



POLICY 40

DOMESTIC VIOLENCE IN THE WORKPLACE

DOCUMENT DETAILS

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[Work Health and Safety Act and Regulations 2012](#)
[Code of Ethics for the South Australian Public Sector](#)

Policy Statement

The Department for Correctional Services (DCS) recognises the devastating impact domestic violence can have on the lives of those who experience abuse, including their work and financial security. DCS is committed to supporting employees and their children who experience domestic violence by providing a workplace environment that promotes their safety and provides the flexibility to support them to live free from violence.

Relationship to:

[A Right to Safety – South Australia's Women's Safety Strategy 2011-2022](#) and associated documents.

A Right to Safety – South Australia's Women's Safety Strategy 2011-2022 Office for Women

The key directions are:

1. Prevention

Prevention of violence against women includes any law, policy, program or activity aimed at reducing the level, fear or impact of violence against women or changing community perceptions of violence against women. Prevention is about stopping violence before it occurs. This involves changing the social and cultural conditions that support violence against women to occur.

2. Service-Provision

There are numerous government, non-government and community services available for women who have experienced violence. They provide assistance and support for women to move forward in their lives and reflect the diversity of women's experiences and circumstances with a range of options.

3. Protection

Women who experience or fear violence must be able to seek

Relationship to (cont'd)

A Right to Safety – South Australia’s Women’s Safety Strategy 2011-2022 Office for Women

protection and have access to effective legal remedies. The perpetrators of violent acts against women must be held accountable for their behaviour. The criminal justice system’s response to violence against women is pivotal to a broad community understanding that violence against women is unacceptable.

4. Performance

Professional performance and accountability are critical to the success of the strategy. We are committed to reporting annually on our progress. This annual report will reflect our commitment to the National Plan to Reduce Violence Against Women and their Children

Domestic Violence Workplace Policy – DCSI

The Department for Communities and Social Inclusion (DCSI) recognises the devastating impact domestic violence can have on the lives of those who experience abuse, including their work and financial security. DCSI has a lead role in South Australia in providing services for women and their children who are experiencing domestic violence.

DCS Strategic Plan

This policy aims to build the capacity and capability of our employees by enhancing and supporting gender equity and enhancing the safety and wellbeing of our employees in the workplace.

Rationale

Domestic violence is an abuse of human rights, perpetrated within intimate partner relationships and/or by other persons such as family members. A central element of domestic violence is an ongoing pattern of behaviour aimed at power and control through fear. Domestic violence may impact the individual in one or several ways for example physical violence, sexual violence, threats, intimidation, psychological, emotional and social abuse and economic deprivation.

DCS recognises that anyone, male or female, can be a victim of domestic violence. However, we know that the overwhelming majority of people who experience violence and abuse in the home are women.

DCS embraces diversity; however it does not accept any form of domestic violence within the workplace and/or by its employees.

In Australia, 15-17% of women have reported domestic violence at some time in their lives. Of those women two-thirds are in paid employment. Paid employment plays a critical role in providing the financial stability to enable women to leave abusive relationships and to recover from abuse. The workplace also has a key role to play in supporting women and providing flexibility to enable them to take action against violence whilst maintaining their employment.

There are obvious benefits to the employer, the employee, the employee’s children and to the broader community if those who are experiencing domestic violence can maintain their employment. In order to maintain employment, DCS acknowledges there will be times when an employee may need time off work, or greater flexibility in their working arrangements, to attend to health, legal, financial or other personal

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appointments.

Whilst the workplace may create a safe haven for many people who experience domestic violence, there are occasions where an employee may be at risk from violence in the workplace. In such circumstances the department is committed to working with the employee to implement a workplace domestic violence strategy plan, to improve the safety of the employee and their colleagues.

DCS also recognises the experience of violence or abuse in an employee's personal life may affect their attendance or performance at work. The department is committed to responding to these issues with sensitivity and ensuring the employee's experience of domestic violence and the impact this may have on performance is taken into consideration when addressing attendance and/or performance issues.

Scope	This policy applies to persons who work within the South Australian Department for Correctional Services.
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Strategies	DCS recognises that every employee has a role to play in preventing and addressing domestic violence and is committed to addressing causal factors including sexism, harassment and discrimination in the workplace.
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DCS supports the White Ribbon Organisation – Australia's campaign to stop violence against women and encourages employees to become White Ribbon Ambassadors:-
<http://www.whiteribbon.org.au/>.

There are times when an employee who is experiencing or escaping domestic violence may need time away from work for a range of reasons, for example to address health, legal child care housing or other personal matters. Below are some strategies that can assist;

Notifying your Manager or Human Resources;

- Employees who are experiencing or escaping domestic violence are encouraged to advise their manager or Human Resources in order that appropriate safety measures can be put in place (in the workplace) and consider options such as flexible working arrangements and leave.
- An employee who discloses they are experiencing domestic violence, that information will be kept strictly confidential on 'a needs to know basis' and will not be recorded on their personal file.

Access to Support Services;

- DCS' Employee Assistance Program (EAP) counselling and support is available for employees and/or their family members. Refer [Standard Operating Procedure 003 – Employee Assistance Program](#). Domestic and Aboriginal Family Violence Gateway is a 24/7 telephone service 1800 800 098. Refer to [Appendix AP40/01](#) for further details and other support services.
- 1800 RESPECT a National counselling helpline, information and support line available 24/7. <https://www.1800respect.org.au/>

Safety Planning;

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- Develop and implement a workplace domestic violence safety plan. The plan may include the following:
 - programming mobile phones with emergency and contact numbers,
 - personal duress alarms,
 - screening incoming calls/mail/emails to the employee,
 - changing work phone numbers and email addresses,
 - ensuring employees are not exposed to the alleged perpetrator as a result of their position i.e. employee working within reception area in community corrections,
 - changing work hours, nature and place of work,
 - ensuring the employee is in a security restricted area/location,
 - Refer [Appendix AP40/02](#) for further details.

