sample policy provides information that you can use or adapt to local or service needs.

It is recommended that employers adopt a systemic approach to this issue. Key elements of a systemic approach embed gender equality and primary prevention across an organisation’s system through:

* leadership commitment
* organisational culture and strategic priorities
* family violence supports
* communication
* training
* partnerships and collaboration
* evaluation and improvement.

Further information about this approach is provided in [Appendix 2](#_Appendix_2_–).

## Organisational position

* Health services as employers must, so far as is reasonably practical, provide and maintain for employees, including independent contractors, a working environment that is safe and without risk to health. This general duty includes providing and maintaining systems of work that are, so far as is reasonably practicable, safe and without risks to health.[[2]](#footnote-3)
* Employers should recognise that employees may face family violence which may affect their work.
* Employers can support staff who experience family violence, stabilise risks, lessen impacts, and support their recovery. Services should do so in a way that validates and empowers staff.
* Victim survivors should not face discrimination or adverse action relating to work due to family violence.
* Employers should develop policies and trauma-informed support for staff undertaking family violence work.
* The organisation should manage consequences arising from family violence, such as compromised safety, exposure of colleagues to vicarious trauma, poor morale, productivity and absenteeism by identifying signs and providing support where possible.
* An employer who is informed of risks, including people using violence who are also employees, can better plan for the possibility of family violence arising[[3]](#footnote-4) and provide support to affected staff.
* Services prescribed to MARAM need to consider what support staff and client cohorts need, including for cultural safety and accessibility, and to address their language, service access and engagement barriers.[[4]](#footnote-5)
* Employers can help prevent and respond to family violence by providing a psychologically safe and supportive environment.[[5]](#footnote-6)

Employers should recognise the impacts of family violence on victim survivors, including that they:

* may need to work as a crucial protective factor against family violence and to survive
* are to be valued as individuals and team members
* are to be respected for their expertise on the challenges of their situation
* should have their disadvantage, past and present, accommodated
* may need to prevent and counter discrimination against them, and that organisations can use actions and communication to support the prevention and countering of such discrimination.

In addition, employers should recognise that:

* violence can threaten employee safety, attendance, productivity, confidence, and trust in authority
* family violence policies, procedures and guides can mitigate staff risk, strengthen protections, morale, retention, productivity and renew work commitment.

A safe workplace has appropriate family violence policies and procedures for staff, both as victim survivors and as people who use violence. To be effective, these policies and procedures should be:

* developed in consultation with employees and health and safety representatives
* be available and communicated to all employees
* included in induction programs and discussed at team meetings
* reviewed regularly.

# The impact of family violence

## Staff impact

* Paid work and worksites are a crucial protective factor against family violence.[[6]](#footnote-7) Work provides people with necessary income, safety, support and focus when people using violence are undermining them. This is important as victim survivors may have been financially abused or disadvantaged, had to move homes more often to be safe or be somewhere affordable, and may have their support networks eroded.
* Staff are individuals above all, with talent, potential and skills. Surviving involves advanced skills including analysis, insight, organisation, commitment, resourcefulness, dexterity, advocacy and mobilising support.
* A victim survivor managing their safety and the impact of violence is in a challenging situation which they know and are the expert on. Health service managers need to respect each victim survivor’s skills, strengths, insights and supports that help them be safe.
* Victim survivors of family violence may have been disadvantaged previously from poor accommodation of their needs, resulting in them changing jobs at short notice or having to take casual or part-time work.[[7]](#footnote-8)
* Victim survivors risk discrimination from colleagues who may blame a victim survivor and treat them as if they are exaggerating, exposing their workplace and workmates to a threat, avoiding work and/or rorting the system. Employer messaging should reject these common myths and protect employees against prejudice and discrimination.

