



2.7.6 Domestic and Family Violence: Support in the Workplace Policy

1. Purpose

Intensive Care at Home (ICAH) recognises that assisting employees affected by domestic and family violence provides an opportunity to build loyalty, trust, reduce workplace health and safety risk and improve the value that each employee adds to the workplace. This guideline provides employees with additional information to supplement the state's packages to support an employee affected by domestic and family violence, including applying for leave required for domestic and family violence related purposes.

2. Definition

Domestic and Family Violence:	As defined in the Domestic and Family Violence Protection Act 2012 (Qld), domestic and family violence means behaviour by a person (the first person) towards another person (the second person) with whom the first person is in a relevant relationship that: a) is physically or sexually abusive; or b) is emotionally or psychologically abusive; or c) is economically abusive; or d) is threatening; or e) is coercive; or f) in any other way controls or dominates the second person and causes the second person to fear for the second person's safety or wellbeing or that of someone else.
Relevant Relationship:	As defined in the <i>Domestic and Family Violence Protection Act 2012 (Qld)</i>, a 'relevant relationship' means: a) an intimate personal relationship; or



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	b) a family relationship; or c) an informal care relationship. d) a 'close relative' of the employee is a person who is a member of the employee's Immediate Family or is related to the employee according to Aboriginal or Torres Strait Islander kinship rules.
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3. Scope

This policy applies to all staff at Intensive Care at Home. This policy is designed to incorporate many aspects of human resources and comply with the Fair Work Act 2009.

4. Policy

ICAH recognises that domestic or family violence is not tolerated in society and that its staff members affected by domestic or family violence may suffer significant physical and/or emotional trauma, loss of work and educational opportunities and disruption to their lives. ICAH is committed to promoting the health and safety of its staff in the workplace.

ICAH recognises any person can be affected by domestic and family violence and that the impact of violence is not restricted only to private life and that its impacts can extend to the workplace.

5. Procedure

5.1 Disclosure and Confidentiality

- Disclosing you are affected by domestic and family violence (DFV) is not easy. Any approach by an employee to a colleague, manager/supervisor or delegate in relation to DFV is to be treated with sensitivity. Employees have the right to choose whether, when and to whom they wish to disclose such information.
- A disclosure by an employee that they are affected by DFV is to be treated confidentially, except to the extent that further disclosure is required or permitted by law. Where a colleague, manager/supervisor is not the delegate to approve required support options for an employee affected by DFV, e.g. approve paid special leave, flexible work arrangements, workplace

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adjustments, etc. The person needs to advise the employee they will be approaching the relevant delegate on their behalf before doing so.

- ICAH will not use the information provided by an employee for a purpose other than to satisfy itself in relation to the employee's entitlement to family and domestic violence leave.
- ICAH may disclose the information provided by an employee only if it is required by law or is necessary to protect the life, health and safety of the employee or another person.
- An ICAH staff member will not be victimised or otherwise subjected to detrimental action as a consequence of that person raising, providing information about, or otherwise being involved in the support for an individual experiencing domestic or family violence.

5.2 Responding to a Disclosure and Managing Requests for Support

Any individual at ICAH receiving a disclosure by a staff member regarding domestic or family violence will:

- respect the rights of the disclosing staff member to make their own decisions regarding their personal affairs and avoid judgement;
- bring the Domestic and Family Violence Policy and this Procedure to the attention of the affected staff member; and
- refer the person making the disclosure to their supervisor to offer support.

In addition to the above, managers are responsible for:

- offering support to staff as per clause 6 onwards of this Procedure;
- providing advice to staff about the ICAH Employee Assistance Program <http://primacareers.com/> **OR can be contacted directly at 1800 316 686 and say that you are an ICAH employee.**
- seeking advice as necessary from the Director and the HR administrator;
- being familiar with ICAH policies and procedures supporting people who may be experiencing domestic or family violence and participating in any relevant training.
- ensuring all personal information concerning the staff member's circumstances is used solely for the purpose of assessing the staff member's needs and determining and applying any appropriate support mechanisms; and is otherwise kept confidential as per clause 5.2.

