

**SUPPORTING STAFF:  
FAMILY VIOLENCE  
LEAVE POLICY  
CONSIDERATIONS**



## **Acknowledgment of Aboriginal people and communities in Victoria**

The Victorian Government proudly acknowledges Aboriginal people as Australia's First Peoples and as the Traditional Owners and custodians of the land and waterways upon which we depend. We acknowledge Victoria's Aboriginal communities and culture and pay respect to their Elders past and present.

Aboriginal culture is founded on a strong social and cultural order that has sustained up to 60,000 years of existence. Victorian Aboriginal communities and peoples are culturally diverse, with rich and varied heritages and histories pre- and post- invasion. The impacts of colonisation — while having devastating effects on the traditional life of Aboriginal Nations — have not diminished Aboriginal people's connection to country, culture or community.

The Victorian Government recognises the long-standing leadership of Aboriginal communities in Victoria to prevent and respond to family violence, supported through self-determination and self-management, to improve outcomes for Aboriginal people and families, whilst also acknowledging the devastating impacts and accumulation of trauma across generations as a result of colonisation and the dispossession of land and children.

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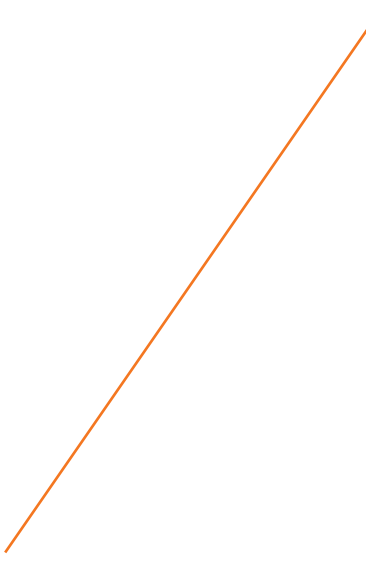
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### **Content Coordination**

Design by Najaaf Saleem

In this document, 'Aboriginal' refers to both Aboriginal and Torres Strait Islander people.



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# SUPPORTING STAFF: FAMILY VIOLENCE LEAVE POLICY CONSIDERATIONS

This guidance will help you identify appropriate content for a family violence leave policy, provide support to managers, and develop a workforce safety plan.

## 1. What your organisation can do to support staff experiencing family violence

- ❑ Create a family violence leave policy
- ❑ Develop workplace support tools for managers
- ❑ Use workplace support plans (download a template)
- ❑ Develop corresponding human resources policies and procedures.

## 2. Focusing on staff care

Workplaces have a duty of care to maintain the health, safety and wellbeing of their staff.

Healthy workplaces improve workplace morale and engagement, reduce turnover and improve workplace relationships. This results in fewer conflicts and complaints.<sup>1</sup>

Benefits of adopting a proactive approach to maintaining staff wellbeing include:

- a healthier, more inclusive and flourishing workplace
- a more engaged and motivated workforce with increased morale and sense of hope
- better outcomes for clients, as practitioners are able to do their best work
- improved team and workplace relationships and sense of belonging
- lower sick leave taken, improved retention and lower turnover
- improved relations between practitioners and management.

Pillar 4 of MARAM requires organisations to change culture through alignment activities. As well as responding to service users experiencing family violence, another way to achieve alignment involves supporting staff with a family violence leave policy.

You should also have policies and procedures to support your workforce when employees respond to family violence. Staff members may experience vicarious trauma, which is a common response to working with people experiencing trauma. Some people may be more susceptible depending on their own life circumstances. Vicarious trauma is not 'burnout', and your organisation should use a trauma-informed response to it.

<sup>1</sup> Heads Up 2018, Creating a mentally healthy workplace: a guide for managers.

### 3. Staff disclosures of family violence

An increased awareness, training and promotion of family violence response within your organisation may trigger staff disclosures of family violence.

Your organisation should be prepared to respond to disclosures when you deliver training and communications on family violence.

**Victim survivor disclosures:** Disclosing experiences of violence can be difficult. Believe the person and support them to make their own decision about what action they want to take. Employers must take staff disclosures seriously.