## Workplace impact

* WorkSafe considers family violence a workplace issue when its effects extend to the workplace. Family violence can occur in the workplace if a person using violence attends or enters the workplace, including as a co-worker of the victim survivor.[[8]](#footnote-9)
* Family violence can threaten the safety of the employee who is subjected to family violence and their co-workers, supervisors and clients. Impacts can range from interference felt by all employees to serious assault against an individual. For example, a person using violence who enters a workplace can pose a physical threat to people and property, and threaten safety and productivity due to distractions.
* Family violence can occur to anyone at any level across your service. Family violence policies, procedures and guidelines can mitigate risk, strengthen protections, and improve morale, retention and productivity. Family violence can affect the workplace because staff health and wellbeing can suffer. It may affect their ability to travel to or stay at work, or distract or tire them, impacting productivity, health and safety.[[9]](#footnote-10)
* Family violence may reduce an individual’s performance, presence and continuity of employment. This is caused by the person using violence, often as a control tactic. This tactic may emerge at work via emails, calls or appearances by the person using violence. For the organisation, these impacts may increase staff turnover, and lead to resignations or avoidable dismissal.
* Family violence can affect people’s confidence and trust in authority. This is because people using violence will abuse power and may manipulate systems to abuse victim survivors. Ideally, victim survivors should choose their own counsel and be accommodated in situations such as interviews, which need confidence and trust.
* When victim survivors are safe and supported at work, they are more likely to benefit from its structure and security and renew their work commitments and relationships, which can be an anchor in unstable times.

# Supporting victim survivors

[***Supporting staff impacted by family violence: Guide for health service managers***](https://www.health.vic.gov.au/health-workforce/family-violence-support)<https://www.health.vic.gov.au/health-workforce/family-violence-support> provides advice for managers about how they should respond if an employee discloses to them that they are experiencing family violence.

An employer’s support for an employee can include assisting the employee to:

* access a specialist family violence service for a risk assessment and ongoing support
* create a workplace safety plan or a workplace support plan that addresses risks and needs.

A sample workplace plan is included in Appendix 1 of [***Supporting staff impacted by family violence: Guide for health service managers***](https://www.health.vic.gov.au/health-workforce/family-violence-support) <https://www.health.vic.gov.au/health-workforce/family-violence-support>.

The workplace safety plan may include adjustments such as:

* guiding and assisting an employee to obtain a FVIO.
* temporary or ongoing changes to their span of work hours or pattern or hours and/or shift patterns
* temporary or ongoing job redesign or changes to job duties
* temporary or ongoing relocation to suitable employment
* changes to telephone numbers or email addresses to avoid harassing contact
* review of parking arrangements
* carrying a mobile handset and/or a duress alarm
* appropriate measures, including under provisions for family-friendly and flexible work arrangements
* reviewing the workplace safety plan at agreed periods and during escalated periods of family violence.[[10]](#footnote-11)

## Creating a supportive environment

To support staff in disclosing that they are experiencing family violence, your service should be a safe environment where they feel welcome, and where their cultural safety, identity and characteristics, and confidentiality, are respected. Your organisation should inform all staff about the support available if they are experiencing family violence. The support available should also be covered in your policy.

Employees should be supported regardless of how they raise the issue. An employee workplace support plan or safety plan can be developed as in the [***Supporting staff impacted by family violence: Guide for health service managers***](https://www.health.vic.gov.au/health-workforce/family-violence-support)<https://www.health.vic.gov.au/health-workforce/family-violence-support>. Adverse action should not be taken if an employee’s work suffers due to family violence.

## Indicators

In the workplace, some indicators that an employee is experiencing family violence may include unexplained injuries, fear, anxiety, distress, increased use of leave, and/or decrease in attendance or performance.

If an employee is working from home, potential indicators may be observed and may include difficulty contacting the person on a regular basis, regularly seeing another family member when talking to them, concerning behaviour or communication between family members, discomfort making personal decisions, disapproval from their family member, or expressing safety concerns about being at home.

If these indicators are observed, managers should talk with the employee, if safe to do so, to see how they are managing and if they need additional support.

## Respecting privacy

Employees maintain their personal right to privacy, including if they disclose that they are experiencing family violence. The employee can decide if they want to talk about their experience and has the right to change their decision at any time. For more information, see [***Support for staff impacted by family violence: Guide for health service managers***](https://www.health.vic.gov.au/health-workforce/family-violence-support)<https://www.health.vic.gov.au/health-workforce/family-violence-support>.

## Responding to disclosures

The following information should be communicated to staff and included in organisational policy to support them in responding to disclosures of family violence.

A lanyard with a quick reference guide for staff on how to respond and a guide specific to managers are also available at the [Department of Health website](https://www.health.vic.gov.au/health-workforce/family-violence-support) <https://www.health.vic.gov.au/health-workforce/family-violence-support>.

If there is an **immediate danger** to the staff member who is experiencing family violence:

* call police on Triple Zero (000) and take any safe, necessary actions
* address any immediate safety risk or health needs first
* follow your workplace policies and procedures.