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Types of Support Available to Staff

6. Leave Arrangements

6.1 Employees are entitled to paid domestic and family violence leave in accordance with the National Employment Standards.

All employees, including casual employees, are entitled to 10 days of paid family and domestic violence for each 12 month period if:

- The employee is experiencing family and domestic violence
- The employee needs to do something to deal with the impact of the family and domestic violence; and
- It is impractical for the employee to do that outside the employee's work hours including but not limited to:
 - accessing police services
 - attending medical/counselling appointments
 - attending legal proceedings or seeking legal advice
 - seeking safe housing
 - organising alternate care or education arrangements for children or other people for whom the staff has carer responsibilities;
 - rebuilding support networks for children, family or others; and/or
 - any other activity relating to managing issues of domestic or family violence.

In addition, other leave arrangements (including, and not limited to Annual Leave, Long Service Leave and/or Personal and Carer's Leave, where and as appropriate) as per the ICAH leave procedures. (see 35.0 Staff Handbook)

6.2 A staff member who supports a member of their immediate family or a member of their household experiencing domestic or family violence, may also take personal/carer's leave to provide necessary support such as accompanying the person to court or hospital, or to mind children.

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6.3 Paid family and domestic violence leave does not accumulate from year to year and is available in full at the start of each 12 month period of an employee's employment.

Paid family and domestic violence leave can be taken as a single continuous period, separate periods of one or more days, or any separate period of less than one day as agreed between ICAH and the employee.

Payment for family and domestic violence leave

Full-time and part-time employees who take family and domestic violence leave will be paid at their full rate of pay for their ordinary hours during the period of leave.

Casual employees who take family and domestic violence leave will be paid at their full rate of pay for their rostered hours they would have otherwise worked during the period of leave.

Pay slips issued to employees will not mention paid family and domestic violence leave, including any leave taken and leave balances. Any payment for family and domestic violence leave taken by an employee will be recorded on pay slips as ordinary hours of work or another kind of payment for the performance of work.

If an employee takes paid personal/carer's leave during a period of paid family and domestic violence leave, the employee is taken not to be on paid personal/carer's leave for the period of that paid family and domestic violence leave.

Notification to ICAH

It is expected that employees who are taking family and domestic violence leave will ensure that ICAH is notified of this fact as soon as possible and advise ICAH of how long they expect the leave to last.

ICAH may ask the employee to provide appropriate supporting evidence that is acceptable to ICAH such as documents issued by the police or court as per clause.

7. Flexible Working Arrangements

A staff member experiencing domestic and family violence may also request flexible working arrangements, subject to genuine operational requirements. Flexible working arrangements may also be extended to staff required to provide care and support to a member of their immediate family or a member of their household experiencing, or affected by, domestic or family violence. Flexible working arrangements may include, but are not limited to, variations to ordinary

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hours or rosters; temporary changes to duties/responsibilities; and/or temporary changes to work location.

8. Additional measures

ICAH recognises that perpetrators of domestic or family violence sometimes use workplace resources such as telephone, facsimile or email to threaten, harass or abuse a person being subjected to Domestic Violence. A staff member may also apply for supporting measures such as changes to their work email address, work telephone number, a block being implemented by ICAH against specific external email/telephone numbers and changes to a staff member's work contact details as applicable.

9. Supporting Documentation

To apply for flexible working arrangements and other support, a staff member may be required to provide supporting documentation such as:

- a medical certificate or letter from a doctor;
- a letter from a lawyer or a court document;
- other relevant agency or counselling documentation (such as a family violence support service); or
- a police report.

When considering any request for flexible working arrangements as a result of domestic or family violence, ICAH will take into account the staff member's individual circumstances, their role at ICAH, their ability to perform their duties and the specific needs of the workplace.

ICAH acknowledges that employees affected by domestic and family violence may not be in a position to provide documentation to support their access to leave and other assistance. An employee's access to support options should not be denied in the absence of supporting documentation. Any communications relating to supporting documentation must be conducted in a sensitive and non-judgmental manner.

Any documentation sighted must be returned to the employee unless the employee requests otherwise. Where the employee requests support documentation be retained in the workplace, such documentation is to be marked as confidential and stored in a secure location.

