



Darebin City Council
Family Violence Policy

November 2010

TABLE OF CONTENTS

1. INTRODUCTION.....	3
2. POLICY.....	4
3. DEFINITIONS.....	4
4. SCOPE.....	5
5. DAREBIN'S VALUES.....	5
6. RELATED LEGISLATION.....	5
7. OTHER RELEVANT POLICIES AND GROUPS.....	6
8. PROCEDURES.....	6
9. GUIDELINES FOR DEVELOPING A WORKPLACE SAFETY PLAN FOR MANAGERS & EMPLOYEES....	7
10. GUIDELINES FOR PROVIDING ASSISTANCE TO VICTIMS: MANAGERS AND SUPERVISORS.....	8
11. APPENDIX 1.....	9

1. INTRODUCTION

Darebin City Council (“Council”) is committed to being a workforce and community leader in the prevention of family violence and violence against women.

Council acknowledges that violence in the workplace and in the community, in all its forms, is unacceptable and will not be tolerated. As an organisation, Council has a powerful role in influencing behaviours and attitudes within the workplace, and can positively contribute to creating a violence-free community by modelling non-violent, equitable and respectful gender relations.

Council is strongly committed to this role and has developed the Family Violence Policy to recognise and address the impact of family violence and, specifically, violence against women.

Why is Family Violence an Issue?

- **Prevalence:** Close to half of all women (40%) have experienced violence since the age of 15. This includes 29% who have experienced physical assault, 17% who have experienced sexual assault and 16% who have experienced violence from an intimate partner (ABS 2006).
- **Seriousness:** Violence is a significant risk to women’s health and wellbeing. Women who have been exposed to violence have a greater risk of developing stress, anxiety, depression, pain syndromes, phobias and medical symptoms. Intimate partner violence is the leading cause of death, disability and illness in Victorian women aged 15-44, and is responsible for more of the disease burden than high blood pressure, smoking and obesity (VicHealth 2004).
- Family violence is intergenerational and damages the health and wellbeing of children. Infants exposed to significant trauma may be less able to form healthy attachments and can have significant emotional, physical and developmental issues. The Victorian Child Death Review Committee in its annual inquiry into the deaths of children known to Child Protection, reported that of the 16 deaths examined between April 2009 and March 2010, parental substance abuse and family violence presented equally as the most prevalent risk factors to children (62%).

Why Have a Stand-alone Organisational Family Violence Policy?

- Reported family violence incidents in Australia cost employers \$484 million in 2002-03 (ACCESS Economics 2004) and the Australian economy \$13.6 billion in 2008-09 (KPMG, FaHCSIA 2009).
- This policy supports Council’s obligations under the Occupational Health and Safety Act 2004 to provide, as far as practicable, a working environment that is safe and without risks to health.
- Family violence can result in increased sick leave usage, workplace violence and stress, decreased productivity and high employee turnover.
- Family violence also affects co-workers in various ways, including:
 - backfilling absent or non-productive workers,
 - resentment towards victims needing time off – and the subsequent impacts on workloads,
 - trying to protect victims from unwanted phone calls/visits,

- not knowing how to intervene - therefore feeling helpless and distracted from their own work, and
- fearing for their own safety.
- The majority of Council employees are female and statistics show that females are at a greater risk of experiencing family violence.
- As a level of government and as a significant employer within the municipality, Darebin City Council has an ethical obligation to address the issue.
- Developing and promoting a policy aimed at preventing Family Violence may position Council as an employer of choice within the local government sector.

2. POLICY

Council is committed to providing a workplace in which family violence is not tolerated or excused. The purpose of this policy is to:

- raise awareness amongst our employees of family violence and the impacts it has on women and our workplaces;
- guide responses to employees whose work - life is affected by family violence;
- create a working environment which promotes gender equity and models non violent and respectful relationships; and
- create a supportive environment which will encourage victims of family violence to seek help and support.

3. DEFINITIONS

Terms used in this policy are defined as follows:

Family Violence:

Family Violence is a crime under the Victorian Government's Family Violence Protection Act 2008. Family Violence is defined as:

- a. behaviour by a person toward a family member of that person which:
 - is physically or sexually abusive; or
 - is economically or psychologically abusive; or
 - is economically abusive, or
 - is threatening; or
 - is coercive; or
 - in any other way 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; OR
- b. behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, behaviour referred to in paragraph (a).

Family violence can affect anyone in the community – regardless of gender, age, location, socio-economic and health status, culture, sexual identity, ability, ethnicity or religion. While it can be perpetrated by any member of a family against another, it is more likely to be perpetrated by men against women and children.