It's important that you do not try to intervene in a situation involving actual or potential physical violence. Doing so could put your safety at risk.

​​​​If an employee is **not in immediate danger** but requires dedicated support or advice about a family violence issue, support should be provided by your organisation’s family violence contact officer or the employee assistance program (EAP). If the employee experiencing family violence is **not in immediate danger** and does not want further assistance:

* Offer to provide them with a list of external services and options available, including support to make a report to Victorian Police or link in with a specialist family violence service.
* Provide information on secondary consultants within the department, which they can access at later.
* Consider any child wellbeing and safety requirements (for example, mandatory reporting).
* Encourage the employee to speak with their manager or an alternate workplace contact on family violence to discuss workplace supports available to them and to develop a workplace safety or support plan.

## Workplace support

If a staff member, or their family, are experiencing family violence, they should be encouraged to speak to one of the following people to discuss what support is available, if they feel comfortable to do so:

* their manager
* the organisation’s family violence contact officer
* an occupational health and safety representative (or union delegate)
* a nominated human resources contact
* the organisation’s chief executive.

Family violence contact officers may be provided for by the employer, for instance in the family violence clause of their Enterprise Bargaining Agreement. In this case, the employer identifies contact(s) within the workplace who will be trained in family violence and associated privacy issues. The employer will then advertise the name of any family violence contacts within the workplace.[[11]](#footnote-12)

## External support

The following external support services should be communicated to all staff so that they are aware of the support options available to them should they prefer not to disclose their experience of family violence within the workplace.

* Safe Steps (24/7 family violence response): 1800 015 188
* 1800RESPECT (sexual assault and family violence helpline): 1800 737 732
* Men’s Referral Service: 1300 766 491
* Relationships Australia: 1300 364 277
* Rainbow Door (LGBTQIA+): 1800 729 367
* Djirra (Aboriginal service): 1800 105 303
* Dardi Munwurro Aboriginal Men Support Service (24 hours): 1800 435 799
* inTouch Multicultural Centre Against Family Violence: 1800 755 988
* The Orange Door: <https://orangedoor.vic.gov.au/contact>
* Sexual Assault Crisis Line (after hours service): 1800 806 292
* Your health service’s EAP

# Responding to people who use violence

In addition to employees experiencing family violence, organisations should have policies in place to safely engage employees who are using family violence.

Some indicators that an employee may be using family violence include:

* making excessive phone calls to their current or former partner
* making disparaging comments about their current or former partner or other women in their social circle
* conveying jealous or possessive characteristics relating to their current or former partner
* having unexplained absenteeism or absenteeism due to the need to attend court.

Employers should be careful not to name these employees as ‘perpetrators’, or challenge their behaviour as family violence, as that is an expert and specialist safety role for MARAM’s comprehensive practitioners.

Behaviour by any employee that threatens, harasses or abuses a current or ex-partner, family member or person in a family-like relationship at, or from, the workplace should not be tolerated under any circumstances.

Such employees should be subject to disciplinary action according to existing policies and procedures. This includes employees who use workplace resources or any other means to carry out abuse from the workplace.

Any sanctions against an alleged person using violence are a matter for the criminal justice system.

## Responding to disclosures

If an employee discloses that they are using family violence, the staff member who has heard the disclosure should refer to your organisation’s broader human resources and safety policies and procedures.

If the disclosure establishes an actual or potential risk of harm to others, including to children, the staff member should seek advice on the matter, and on appropriate action, from management. That may involve seeking advice from an appropriate referral service for support and for guidance on safe, effective steps that they can take.

It is important that the person who has heard the disclosure first ensures their own safety, and that they do not approach the employee who has disclosed that they are using family violence if they feel unsafe.

## Support services

Employees who use family violence can be referred to relevant services above. For example, men can be referred to the Men’s Referral Service or Rainbow Door. People using violence should also be supported to access your organisation’s EAP.

# Intersecting policies

Your organisation’s policies, procedures and guidelines should ensure that the needs of victim survivors from diverse communities are met. They should recognise that certain groups may be targeted more for violence, and that some victims face greater barriers to accessing appropriate support and risk responses due to discrimination. They should recognise that people using violence may also face barriers to accessing services and person-centred care.[[12]](#footnote-13)

Organisations should have policies covering human rights, gender equality, violence prevention, and diversity and inclusion. These policies challenge discrimination and abuse, normalise equality, and support the range of victim survivors of family violence.