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10. Risk Assessment and Workplace Safety Plans

When a staff member discloses a concern regarding domestic or family violence, strategies to ensure the safety of the staff member and others in the workplace may be required. The management team at ICAH should carefully consider any ongoing safety concerns that may arise in relation to the staff member directly affected by domestic or family violence and/or those in the work area of that staff member. These strategies will be developed with input from the management team and HR administrator. This may include the development of a Workplace Safety Plan that encompasses the responsibilities of the managers and any impacted staff.

When developing a Risk Assessment and Workplace Safety Plan the following must be considered:

- the Plan must be consented to by the affected staff member;
- the Plan must be reviewed with the affected staff member on a regular basis (and may be adjusted at any time in consultation with and by agreement from the staff member);
- the affected staff member's emergency contact details must be kept up to date;
- all reasonable attempts should be made to ensure the affected staff member is supported to maintain their ordinary working hours or rosters and working conditions;
- compliance with Police/Court orders (such as but not limited to Temporary Protection Orders, or Domestic Violence Orders);
- the Plan may require consultation with other areas within the ICAH legal department, which will be coordinated by the HR Administrator on a confidential basis, and
- What appropriate and timely action will be taken if the affected staff member does not arrive at work as scheduled and there are reasonable concerns for their safety.

If a perpetrator of domestic violence attends upon and/or disrupts the workplace at ICAH (whether in breach of a Police/Court Order or not) the Nurse Manager or Director must:

- Contact police attendance as necessary requesting assistance
- File an incident report

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- Refer any staff involved in or witnessing the incident who need counselling or to debrief to ICAH Employee Assistance Program <http://primacareers.com/> or **1800 316 686**
- The incident will be discussed in the Management Review Committee (MRC) for strategies regarding personal safety and security of involved staff members; to review and assess any additional perceived or potential security risks as a result of the breach; and to implement and ensure that appropriate security management processes are put in place and regularly reviewed.

Related Documentation

- 35.0 Staff Handbook

References

- [Domestic and family violence | Community support | Queensland Government \(www.qld.gov.au\)](http://www.qld.gov.au)
- [Family violence statewide support services | Victorian Government \(www.vic.gov.au\)](http://www.vic.gov.au)
- [Help & Support - DVNSW - Domestic Violence NSW](http://www.dvnsnsw.com.au)
- Australian Human Rights Commission Act 1986 (Commonwealth)
- Fair Work Act 2009 (Commonwealth)
- Privacy Act 1988 (Commonwealth)
- Work Health and Safety Act 2011 (Commonwealth)

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Appendix

External Support Services and Information

There are also a number of external support services available to an individual impacted by a situation of domestic or family violence.

Queensland

- [North Queensland Domestic Violence Resource Service](#) provides a range of crisis intervention, counselling, court support, face to face assistance and group programs for victims and perpetrators of domestic and family violence (contactable on 4721 2888).
- [Cairns Regional Domestic Violence Service](#) offers counselling, court support and community training violence (contactable on 4033 6100).
- [DVConnect](#) is a 24 hour Domestic Violence helpline. DVConnect's Womensline (1800 811 811) is Queensland's only **24 hour, seven days a week** crisis response telephone helpline offering free, specialist crisis counselling, as well as information, referrals and support to people living with domestic and family violence. DVConnect's Mensline (1800 600 636) is a free, confidential telephone crisis counselling, referral and support service for men who are experiencing domestic violence or who are using violence in their relationships.
- **1800Respect 1800 737 732 is a national sexual assault, and domestic and family violence counselling service. This national 24 hour, seven days a week confidential service provides support for people experiencing, or at risk of experiencing sexual assault and/or domestic and family violence; friends and families; and workers and professional supporting someone experiencing, or at risk of experiencing sexual assault and/or domestic and family violence.**

Victoria

- **Victoria's 24/7 family violence response centre for confidential crisis support, information and accommodation. Phone: 1800 015 188 Email: safesteps@safesteps.org.au Safe Steps with web chat support service available 9am to midnight, Monday to Friday**