Leave;

An employee (other than casual employees) experiencing domestic violence may access up to 15 days special leave for urgent pressing necessity with pay in accordance with the relevant DCS [Guideline 11 - Leave](#)

- In order to maintain confidentiality, it is appropriate for the employee (after speaking in confidence with their manager / human resources regarding their reason for seeking special leave) to record the reason for their special leave application simply as “urgent and pressing necessity”.
- Employees may need to take time off work for a number of reasons and may also be eligible for other types of leave including:
 - Annual Leave,
 - Long Service Leave,
 - Sick leave including Family Carers leave,
 - Retention Leave,
 - Leave Without Pay, and
 - Purchased Leave
- Managers and/or other employees may request leave and/or flexible working arrangements to support an employee who is a domestic violence victim to attend appointments to address issues associated with domestic violence.

Flexible Work Options;

- Employees who are experiencing or escaping domestic violence may require time off during normal working hours that they wouldn't otherwise require. This could include time off for appointments for health, legal or financial matters, to attend court, or to care for children.
- Flexible work is designed to enable staff time away from work to attend to these matters in a way that is supportive of their needs. Flexible work is designed in partnership with, and approval by, an employee's manager. This enables both the employee and manager to feel confident with the arrangement.
- Types of flexible work include:
 - Flexi-Time
 - Compressed Weeks

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- Part Time/Job Share
 - Working from Home
 - For further detail on the leave and flexible work options refer to [Guideline 11 – Leave](#), Human Resource Delegations and Authorisations, Determination 3.1: Employment Conditions – Leave and Commissioner for Public Sector Employment Guideline and Determination : Flexible Workplaces.

Applying for Leave and Flexible Work Options;

- Employees will need to talk to their manager to negotiate flexible work arrangements and/or leave.
- If for any reason they are uncomfortable speaking to their manager about their reasons for applying for leave, they can seek advice and assistance from another senior manager within their Directorate and/or Human Resources.

Return to work after leave;

- When returning to work after leave due to domestic violence related issues, employees are encouraged to talk to their manager regarding any ongoing safety concerns they may have.
- Employees who have identified a risk to their safety or that of their colleagues in the workplace are encouraged to develop a workplace domestic violence safety plan (if they have not previously developed one), or to review a safety plan that was previously in place if circumstances have changed
- Refer [Appendix AP40/02](#) for further details.

Perpetrating Domestic Violence;

- DCS does not tolerate domestic violence being perpetrated in or from the workplace; or outside the workplace this behaviour is in direct violation of the Code of Ethics for the South Australian Public Sector and furthermore, may constitute criminal behaviour.
 - Any DCS employee who may be a Domestic Abuse perpetrator can seek Employee Assistance Program (EAP) counselling and support. Refer [Standard Operating Procedure 003 – Employee Assistance Program](#).
 - Any DCS Domestic Violence perpetrator may request leave to access specialist services that are not available after business hours and/or to attend appointments such as Court.
 - Managers and/or other employees may request leave and/or flexible working arrangements to support an employee who is a domestic violence perpetrator to attend appointments to address issues associated with domestic violence.
 - This includes employees who use workplace resources such as phones, fax machines, email, mail or other means to threaten, harass or abuse a family member. If an employee is observed or suspected of perpetrating domestic violence from the workplace, managers have a responsibility to enact the appropriate action. Refer [Policy 00 – Employee Conduct](#) and [Guideline 23 – Employee Misconduct](#).
 - Any employee who threatens, harasses or abuses a family or household member at, or from, the workplace may be subject to disciplinary action.
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Greg Weir
A/Chief Executive
28/11/2014

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References

[A Right to Safety – South Australia’s Women’s Safety Strategy 2011-2022](#)
[Domestic Violence Workplace Policy – Department for Communities and Social Inclusion](#)
[Determination 3.1: Employment Conditions – Leave](#)
[Commissioner for Public Sector Employment Guideline and Determination - Flexible Workplaces](#)
[The Code of Ethics for the South Australian Public Sector](#)

Legislation

[Public Sector Act 2009](#)
[Public Sector Regulations 2010](#)
[Work, Health and Safety Act 2012](#)
[Work, Health and Safety Regulations 2012](#)

DCS Related Policies and Procedures

[Policy 00 – Employee Conduct](#)
[Guideline 11 - Leave](#)
[Guideline 23 – Employee Misconduct](#)
[SOP 003 – Employee Assistance Program](#)
[Human Resource Delegations and Authorisations](#)

Forms/Templates

[Appendix AP40/01 Domestic and Aboriginal Family Violence Statewide Support Services](#)
[Appendix AP40/02 Developing a Workplace Domestic Violence Safety Plan](#)

Glossary

Domestic Violence Domestic violence is an abuse of power perpetrated mainly (but not only) by men against women both in intimate partner relationships and following separation. A central element of domestic violence is an ongoing pattern of behaviour aimed at power and control through fear. The most commonly acknowledged forms are physical and sexual violence, threats and intimidation, emotional and social abuse and economic deprivation.

Aboriginal Family Violence Aboriginal Family Violence is accepted amongst Aboriginal and Torres Strait Islander people as a more appropriate term to describe violence perpetrated against Aboriginal people, families and communities. The term Aboriginal Family Violence includes violence perpetrated within intimate partner relationships, however, it is also encompasses other forms of violence perpetrated against individuals, families and communities. Whilst the term domestic violence is used throughout this policy, it is important to recognise for Aboriginal employees, the term family violence may be more appropriate.

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