Organisations should also manage the risk of people using family violence in, or while entering, workplaces, including through occupational health and safety and occupational violence and aggression policies that link to victim survivor support.

# More information

For further information about training and resources available to support health workforces in implementing family violence reforms, email infosharing@health.vic.gov.au or visit the following webpages:

* [Family Violence Multi-Agency Risk Assessment and Management Framework and information sharing](https://www.health.vic.gov.au/health-workforce/family-violence-multi-agency-risk-assessment-and-management-framework) <https://www.health.vic.gov.au/health-workforce/family-violence-multi-agency-risk-assessment-and-management-framework>
* [Guidance and resources for health services to support staff impacted by family violence](https://www.health.vic.gov.au/health-workforce/family-violence-support) <https://www.health.vic.gov.au/health-workforce/family-violence-support>
* [The Strengthening Hospital Responses to Family Violence initiative](https://www.thewomens.org.au/health-professionals/clinical-resources/strengthening-hospitals-response-to-family-violence/family-violence-workplace-support-program-resources)<https://www.thewomens.org.au/health-professionals/clinical-resources/strengthening-hospitals-response-to-family-violence/family-violence-workplace-support-program-resources>

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| To receive this publication in an accessible format email the Information Sharing team <infosharing@health.vic.gov.au> or the National Relay Service 13 36 77 if required.Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.© State of Victoria, Australia, November 2022.ISBN 978-1-76131-057-7 (print)ISBN 978-1-76131-058-4 (pdf/online/MS Word)Available at the [Department of Health website](https://www.health.vic.gov.au/health-workforce/family-violence-support) <https://www.health.vic.gov.au/health-workforce/family-violence-support>. |

# Appendix 1 – Sample policy

## Family violence and the workplace

#### 1. PURPOSE

The purpose of this policy is to:

* guide responses to employees who are affected by family violence
* establish a safe working environment that endorses gender equity and models non-violent, respectful relationships
* create a supportive environment that will encourage victims of family violence to seek help and support
* raise awareness among employees about family violence, the bearing it has on affected family members and our workplaces, and how to support co-workers who are experiencing family violence.

**Family violence**

Family violence is a serious issue that has a profound impact on the health, safety and wellbeing of those affected. Family violence can affect anyone in the community, but disproportionately affects women and their children.

Family violence is defined in the *Family Violence Protection Act 2008* (the Act)as behaviour by a person towards a family member of that person if that behaviour is any of the following:

* physically or sexually abusive
* emotionally or psychologically abusive
* economically abusive
* threatening
* coercive
* controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person
* behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, behaviour identified under the Act.

**Responsibility for employees**

*<Service Name>* recognises that employees sometimes face situations of violence or abuse in their personal life that may affect their attendance or performance at work. *<Service Name>* is committed to providing a supportive work environment and protecting the privacy of employees experiencing family violence.

*<Service Name>* does not tolerate or excuse family violence. *<Service Name>* recognises that only the adult using violence is responsible for family violence, and that family violence is a wider social problem in which the adult using violence abuses power in their close relationships.

**Victim survivors**

The victim survivor is never to blame, is not to be discriminated against, and is not to suffer adverse workplace action due to their experience of family violence or impacts of family violence work. This policy outlines how *<Service Name>* supports victim survivors in a way that validates and empowers them. It emphasises the importance of valuing employees as individuals and team members, respecting their expertise, the challenges they are facing and have faced, and their need for, and commitment to, their work. These provisions extend to colleagues who are supporting victim survivors experiencing family violence.

**Adults who use violence**

*<Service Name>* recognises the need for employers to safely engage with both the person experiencing family violence and adults using family violence as employees. If an employee discloses that they are using family violence, the official organisational representative to whom they have made the disclosure should refer to *<Service Name’s>* broader human resources and safety policies and procedures.

**Responsibility in the workplace**

*<Service Name>* recognises family violence is a workplace issue. By law, employers must, so far as is reasonably practical, provide and maintain for employees, including independent contractors, a working environment that is safe and without risk to health. This general duty includes providing and maintaining systems of work that are, so far as is reasonably practicable, safe and without risks to health.

