| Policy | **PIRSA** |
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**HR P 020**

PIRSA DOMESTIC VIOLENCE WORKPLACE POLICY

PIRSA recognises that its success in achieving business outcomes is strongly linked to the wellbeing of its employees; and it recognises the devastating impact of domestic violence which incurs significant social, emotional and economic costs to victims, their families and to the broader community. The agency is committed to providing support to employees experiencing domestic violence by offering flexible working arrangements; access to leave entitlements; and promoting a workplace environment that upholds their safety and provides the flexibility to support them to live free from violence. PIRSA acknowledges the collective and individual responsibilities within the workplace to be accountable for providing a supportive environment to the victims of domestic violence.

In addition, the agency acknowledges that the experience of violence or abuse in an employee’s life may impact upon their attendance or performance at work. PIRSA is therefore committed to respond to these issues with sensitivity, ensuring an employee’s experience of domestic violence and the impact this may have on performance are taken into consideration when addressing their absenteeism and/or performance issues.

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| **REVISION RECORD** | | |
| --- | --- | --- |
| **Date** | **Version** | **Revision description** |
| 10/01/2013 | 0.1 | First draft for consultation. |
| 16/05/2013 | 1.0 | Policy approved by the Chief Executive. |
| 04/09/2013 | 1.1 | New free 24/7 national telephone and online counselling service 1800 RESPECT added in Appendix. |
| 17/07/2017 | 2.0 | Minor policy updates approved by the General Manager, People and Culture. |
| 19/11/2019 | 2.1 | Minor updates as recommended by Working Women’s Centre to align with best practice |
| 01/07/2020 | 2.2 | Updates to support services and incorporation of PIRSA manager feedback provided at DFV training and format update. |
| 07/07/2020 | 3.0 | Minor policy updates approved by the General Manager, People and Culture. |

# Purpose

The purpose of this policy is to ensure that employees who are experiencing or escaping domestic violence are recognised and supported by the agency; and that a safe and collaborative environment is nurtured where the victims can work towards improving their safety and their life free from domestic violence and abuse in accordance with the [Commissioner for Public Sector Employment Guideline: Domestic and Family Violence.](https://publicsector.sa.gov.au/policies-standards/guidelines-and-determinations/)

# Scope

PIRSA recognises that domestic violence exists at every societal level and that anyone can be a victim of such violence. It involves violent, abusive and/or intimidating behaviour carried out by a partner, carer or family member to control, dominate or instil fear. It does not have to be physical abuse; it can be verbal threats and intimidation, emotional, psychological, social, economic deprivation, property damage, sexual or other types of abuse.

For the purposes of this policy, an individual is not considered to be experiencing domestic violence if the individual is a victim of crime by someone who is not intimately known to them.

This policy applies to all PIRSA business divisions and employees. It does not apply to external contractors, sub-contractors, consultants or volunteers.

# Objectives

The objectives of this policy are to provide support to employees experiencing domestic violence. Offer a workplace environment promoting safety and security to domestic violence victims. Nurture a safe and collaborative environment conducive to the improvement of a victim's safety and life free from domestic violence and abuse.

# Policy Details

PIRSA is committed to providing support to employees experiencing domestic violence and offer a workplace environment that promotes their safety and security.

## Support in the workplace

#### This policy recognises the need for managers to consider the impact violence can have on individual performance, and therefore the need to be sensitive to their experience of domestic violence when addressing employee absenteeism and/or performance issues.

#### PIRSA acknowledges the collective and individual responsibilities within the workplace to be accountable for providing a supportive environment to the victims. It aims to provide support to the victims of domestic violence by encouraging the employees experiencing or escaping domestic violence to advise their manager and/or PIRSA People and Culture to ensure that proper safety measures can be implemented and support provided.