**Perpetrator Disclosures:** Perpetrator disclosures may lead to serious ramifications, such as criminal charges, the loss of current employment and future opportunities, and hostility from colleagues. Unemployment is an evidence-based factor that may increase the risk of a victim survivor being killed or almost killed. With such serious consequences, it is important that perpetrator disclosures are handled in a skilled and appropriate way.

### 4. Family violence leave policy

Family violence causes significant trauma to a victim survivor, which affects their ability to work. Victim survivors may worry about consequences if they try to remove themselves from the violent situation. This may include the perpetrator attending the workplace, or the person missing work to attend to housing and legal matters. Perpetrators of family violence may want to attend a behavioural change course or court dates, but be worried about losing their job if 'found out'.

A strong family violence staff policy promotes an organisational culture that does not accept family violence in any community or culture.

'Anjali Jana' in her witness statement to the Commission discusses how she first made disclosures to her manager and how the support she received made a significant difference to the outcome for her.

#### **'A fresh start with the help of my employer**

My employer has been so supportive, they did things like making sure I was never rostered on alone until my intervention order was in place, in case my husband turned up at work, so that I was safe. They have been amazing.'

#### **Legal considerations**

The suggestions in this guide for a family violence staff policy are in addition to legal requirements such as those outlined on the [fair work government website](https://www.fairwork.gov.au/leave/family-and-domestic-violence-leave) <<https://www.fairwork.gov.au/leave/family-and-domestic-violence-leave>>. There may also be industry or union standards which apply.

Organisations must ensure any family violence leave policy complies with legal and industry requirements.

## What to include in a family violence leave policy

The following is a non-exhaustive checklist of information which could be included in a family violence leave policy:

- ❑ definition of family violence consistent with MARAM and the *Family Violence Protection Act 2008*
- ❑ impact of structural barriers and oppression, applying an intersectional lens to family violence
- ❑ who is covered by the policy (i.e. permanent employees, fixed term employees, casual staff etc.)
- ❑ what support the organisation can provide, which can include:
  - » leave options (paid/unpaid, number of days, alternatives to family violence leave)
  - » workplace support (referrals to support services, employment assistance programs, workplace support plan, change in working conditions for safety, any other appropriate measures).
- ❑ how to apply for family violence and/or workplace supports – including who to disclose to, where to disclose if uncomfortable disclosing to a direct manager, HR processes
- ❑ what happens when a request is made and how decisions to grant leave and/or alter workplace arrangements will be made
- ❑ evidence requirements (i.e. court orders, medical notes, statutory declarations – note evidence requirements should be kept to a minimum, given the trauma and stress already likely experienced by the victim survivor)
- ❑ confidentiality – how the organisation will ensure the employee’s disclosures will remain confidential, when confidentiality may be overridden
- ❑ reporting obligations – setting out the legal requirements an organisation has to report disclosures (i.e. *Occupational Health and Safety Act 2004, Child Wellbeing and Safety Act 2005*)
- ❑ impact of family violence on performance and/or attendance – reaffirming that no adverse action will be taken against an employee where performance and/or attendance is affected by family violence
- ❑ how a perpetrator’s use of family violence will be responded to by the organisation – whether leave is available (such as for limited purposes such as attended behavioural change activities), misusing work equipment or time to commit family violence
- ❑ useful contacts – an appendix containing contact details of suitable support services
- ❑ dispute resolution information
- ❑ links to related policies or documents.

## 5. Support for managers

Organisations should consider who within their organisation is most likely to receive disclosures of family violence (managers, team leaders, HR) and provide appropriate training.

Those receiving disclosures are likely to benefit from guidance and/or a toolkit on how to respond appropriately.