The relevant laws on family violence in the workplace include the:

* *Family Violence Protection Act 2008 (Victoria)*
* *Occupational Health and Safety Act 2004 (Victoria)*
* *Fair Work Amendment (Family and Domestic Violence Leave) Act 2018 (Commonwealth)*

*<Service Name>* understands it has an obligation to promote a workplace and community free from all forms of violence. Employees experiencing family violence are actively supported with special leave options, dedicated counselling services, flexible work arrangements, workplace safety and support planning. This leave, and other support and accommodation, will not be recorded as relating to family violence in their staff file.

However, *<Service Name>* also recognises that family violence is a workplace risk to the:

* health, safety, and wellbeing of the victim survivor, and their trust in power and authority
* safe performance of work duties, and safety of all employees if the person using violence enters the workplace
* mental health, morale, productivity, and attendance of affected employees.

*<Service Name>* undertakes risk planning to avert and address family violence and manage its consequences. It does so by identifying family violence risk factors and indicators, and by supporting victim survivors and managing people who use violence, in alignment with Victoria’s Family Violence Multi-Agency Risk Assessment and Risk Management (MARAM) Framework.

#### 2. SCOPE

This policy applies to all employees of *<Service Name>*.

#### 3. SUPPORT FOR EMPLOYEES WHO EXPERIENCE FAMILY VIOLENCE

An employee experiencing family violence may choose to raise the matter with their immediate manager, team leader, any member of the Family Violence team or the Human Resources department, the Chief Executive or a trusted colleague.

*<Service Name>* is committed to educating all staff on how to identify and respond to family violence disclosures, and on supports available for staff who are experiencing, or have experienced, family violence.

*<Service Name>* will make all reasonable efforts to create a safe and supportive workplace for an employee experiencing family violence. Any employee of *<Service Name>* will be supported regardless of whether they wish to make a formal report to police authorities or engage with a family violence support service of choice.

No adverse action will be taken against an employee if their attendance or work performance suffers as a result of experiencing family violence.

**Immediate response**

If there is an immediate danger to a staff member who is experiencing family violence:

* Call police on Triple Zero (000) and take any safe, necessary actions.
* Address immediate safety risk or health needs first.
* Follow *<Service Name’s>* workplace policies and procedures.

It's important that you do not try to intervene in a situation involving actual or potential physical violence. Doing so could put your safety at risk.

**If an employee is not in immediate danger**

​​​​If an employee is not in immediate danger and they would like support or advice about a family violence issue, support can be provided by *<Service Name’s>* family violence contact officer, who can connect them to a specialist family violence service/support service below or the employee assistance program.

If the staff member who is experiencing family violence is not in immediate danger and does not want further assistance:

* Offer to provide them with a list of external services and options available, including support to make a report to Victorian Police or link in with a specialist family violence service.
* Provide information on supports within *<Service Name>*, which they can access later.
* Consider any child wellbeing and safety requirements (for example, mandatory reporting).
* Encourage the staff member to speak with their manager or an alternate workplace contact on family violence, to discuss workplace supports available, and to develop a workplace safety or support plan.

**Support services**

* Safe Steps (24/7 family violence response): 1800 015 188
* 1800RESPECT (sexual assault and family violence helpline): 1800 737 732
* Men’s Referral Service: 1300 766 491
* Relationships Australia: 1300 364 277
* Rainbow Door (LGBTQIA+): 1800 729 367
* Djirra (Aboriginal service): 1800 105 303
* Dardi Munwurro Aboriginal Men Support Service (24 hours): 1800 435 799
* inTouch Multicultural Centre Against Family Violence: 1800 755 988
* The Orange Door: <https://orangedoor.vic.gov.au/contact>
* Sexual Assault Crisis Line (after hours service): 1800 806 292
* *<Service Name’s>* employee assistance program

**Workplace support**

*<Service Name’s>* workplace support includes:

*<Insert support available through your service and how to access it, such as:*

* *providing information on updated and current family violence support services*
* *assisting the employee to create a workplace safety plan*
* *supporting their risk assessment or safety plan, developed with a specialist family violence worker*
* *implementing reasonable changes in the workplace to increase safety*
* *providing information and support to the staff member on how to access leave*
* *supporting the staff member in accessing your organisation’s employee assistance program.>*

**Supporting staff to disclose**

To enable staff to disclose that they are experiencing family violence, *<Service Name>* strives to be a safe environment where all staff feel welcome, and where their cultural safety, identity and characteristics, and confidentiality, are respected.