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- The Orange Door provides help and support for family violence, as well to as families in need of support with the wellbeing and development of children. [The Orange Door](#) helps you find help and support near you.
- Crisis counselling service for people who have experienced both past and recent sexual assault. Phone: [1800 806 292](#) (24 hours a day, 7 days a week) [Sexual Assault Crisis Line](#)
- Men's Referral Service: Free, confidential expert support for people at risk of using family violence. Phone: [1300 766 491](#) (8am to 9pm, Monday to Friday and 9am to 5pm, Saturday and Sunday) [Men's Referral Service](#)
- Victims of Crime Helpline: Information and support for adult male victims of family violence and victims of violent crime. Phone: [1800 819 817](#) or text [0427 767 891](#) (8am to 11pm every day) [Victims of Crime - information for men](#)
- Child protection: **To report children and young people whose safety is at risk. During business hours call (check the [Child protection contacts page](#) for the areas covered)**
 - North Division intake: [1300 664 977](#)
 - South Division intake: [1300 655 795](#)
 - East Division intake: [1300 360 391](#)
 - West Division intake - metropolitan: [1300 664 977](#)
 - West Division intake - rural and regional: [1800 075 599](#)
 - After-hours call [13 12 78](#) (5pm to 9am, Monday to Friday, 24 hours on weekends and public holidays) [Child Protection website \(DHHS\)](#)
- Kids Helpline: Private and confidential 24/7 phone and online counselling service for young people aged 5 to 25. Phone: [1800 55 1800](#) (24 hours a day, 7 days a week) [Kids Helpline](#)
- Rainbow Door: **Rainbow Door provides free specialist advice to LGBTIQ+ people and their friends and families. Phone: [1800 729 367](#) or text [0480 017 246](#) (10am to 5pm, 7 days a week) Email: support@rainbowdoor.org.au**
Rainbow Door

[See more - Family violence support for LGBTIQ+ communities](#)
- InTouch - Multicultural Centre Against Family Violence: **Free and confidential support services for migrant and refugee women. Phone: [1800 755 988](#) (9am to 5pm, Monday to Friday) Visit: [InTouch](#)**

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- Seniors Rights Victoria: **Free and confidential support services to support older Victorians experiencing abuse.** Phone: **1300 368 821** (10am to 5pm, Monday to Friday) Visit: **Seniors Rights Victoria**
- MensLine Australia: **Telephone and online counselling service for men with emotional health and relationship concerns.** Phone: **1300 78 99 78** (24 hours a day, 7 days a week) Online chat: **MensLine Australia with web chat**
- Victorian Aboriginal Child Care Agency (VACCA): **Statewide support service for Aboriginal children and families.** Phone: **(03) 9287 8800** (9am to 5pm, Monday to Friday) Visit: **VACCA**
- Djirra: **Telephone counselling service for Aboriginal people who are experiencing or have experienced family violence.** Phone: **1800 105 303** (9am to 5pm, Monday to Friday) Visit: **Djirra**
- Yarning SafeNStrong: **Telephone crisis line for Aboriginal people and families who need to have a yarn with someone about their wellbeing.** Phone: **1800 959 563** (24 hours a day, 7 days a week). Visit: **Yarning**
- Dardi Munwurro's Brother to Brother: **Telephone crisis support for Aboriginal men with family violence issues.** Phone: **1800 435 799** (24 hours a day, 7 days a week). Visit: **Dardi Munwurro**

New South Wales

- **DOMESTIC VIOLENCE LINE: (Nationwide) PHONE: 1800 656 463**
WEBSITE: facs.nsw.gov.au/domestic-violence 24/7 Domestic Violence
helpline for information, support and referrals to services near you.
- **FULL STOP AUSTRALIA (Nationwide) PHONE: [1800 385 578](https://1800385578)**
WEBSITE: fullstop.org.au 24/7 National counselling helpline
- **NSW SEXUAL VIOLENCE HELPLINE (NSW State-wide) PHONE: 1800 424 017**
8am-8pm AEST, Monday – Friday
- **LINK2HOME (Nationwide) PHONE: 1800 152 152**
WEBSITE: facs.nsw.gov.au/housing/help/ways/are-you-homeless 24/7

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Link2home is the statewide homelessness information and referral telephone service. It is available 24 hours a day, 7 days a week, every day of the year.