The following is a non-exhaustive list of things to consider including in a guide and/or toolkit for managers:

- Essential foundational knowledge
  - » MARAM evidence-based risk factors (see [MARAM practice guide: foundational knowledge](#))
  - » What steps to take where identifying an immediate and serious risk (see [MARAM practice guide: responsibility 2 – appendix 4](#))
- Organisation information
  - » Building security arrangements and contact details, where applicable
  - » Summary of staff family violence leave policy
  - » How to maintain staff privacy, confidentiality requirements and reporting obligations
  - » Where the manager can obtain further support if required
- How to respond to disclosures:
  - » Conversation tips on how to engage with a victim survivor or perpetrator (see [MARAM practice guide: responsibility 1](#) and [MARAM practice guide: responsibility 2 – appendix 2: guidance on using the screening and identification tool](#))
  - » A checklist of important considerations, including information for the disclosing staff member about privacy and confidentiality considerations
  - » Referral information (to be provided verbally or in writing) – see ‘Referral options’ below
  - » Screening tool or screening questions (see [MARAM practice guide: responsibility 2](#)) with outcome options for suitable responses
- A workplace support plan

## 6. Referral options

### Useful contacts and resources

The following list is not exhaustive and other agencies may exist that provide similar services. These resources may be included in a policy or workplace support plan.

- The Orange Door website has a tool to [search for specialist family violence providers by postcode](https://orangedoor.vic.gov.au/find-a-service-near-you) <https://orangedoor.vic.gov.au/find-a-service-near-you>
- The Lookout website has a tool to [search for specialist services by region, and to break this down into specific sectors such as disability or elder abuse](https://www.thelookout.org.au/service-directory) <https://www.thelookout.org.au/service-directory>
- Remember, in an emergency, always call Triple Zero – 000.

Who	Contact details
<b>Police</b>	000
Emergency response (24 hours).	
<b>National 1800-RESPECT line</b>	1800 737 732
Provides national free advice and counselling for people experiencing family violence and professionals responding to family violence (24 hours).	

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**Safe Steps**

1800 015 188

Victoria's 24/7 Family Violence Crisis Response Centre.

[www.safesteps.org.au](http://www.safesteps.org.au)

Contact safe steps for specialist family violence risk assessment and safety planning, as well as information, referrals and access to crisis accommodation for those who need to flee their home.

Phone and email ([safesteps@safesteps.org.au](mailto:safesteps@safesteps.org.au)) services available 24/7. Live web chat available 9am-9pm Mon-Fri.

— phone: [1800 015 188](tel:1800015188)

— visit: [www.safesteps.org.au](http://www.safesteps.org.au)

**The Lookout**[www.lookout.org.au](http://www.lookout.org.au)

An online resource where you can find information, resources and services aimed at preventing and responding to family violence.

**Employee Assistance Program**

Insert details of any employee assistance program relevant to your organisation

**Berry Street**

03 9429 9266

Berry Street helps children, young people and families impacted by abuse, violence and neglect.

[www.berrystreet.org.au](http://www.berrystreet.org.au)

Berry Street provides a diverse range of services including therapeutic programs.

**Beyond Blue**

1300 224 636

Information and support to help everyone in Australia achieve their best possible mental health, whatever their age and wherever they live (24 hours).

[www.beyondblue.org.au](http://www.beyondblue.org.au)**Court Network**

1800 681 614 (head office)

A voluntary non-legal court support service operating throughout Victoria and Queensland. The service provides support, information and referral to people attending court, and advocates for the needs of all court users.

[www.courtnetwork.com.au](http://www.courtnetwork.com.au)**Dardi Munwurro**

1800 435 799

Dardi Munwurro is a statewide Aboriginal organisation delivering a range of family violence, healing and behaviour change programs and services, to break the cycle of intergenerational trauma with Aboriginal men, their partners, families and communities, by empowering and inspiring individuals to heal the past, acknowledge the present and create a positive vision for the future.