Information and resources on supporting staff impacted by family violence – including specific guidance for managers that discusses supporting staff to disclose, responding to a staff disclosure and reasonable adjustments – are available on the [Department of Health website](https://www.health.vic.gov.au/health-workforce/family-violence-support) <https://www.health.vic.gov.au/health-workforce/family-violence-support>.

**Indicators of family violence in the workplace**

In the workplace, some indicators that an employee is experiencing family violence may include unexplained injuries, fear, anxiety, distress, increased use of leave and/or decrease in attendance or performance.

If an employee is working from home, potential indicators may be observed and may include difficulty contacting the person on a regular basis, regularly seeing another family member when talking to them, concerning behaviour or communication between family members, discomfort making personal decisions, disapproval from their family member, or expressing safety concerns about being at home.

If these indicators are observed, managers should talk with the employee, if safe to do so, to see how they are managing and if they need additional support.

**Management’s respect for employee privacy**

If *<Service Name’s>* management considers, from observation, that an employee may be experiencing family violence, but they have not disclosed it, the staff member’s manager can seek advice from limited, specific areas. Managers can confidentially discuss their concern with *<Service Name’s>* family violence contact officer or employee assistance program.

Family violence is a private and personal matter for the affected person, and it is not appropriate for managers to discuss the issue more broadly. A manager’s role is to support the employee, not to identify or name family violence for them, and any decisions should be made by the person experiencing the violence.

Each employee maintains their personal right to privacy, including if they disclose that they are experiencing family violence. The employee can decide if they want to talk about their experience(s) and has the right to change their decision at any time.

**Contacts**

If a staff member, or their family, are experiencing family violence, they are encouraged to speak to one of the following people if they feel comfortable to do so, to discuss what support is available:

* their manager
* *<Service Name’s>* family violence contact officer *<insert contact details>*
* an occupational health and safety representative (or union delegate)
* *<Service Name’s>* nominated Human Resources contact *<insert contact details>*
* *<Service Name’s>* chief executive *<insert contact details>*.

#### 4. LEAVE

An employee experiencing family violence can access up to 20 days paid special leave per annum (pro rata for part time employees and unpaid leave for casual employees) to allow the employee to attend such things as counselling appointments, medical appointments, legal proceedings and appointments and other activities related to, and as a consequence of, family violence. This leave is non-cumulative, will be in addition to existing leave entitlements and may be taken as consecutive or single days, or as a fraction of a day. Wherever possible, prior notice of any absences should be advised. Leave will be recorded in such a way as to not indicate it is for family violence purposes.

Evidence of family violence may be required and can be in the form of an agreed document issued by the police, a court, a registered health practitioner, psychologist, counsellor or family violence support service (none related to *<Service Name>*) or lawyer. A signed statutory declaration can also be offered as evidence.

An employee who supports a person experiencing family violence may use their personal leave entitlements to accompany them to court, hospital, or to care for children. *<Service Name>* may require evidence consistent with the evidence requirements listed above.

#### 5. RESPONDING TO EMPLOYEES WHO USE FAMILY VIOLENCE

Behaviour by any employee that threatens, harasses or abuses a current or ex-partner, family member or person in a family-like relationship at, or from, the workplace will not be tolerated under any circumstances. Such employees will be subject to disciplinary action according to existing policies and procedures. This includes employees who use workplace resources such as telephone, facsimile, electronic mail, post or any other means to carry out abuse. Any sanctions against an alleged person using violence are a matter for the criminal justice system.

If an employee discloses to you that they are using family violence, you will need to refer to *<Service Name’s>* broader human resources and safety policies and procedures. If the disclosure establishes an actual or potential risk of harm to others, including to children, you should seek advice on the matter, and on appropriate action, from management. That may involve seeking advice from an appropriate referral service for support and for guidance on safe, effective steps you can take, relevant to your role.

It is important you first ensure your own safety, and do not approach the employee using family violence if you feel unsafe to do so.

Employees who use family violence can be referred to relevant services. For instance, men can be referred to the Men’s Referral Service or Rainbow Door, as relevant, or supported to access *<Service Name’s>* employee assistance program.

You should be careful not to name these employees as ‘perpetrators’ or challenge their behaviour as family violence. Specialist family violence workers or workers who align to the Comprehensive level in MARAM have the skill and experience to work safely with adults who use violence.

