

GUIDELINE - RESPONDING TO THE IMPACT OF DOMESTIC AND FAMILY VIOLENCE

Guideline Owner: Director, Human Resources Services Centre

Keywords: 1) Domestic Violence 2) Family Violence 3) Violence 4) Harassment

[Intent](#)

[Organisational Scope](#)

[Definitions](#)

[Guidelines Content](#)

[Accountabilities and Responsibilities](#)

[Related Documents](#)

[Contact Information](#)

[Approval History](#)

1. INTENT

The University seeks to develop and promote a supportive workplace, and increase awareness of domestic and family violence as an issue, and the potential impact it may have on an employee's ability to maintain their wellbeing and participation in the workforce.

2. ORGANISATIONAL SCOPE

All ECU Staff

3. DEFINITIONS

| TERM | DEFINITION |
|-------------------|--|
| Domestic Violence | Behaviour which results in physical, sexual and/or psychological damage, forced social isolation, economic deprivations or behaviour which causes the victim to live in fear. The term usually refers to abuse against an intimate partner, including same sex relationships and is the use of violence or other forms of abuse to control someone with whom the perpetrator has an intimate or family relationship. |
| Family Violence | A broader term encompassing domestic violence and the abuse of children, the elderly, siblings, adolescents, parents, family carers, relatives and other family members. With the use of violence or others forms of abuse to control someone with whom the perpetrator has an intimate or family relationship. |

4. GUIDELINES CONTENT

4.1 Support for Employees

4.1.1 An employee experiencing or affected by domestic or family violence will be provided with access to a range of leave types and other suitable support to enable them to maintain their employment while they deal with their circumstances.

4.1.2 An employee experiencing domestic or family violence which is having an impact on their wellbeing or workplace participation may wish to discuss their particular circumstances with a Human Resources Services Centre representative, or their Line Manager so appropriate counselling and support services, including consultation on suitable options can be explored.

4.1.3 The University has a range of support services available for an employee, such as:

- (a) Arrangements with ECU Security Services, including security escorts as required;
- (b) Employee Assistance Program for an employee and their immediate family;
- (c) Access to flexible working arrangements, including where practicable changes to working times;
- (d) Leave to manage legal, medical or other family arrangements;
- (e) Temporary change of work location where possible;
- (f) Changing contact details (phone/email) where practicable; and
- (g) Leave entitlements and other employment related provisions.

The above list is not exhaustive and further options suitable to the individual and work area may be explored and agreed.

4.1.4 An employee affected by domestic or family violence, may access personal leave, annual leave or short leave for the following reasons:

- (a) attending medical appointments;
- (b) organising alternative accommodation, care and/or education arrangements;
- (c) attending court hearings and/or police appointments; and
- (d) accessing legal advice.

In the case of 4.1.4 (c) and (d) above an employee may access witness leave.

4.1.5 An employee may access personal, annual and compassionate leave to provide care or support for a member of their immediate family or household experiencing the effects of domestic and family violence.

4.1.6 Subject to the University's duty of care and legislative obligations, an employee disclosing details of domestic or family violence will have the right to privacy and confidentiality of their circumstances.

- 4.1.7 An employee disclosing their domestic or family violence issues will not be disadvantaged or discriminated by such a disclosure.
- 4.1.8 The University will as far as practicable cooperate with a legal order protecting a person within the workplace from violence or abuse. The onus is on the employee to adequately inform and update the University on the existence of such orders, including any amendments.
- 4.1.9 Supporting evidence may be required by the University. This may be in the form of an agreed document issued by the police service, a court, a medical practitioner, a domestic violence support service or lawyer, or a counselling professional.

4.2 Other Support

- 4.2.1 All employees and their immediate family members experiencing and impacted by domestic or family violence can access free and confidential support and counselling through the University's Employee Assistance Program. This is a 24 hours 7 days a week professional independent service.

The program also provides a Manager Hotline which provides assistance to a line managers supporting an employee experiencing such violence.

- 4.2.2 Other applicable paid and unpaid leave options may be available to an employee, including:

- Annual Leave;
- Compassionate Leave;
- Leave to attend Court or to appear as a witness;
- Long Service Leave;
- Short Leave; and
- Leave without pay.

An employee may access leave at short notice, or elect to access other available leave entitlements. Some leave may be subject to normal leave application requirements.

- 4.2.3 If an employee's paid leave has been exhausted they may make a request to their Line Manager or the Director, Human Resources Services Centre for leave without pay.
- 4.2.4 The Director Human Resources Services Centre may give consideration and approve an amount of special leave with pay to an employee who has exhausted all paid leave (excluding pro-rata long service leave) due to domestic or family violence. The amount of special leave with pay provided is discretionary, and will be no greater than 10 days in any calendar year. Absences covered by special leave with pay will not exceed 2 consecutive days.
- 4.2.5 An employee with 3 or more years of continuous service will receive a payment for pro-rata long service leave, in circumstances where their employment terminates due to the impact of domestic or family violence on their ability to satisfactorily perform the inherent requirements of their role.

4.3 Consequences of committing Domestic or Family Violence within the Workplace

- 4.3.1 Where an employee engages in, or commits acts of violence, including threats or harassment within the workplace, or uses University resources to engage in such activities they may be subject to University disciplinary action.
- 4.3.2 The Employee Assistance Program can assist and support an employee struggling with addressing their behaviours that lead to violence and abuse towards others. This professional counselling service is free, confidential and available to the employee and their immediate family members.

5. ACCOUNTABILITIES AND RESPONSIBILITIES

In relation to these guidelines, the following positions are responsible for the following:

The Director, Human Resources Services Centre has overall responsibility for the content of these guidelines and its operation in ECU.

These guidelines apply to all staff employed by the University.

6. RELATED DOCUMENTS:

6.1 These guidelines are supported by the following:

- [ECU Leave Policy](#)
- [Policy – Prevention of Harassment Bullying and Discrimination](#)
- [Policy – Managing Violence in the Workplace](#)
- [Policy – Employee Assistance Program](#)

6.2 Other documents which are relevant to the operation of these guidelines are as follows:

- [ECU Enterprise Agreement](#)
- [ECU Code of Conduct](#)

7. CONTACT INFORMATION

For queries relating to this document please contact:

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|------------------------|--|
| Guidelines Owner | Director, Human Resources Services Centre |
| All Enquiries Contact: | Manager Safety and Employment Relations |
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8. APPROVAL HISTORY

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|---------------------------------|---|
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