<https://www.dardimunwurro.com.au/>



<p><b>Djirra</b></p> <p><b>(previously Aboriginal Family Violence Prevention and Legal Service)</b></p> <p>Advice and assistance for Aboriginal women experiencing family violence now or in the past, including specialist wrap around legal services, case management and counselling, with cultural connection and practical support provided by the Koori Women's Place.</p>	<p>1800 105 303</p> <p><a href="http://www.djirra.org.au">www.djirra.org.au</a></p>
<p><b>Drummond Street Services</b></p> <p>Supporting families and individuals with family support interventions, including women exiting prison.</p>	<p>03 9663 6733</p> <p><a href="https://ds.org.au/">https://ds.org.au/</a></p>
<p><b>Elizabeth Morgan House Aboriginal Women's Family Violence Services</b></p> <p>EMH provides refuge and family violence support for all Aboriginal women and their children including Sistagirls, trans women and anyone who identifies as non-binary. We also support non-Aboriginal people with Aboriginal (ex)partners.</p>	<p>1800 796 112</p> <p><a href="https://www.emhaws.org.au/">https://www.emhaws.org.au/</a></p>
<p><b>InTouch Multicultural Centre Against Family Violence</b></p> <p>A statewide service that provides services, programs and responses to issues of family violence in culturally and linguistically diverse (CALD) communities.</p>	<p>1800 755 988</p> <p><a href="http://www.intouch.org.au">www.intouch.org.au</a></p>
<p><b>Kids Helpline</b></p> <p>Kids Helpline is a free, private and confidential 24/7 phone and online counselling service for young people aged 5 to 25.</p>	<p>1800 55 1800</p> <p><a href="https://kidshelpline.com.au/">https://kidshelpline.com.au/</a></p>
<p><b>Lifeline</b></p> <p>Lifeline is a national charity providing all Australians experiencing a personal crisis with access to 24-hour crisis support and suicide prevention services.</p>	<p>13 11 14</p> <p><a href="https://www.lifeline.org.au/">https://www.lifeline.org.au/</a></p>
<p><b>Men's Line</b></p> <p>A 24/7 telephone and online counselling service for men with emotional health and relationship concerns, including male victims of family violence and perpetrators of family violence.</p>	<p>1300 78 99 78</p> <p><a href="https://mensline.org.au/">https://mensline.org.au/</a></p>

<p><b>No To Violence</b></p>	<p>1300 76 64 91</p>
<p>No to Violence provides telephone counselling, workplace development and training, policy advice and advocacy to end men’s use of family violence.</p>	
<p><a href="http://www.ntv.org.au">www.ntv.org.au</a></p>	
<p><b>Our Watch</b></p>	<p><a href="http://www.ourwatch.org.au">www.ourwatch.org.au</a></p>
<p>Our Watch has been established to drive nation-wide change in culture, behaviours and attitudes that lead to violence against women and children.</p>	
<p><b>Pets in Peril Domestic Violence Service</b></p>	<p>(03) 9259 4200</p>
<p>This service is provided by Animal Aid and Eastern Domestic Violence Outreach Service (EDVOS) and can assist in emergency situations. You must obtain a referral from a caseworker through EDVOS, an emergency housing program or a community health service.</p>	
<p><b>Sexual Assault Crisis and Counselling Line</b></p>	<p>1800 806 292</p>
<p>The Sexual Assault Crisis Line Victoria (SACL) is a statewide, after-hours, confidential, telephone crisis counselling service for victim/survivors of both past and recent sexual assault.</p>	
<p><a href="https://www.sacl.com.au/">https://www.sacl.com.au/</a></p>	
<p><b>The Orange Door</b></p>	<p>1800 319 355</p>
<p>A free service for adults, children and young people who are experiencing or have experienced family violence and for families who need extra support with the care of children.</p>	
<p><a href="http://www.orangedoor.vic.gov.au">www.orangedoor.vic.gov.au</a></p>	
<p><b>Victorian Aboriginal Child Care Agency (VACCA)</b></p>	<p>(03) 9287 8800</p>
<p>The Victorian Aboriginal Child Care Agency (VACCA) is a statewide Aboriginal Community Controlled Organisation (ACCO) servicing children, young people, families, and community members.</p>	
<p>VACCA provide more than 50 programs including for children and families, youth services, community support, family violence and justice support.</p>	
<p><b>Victoria Legal Aid</b></p>	<p>1300 792 387</p>
<p>Victoria Legal Aid can assist with free information about family violence intervention orders.</p>	
<p><a href="http://www.legalaid.vic.gov.au">www.legalaid.vic.gov.au</a></p>	
<p><b>Women’s Legal Service</b></p>	<p>1800 133 302</p>
<p>Phone advice and appointments available to women in Victoria who are in need of legal advice, information or referral, irrespective of income or assets.</p>	
<p>(03) 8622 0600</p>	
<p><a href="http://www.womenslegal.org.au">www.womenslegal.org.au</a></p>	