Victim:

The person against whom a perpetrator directs their coercive and violent acts.

Perpetrator:

A person who carries out a pattern of coercive tactics against an intimate partner, spouse or family member (the victim).

Family Violence Support Service:

An agency or a staff member of an agency that helps victims or perpetrators of domestic violence. Services include employment assistance providers, residential programs (refuge) and rehabilitation services (see Appendix 1 for a list of Victorian family violence support services).

4. SCOPE

This policy applies to all employees of Darebin City Council.

5. DAREBIN'S VALUES

Employees will be guided in their behaviour and conduct in the delivery of its services by the values listed below:

Respect

Respect is about valuing and acknowledging individuals, the contributions they make and the diversity they bring to Darebin. When we show respect we are professional and listen to others and treat them how we expect to be treated; we always do our jobs in line with the policies and procedures of Darebin.

Accountability

Accountability is about understanding the impacts of what we do, accepting responsibility for outcomes and our role in producing them and taking action. When we are accountable we accept that we have to take the risk to innovate and to do things differently and not blame others if things don't quite go to plan.

Collaboration

Collaboration is about achieving things together by including others and not always protecting 'our patch'. By collaborating we support others' efforts, always looking for 'win-win' solutions by sharing resources or problems and empowering colleagues and the people in our teams to strive to do their best.

6. RELATED LEGISLATION

- Occupational Health and Safety Act 2004
- Equal Opportunity Act 1995
- Human Rights and Equal Opportunity Commission Act 1996
- Family Violence Protection Act 2008
- Local Government Act 1989
- Victorian Charter of Human Rights and Responsibilities Act 2006
- Darebin City Council Enterprise Bargaining Agreement No 5
- Children Youth and Family Act 2005
- Child Wellbeing and Safety Act 2005

7. OTHER RELEVANT POLICIES AND GROUPS

- City of Darebin Council Plan 2009-2013 strategy: “We will work to support the right of women to fully and equally engage and participate in the life of the community.”
- Darebin Community Health and Wellbeing Plan 2009-2013 strategy 1.3: “Integrate violence prevention activity across our organisation and in partnership with the community to reduce violence against women and children.”
- Darebin White Ribbon Action Team
- Darebin Gender Equity Working Group
- Excellence in Governance @ Darebin City Council – Employee Code of Conduct
- Darebin’s Equal Opportunity, Discrimination, Harassment, Bullying and Occupational Violence Policy and Procedures
- Darebin’s Work Support Guidelines
- Darebin’s Disciplinary Policy
- Darebin’s Improving Work Performance Guidelines

8. PROCEDURES

Education and Support for Employees Who Are Victims of Family Violence

1. Council will make reasonable efforts to provide a safe work environment for the employee who is a victim of family violence.
2. Council will make available the Family Violence Help Cards, which provide a list of supports for victims and perpetrators of family violence. The Help Cards and related posters will be placed in highly visible locations in the workplace, such as toilets and kitchen areas.
3. Council will provide copies of this policy and Family Violence Help Cards in employee induction kits.
4. Council will develop an eLearning module which will be available to all employees. Initially, the training will be targeted towards Contact Officers.
5. Council will arrange for capacity building of appropriate employees (contact officers, managers and team leaders) regarding family violence and the impacts it has on employees and our workplace. Managers will be encouraged to refer employees to appropriate family violence support services where appropriate.

Leave Options for Employees Who Are Victims of Family Violence

1. Council will make reasonable efforts to help victims who need time to arrange medical and legal assistance, Intervention or Restraining Orders, attend court, counselling, relocation, or to make other safety arrangements. This will include support for victims who are attending to the needs of children or other immediate family members affected by violence. These efforts may include leave, either with or without pay, modification of start/finish times or other options as identified. These arrangements will be negotiated between the employee and appropriate manager.
2. Employees, managers and supervisors are required to first explore paid leave options before considering unpaid leave.

Employee Payroll

1. Council will ensure that employee requests for changes to their electronic payroll transfers are processed in a timely manner.

Performance Issues Related to Being a Victim of Family Violence

Council is aware that affected employees may experience performance issues such as absenteeism or have difficulty concentrating at work as a result of family violence. Affected employees may present as traumatized, highly anxious, stressed or fearful. They may also exhibit startle reactions, hyper vigilance and fatigue.

1. Council will consider all aspects of the employee's situation and, to the extent possible, utilise all reasonable options when attempting to resolve the performance or conduct issue.
2. If reasonable attempts to resolve the performance issues are unsuccessful, within a reasonable amount of time, Council will implement the Improving Work Performance Guidelines.
3. Where the performance issues are still not resolved, Council's Disciplinary Policy may be implemented.