Some indicators that an employee is using family violence include:

* making excessive phone calls to their current or former partner
* making disparaging comments about their current or former partner or other women in their social circle
* conveying jealous or possessive characteristics relating to their current or former partner
* having unexplained absenteeism or absenteeism due to the need to attend court.

#### 6. CONFIDENTIALITY

All personal information concerning family violence will remain confidential in line with relevant legislation. Information concerning family violence incidents (including non-disclosable confidential leave records) will only be kept on an employee’s personnel file with their permission. Family violence leave will be recorded as ‘other leave’.

Family violence issues should always be discussed in a safe and confidential place and be on a strictly needs to know basis. Guidance on how to do this is available in [***Supporting staff impacted by family violence: Guide for health service managers***](https://www.health.vic.gov.au/health-workforce/family-violence-support)<https://www.health.vic.gov.au/health-workforce/family-violence-support>*.*

#### 7. HISTORY

Date policy developed: *<date>*

Revised: *<date>*

# Appendix 2 – Model of a systemic approach

The Strengthening Hospital Responses to Family Violence (SHRFV) initiative uses a whole-of-hospital approach which recognises the importance of embedding gender equality and primary prevention across the entire hospital system.

This approach incorporates challenging disrespect, sexism and discrimination, promoting and normalising gender equality, and responding to victim survivors of violence. The approach recognises that in order for change to be effective, the work needs to occur at a workplace culture, practice and systems, and policy level. It needs to be driven and resourced by leaders across the system, with initiatives that reach all staff and patients.

The *Gender Equality Act 2020 (Vic)* mandates Victorian hospitals to undertake gender equality auditing and actions. In explicitly recognising that gender inequality drives family violence, the Act provides an opportunity for health services to expand the primary prevention of family violence programs and initiatives.

For an organisation to be able to respond and support staff who have experienced family violence, the following key elements have been identified. The following program elements were developed by the SHRFV initiative:

#### 1. Leadership commitment

The leadership team should model and actively promote:

* acknowledgement that family violence is a workplace issue and that staff experiencing family violence will be supported by the health service
* a workplace culture that fosters respectful relationships between men, women and people who identify as non-binary
* gender equality and diversity within the workplace.

Leadership commitment can be built with briefings and through an executive sponsor, to build a shared understanding of the workplace response to family violence and to secure management commitment.

#### 2. Organisational culture and strategic priorities

Your service’s commitment to responding to employees experiencing family violence and prevention work can be strengthened by its inclusion in your service’s strategies and plans and aligned with its culture and values. This work should address intersectionality gender inequality, as a key factor driving higher rates of violence against certain groups.

#### 3. Family violence supports

Enterprise Bargaining Agreements in the Victorian public health sector now include a family violence leave clause, which your family violence program and response should include.

Some of its key provisions include:

* the entitlement to paid/unpaid leave for those experiencing family violence and to use sick leave in particular circumstances to support others experiencing family violence
* the requirement to appoint and train family violence contact officers
* confidentiality requirements
* right to reasonable adjustments to provide support and enhance safety
* the provision of external referral information.

An example policy and procedure your health service can adapt and use as part of your Family Violence Workplace Support Program is available in the [SHRFV Toolkit of Resources](https://www.thewomens.org.au/health-professionals/clinical-resources/strengthening-hospitals-response-to-family-violence/family-violence-workplace-support-program-resources) <https://www.thewomens.org.au/health-professionals/clinical-resources/strengthening-hospitals-response-to-family-violence/family-violence-workplace-support-program-resources>, which reflect MARAM at 2021.

#### 4. Communication

Your service should regularly and clearly communicate your key family violence response and prevention messages. Employees should be informed about your family violence support program, including external referral information, which should be tailored to language and literacy levels, access to computers and working hours.

#### 5. Training

All those who manage or supervise staff need to attend training on preventing and responding to family violence. The training should ensure managers have a shared understanding of family violence, under MARAM, and can identify and respond to an employee experiencing family violence. Managers will need to understand family violence impacts in the workplace and the expectations and limits to their role. Safety planning, risk identification and management is essential. The training should also ensure the workplace is safe, respectful, inclusive, and non-discriminatory to prevent family violence. Managers should be supported to develop their capacities, including aid post-training for support. Establishing family violence contact officers is required in the family violence leave clause. These officers confidentially assist employees with information about workplace supports available after relevant training and support.