- **NO TO VIOLENCE – MEN'S REFERRAL SERVICE (NSW State-wide)** PHONE: 1300 766 491 WEBSITE: ntv.org.au 24/7 Telephone helpline for men taking responsibility for their violent behaviour. Also provides support and referrals for women and men seeking information on behalf of their male partners, friends or family members, and workers in a range of agencies seeking assistance for their clients who are men.
- **VICTIM SUPPORT SERVICES (NSW State-wide)** PHONE: 1800 633 063 WEBSITE: www.victimsservices.justice.nsw.gov.au Victims Services helps victims of crime in NSW access services and entitlements to assist in their recovery.
- **DOMESTIC VIOLENCE LEGAL ADVICE LINE (NSW State-wide)** PHONE: 1300 888 529 (Law Access NSW) WEBSITE: [Domestic Violence Unit – Legal Aid NSW](http://DomesticViolenceUnit.LegalAidNSW) .The Domestic Violence Unit is a specialist domestic and family violence service at Legal Aid NSW. There is no cost involved to see lawyers or social workers. If you would like more information about the DVU and services provided by the Domestic Violence Unit, please phone 9219 6300.
- **WIRRINGA BAIYA ABORIGINAL LEGAL SERVICES (NSW State-wide)**PHONE: 1800 686 587. WEBSITE: wiringabaiya.org.au 9am-5pm Provides Aboriginal and Torres Strait Islander women victims-survivors of violence with access to appropriate legal representation, advocacy, advice, and referral.
- **WOMEN'S DOMESTIC VIOLENCE COURT ADVOCACY SERVICES (NSW State-wide)** PHONE: 1800 938 227. WEBSITE: www.legalaid.nsw.gov.au/what-we-do/community-partnerships/womens-domestic-violence-court-advocacy-program . Provides advocacy, support and understanding of the ADVO and criminal justice processes.

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- **WOMEN'S LEGAL SERVICE NSW (NSW State-wide)** PHONE: (02) 8745 6988 / Rural 1800 801 501. WEBSITE: <https://www.wlsnsw.org.au/> . WLSNSW provide specialist legal services relating to domestic violence, sexual assault, family law, discrimination, victims support, child protection, human rights and access to justice.
- **AUSTRALIAN CENTRE FOR DISABILITY LAW (NSW State-wide)** PHONE: 1800 800 708. WEBSITE: <https://disabilitylaw.org.au> . EMAIL: advice@disabilitylaw.org.au . NSW-wide legal service for victim-survivors with disability. Free specialised legal advice and representation services to people with disability who are victim-survivors of DFSV or are experiencing family law issues arising from violence.
- **IMMIGRATION ADVICE AND RIGHTS CENTRE (NSW State-wide)** PHONE: (02) 8234 0700. WEBSITE: <https://iarc.asn.au> EMAIL: info@iarc.asn.au .Provides free information, legal advice and representation in relation to family and humanitarian migration, citizenship, visa cancellations, and people on temporary visas who have experienced family violence.
- **ACON: Sydney Area.** PHONE: 02 9206 2000. Website: acon.org.au Tuesday and Thursday evenings. Confidential fee-based short term counselling (up to 12 sessions) for LGBTI people seeking support in relation to their mental health and wellbeing.
- **Q LIFE (NSW State-Wide)** PHONE: 1800 184 527 Website: qlife.org.au 3pm – Midnight. QLife provides Australia-wide anonymous, LGBTI peer support and referral for people wanting to talk about a range of issues including sexuality, identity, gender, bodies, feelings or relationships.
- **TWENTY10 (NSW State-Wide)** PHONE: 02 8594 9555. Website: twenty10.org.au Providing a broad range of specialised services for young LBGTIQ+ people 12-25 including housing, mental health, counselling and social support
- **RAINBOW SEXUAL, DOMESTIC AND FAMILY VIOLENCE HELPLINE (Nationwide)**

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PHONE: 1800 497 212. For anyone from the LGBTIQ+ community whose life has been impacted by sexual domestic and/or family violence. Available 24/7.

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