Employees Who Commit Acts or Threats of Family Violence

1. Any employee who threatens, harasses or abuses a family or household member at, or from, the workplace could be subject to disciplinary action in accordance with Council's Disciplinary Policy. This includes employees who use workplace resources such as phones, fax machines, e-mail, mail or other means to threaten, harass or abuse a family or household member.
2. Some job positions may give an employee access to certain types of information or resources. If he or she uses this access to knowingly enable a perpetrator to harm a victim, that employee may also be subject to disciplinary action.

9. GUIDELINES FOR DEVELOPING A WORKPLACE SAFETY PLAN FOR MANAGERS AND EMPLOYEES

For Managers

If managers become aware that an employee is experiencing family violence, they have a responsibility to provide information on support services and ask if the employee would like to develop a Workplace Safety Plan.

A Workplace Safety Plan should be developed in consultation with the Senior Coordinator Corporate Risk Management and a specialist Family Violence Service, such as Berry Street Northern Family and Domestic Violence Service.

When developing the Workplace Safety Plan, the parties should consider what changes, if any, could be made in the workplace to make the employee safer. Consideration must also be given to the potential risk of physical harm to other employees and/or customers and, where necessary, it is essential to take reasonable measures to provide protection for them as well.

For Employees

It is difficult for Darebin City Council to assist an employee whose work-life is affected as a result of family violence if the relevant supervisor or manager is unaware of the situation. If an employee is experiencing family violence and it is affecting their work-life, they are encouraged to discuss the issue with their supervisor or manager and develop a Workplace Safety Plan.

The safety plan might contain the following:

- Consider obtaining an Intervention Order or Restraining Order that includes the workplace, and keep a copy on hand at all times. The employee should consider providing a copy of the Order to their supervisor, the Senior Coordinator Corporate Risk Management, and/or Organisational Support and Development.
- Where possible, consider requesting a change and/or unpredictable rotations of work schedule, work site, or work assignment if such a change could enhance safety at work.
- If an absence from work for a limited period of time is deemed appropriate, be clear about the plan to return to work. While absent, the employee should maintain contact with Corporate Risk Management.
- Review the safety of your parking/transport arrangements.
- Where possible enter and leave the work place accompanied by another person.
- Carry a mobile phone at all times and keep your supervisor advised of your movements.
- Consider having your telephone calls screened at work, and/or changing your work telephone number and email address.

10. GUIDELINES FOR PROVIDING ASSISTANCE TO VICTIMS: MANAGERS AND SUPERVISORS

- Family violence issues should **always** be discussed in a safe and private place. Maintain the confidentiality of family violence incidents and any other disclosures to the extent permitted by law. If advised of harm experienced by children, there may be a requirement to advise the Department of Human Services. Supervisors must seek advice from Coordinator, Darebin Family Services prior to any notification being made. Alternatively, specialist Family Violence Support Services can provide advice where required.
- Provide employees with access to Family Violence Support Services to assist the employee address their situation and offer to engage a specialist service provider to create a workplace safety plan,
- Where possible, work with supervisors to grant reasonable leave and adjust work schedules or location of assignment for employees who are victims of family violence,
- Participate in family violence awareness training,
- Encourage workplace education on family violence, and
- Make information on support services available so that employees can obtain it without having to request it.

11. APPENDIX 1

VICTORIAN FAMILY VIOLENCE SUPPORT SERVICES

Police

Emergency response
000
(24 hours)

Women's Domestic Violence Crisis Service of Victoria

Telephone counselling & referral to safe accommodation
9322 3555 or toll free call 1800 015 188
(24 hours)

Centre Against Sexual Assault

1800 806 292
(24 hours)

Berry Street Northern Family and Domestic Violence Service

9450 4700
(Monday-Friday, 9:00am-5:00pm)

Immigrant Women's Domestic Violence Service

Provides support and information for immigrant women in their language
8413 6800
(Monday to Friday, 9:30am to 5:30pm)

Elizabeth Hoffman House

Aboriginal Women's Services
9482 5744

Darebin City Council Employment Assistance Program (EAP)

Telephone and face-to-face counselling for Darebin City Council employees and their immediate families
1300 361 008
(24 hours)

Men's Referral Service

Information & support for men who want to change their violent behaviour or abuse in the home
9428 2899 or long distance free call 1800 065 973
(Monday-Friday, 9:00am-9:00pm)

Kids Help Line

Support and information for children
1800 551 800
(24 hours)