#### 6. Partnerships and collaboration

Your service needs to develop and/or strengthen its partnerships with external organisations with expertise in family violence prevention and response for employees. Organisations such as your employee assistance program provider, local family violence services, and women’s health organisations can be included in your list of available support, and you may want to provide referral pathways for staff. Employees with relevant expertise within the health service should ideally work together to collaborate and support each other in developing, implementing and sustaining the support program.

#### 7. Evaluation and improvement

The support program should be evaluated periodically to measure improvement in workforce understanding of family violence and to ensure that processes undertaken to support those experiencing family violence meet the needs of staff. Such information can be drawn from surveys, feedback, data collection, training evaluation, policy and procedure review.

#### Further information/relevant tools

SHRFV provides the following further information and tools:

* resources on responding to staff who are victim survivors of family violence
* family violence workplace support manager training and facilitators guides
* resources for hospitals and health services on responding to staff who use family violence

The resources are available at [The Royal Women’s Hospital website](https://www.thewomens.org.au/health-professionals/clinical-resources/strengthening-hospitals-response-to-family-violence/family-violence-workplace-support-program-resources) <https://www.thewomens.org.au/health-professionals/clinical-resources/strengthening-hospitals-response-to-family-violence/family-violence-workplace-support-program-resources>.

The Department of Health also provides two guides:

* Support for staff impacted by family violence: Guide for health managers
* Support for staff impacted by family violence: Guide for health services on policy development

These guides are available on the [Department of Health website](file://internal.vic.gov.au/DHHS/HomeDirs4/prob1401/Desktop/DH%20CSI/MARAM-ISS/DH%20Factsheets-guides/Supporting%20staff%20impacted%20by%20FV/Guides%20%26%20aids/DH%20Comms%20review%20of%20guides/Department%20of%20Health%20website) <https://www.health.vic.gov.au/health-workforce/family-violence-support>.

1. For more information, see Section 12.2.1 in the MARAM Foundation Knowledge Guide, available at: <https://www.vic.gov.au/maram-practice-guides-foundation-knowledge-guide> [↑](#footnote-ref-2)
2. WorkSafe, Addressing family violence in the workplace: <https://www.worksafe.vic.gov.au/addressing-family-violence-workplace> [↑](#footnote-ref-3)
3. Neave, M., Faulkner, P. and Nicholson, T., Royal Commission into Family Violence: Summary and Recommendations, Victorian Government Printer, Melbourne, March 2016, p 73. A survey showed 12% of victim survivors had the same workplace as the person using violence against them. [↑](#footnote-ref-4)
4. For more information, see MARAM Knowledge Foundation Guide, Section 12, op.cit. [↑](#footnote-ref-5)
5. State of Victoria, Australia, Family Safety Victoria, MARAM Alignment Organisation Self-Audit Tool, June 2020, pp 15-20, 35. [↑](#footnote-ref-6)
6. Royal Commission into Family Violence Volume VI The Workplace, pp 71, 73. MARAM p 144, Table 3: Protective factors for adults and children [↑](#footnote-ref-7)
7. See Royal Commission into Family Violence, p 72: The effects of family violence on employment [↑](#footnote-ref-8)
8. Victoria, WorkSafe: <https://www.worksafe.vic.gov.au/addressing-family-violence-workplace> [↑](#footnote-ref-9)
9. Victoria, WorkSafe: <https://www.worksafe.vic.gov.au/addressing-family-violence-workplace> [↑](#footnote-ref-10)
10. For a sample Workplace Safety Plan, see the Strengthening Hospital Responses to Family Violence, Family Violence Workplace Support Program Resources, available at: https://www.thewomens.org.au/health-professionals/clinical-resources/strengthening-hospitals-response-to-family-violence/family-violence-workplace-support-program-resources [↑](#footnote-ref-11)
11. For an example of such a provision, see Clause 52, Family Violence Leave, in the Victorian Public Service Enterprise Agreement 2020, available at: <https://www.vic.gov.au/sites/default/files/2020-10/Victorian-Public-Service-Enterprise-Agreement-2020.pdf> [↑](#footnote-ref-12)
12. Adapted from SHRFV, Family Violence Workplace Support Program Overview, updated 6 June 2020. [↑](#footnote-ref-13)