### Confidentiality

#### An employee who discloses their experience of domestic violence to their manager or PIRSA People and Culture is to be assured that their information will be kept strictly confidential and will not be recorded on their employee personal file. However, in instances when there is an inherent safety risk to either the affected employee or other employees (e.g. if the perpetrator might come into the workplace), disclosure of the situation will be kept to a minimum for the purpose of maintaining safety in the workplace consistent with the [Commissioner for Public Sector Employment Guideline: Domestic and Family Violence](https://publicsector.sa.gov.au/policies-standards/guidelines-and-determinations/) and [PIRSA Information Privacy Policy IM P 011 and Principles](http://intranet.pirsa.sa.gov.au/work_tools/information_privacy)\*.

#### \*Note: this and other links within this policy to PIRSA documents or pages published on the agency intranet are only accessible by SA Public Sector employees on the PIRSA and/or StateNet SA Government networks.

### Counselling and support services

The role of managers is to provide respectful, sensitive and non-judgmental support to employees; ensure confidentiality of information is maintained; and acknowledge that an employee has right to include a third party in discussions such as, but not limited to, a colleague, people and culture representative, professional counsellor or other support person. They also need to recognise that an employee may need some time to decide what to do and may try different options; consider and discuss measures to provide a safe workplace in so far as is reasonably practicable; and be aware of what counselling and support services are potentially available to employees, and explore these options with employees. Examples of professional counselling and support services available to employees and managers include:

#### PIRSA Health and Wellbeing Program (Employee Assistance Program)

The PIRSA Health and Wellbeing Program (Employee Assistance Program)\* intranet page provides information about a range of employee assistance program (EAP) services to assist employees and members of their household and/or immediate family address various life challenges before they become distractions that affect their wellbeing and/or work performance. The program offers timely intervention, solution focused counselling that ideally assists to clarify a problem, identify options and/or develop plans to approach difficult issues in a constructive manner. Where there is a requirement for longer term assistance, the employee will be referred to other professionals or agencies.

The program providers have access to trained child counsellors, and counsellors with experience in both counselling and education in domestic violence.

Contact details for program providers can be found on the [PIRSA Health and Wellbeing Program (Employee Assistance Program)](http://intranet.pirsa.sa.gov.au/people/health_wellbeing) intranet page, or by contacting PIRSA People and Culture.

#### 1800RESPECT

1800RESPECT is a national 24 hour online and telephone service offering counselling and support to anyone experiencing domestic and family violence and/or sexual assault and their family and friends. Contact 1800RESPECT at [www.1800respect.org.au](http://www.1800respect.org.au) or on – 1800 737 732.

#### Domestic Violence Crisis Line

The Domestic Violence Crisis Line is a 24/7 telephone service that assists women who are experiencing domestic/family and Aboriginal family violence in South Australia. The service provides information, counselling, support, and referrals to local specialist domestic/family and Aboriginal family violence services. This includes counselling, support and assistance with emergency and longer-term housing.

Contact the Domestic Violence Crisis Line on 1800 800 098.

For a comprehensive list of domestic/family violence and Aboriginal family violence services and sexual assault services across South Australia, please see Appendix 1.

## Workplace safety planning

In situations where an employee experiencing or escaping domestic violence is concerned for their safety in the workplace or that of their co-workers, it is recommended that a workplace domestic violence personal safety plan be developed in consultation with their manager. The plan should reflect the specific needs of the employee and take into account the nature of their role and the workplace environment, including any safety risks associated with current working arrangements.

In case of an emergency call ‘000’.

A workplace domestic violence safety plan may include:

* Programming mobile phones with emergency contact numbers
* Screening incoming calls, faxes and postal mail for the employee
* Changing work phone numbers and email addresses
* Ensuring the employee is in a security restricted location.

Further advice on developing a domestic violence personal safety plan can be found in Appendix 2.

## Employee entitlements

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, childcare, housing or other personal matters. In accordance with the [Commissioner for Public Sector Employment Guideline: Domestic and Family Violence](https://publicsector.sa.gov.au/policies-standards/guidelines-and-determinations/), the following sections outline flexible working arrangements and paid and unpaid leave options that may be available to them.

### Flexible working arrangements

In accordance with the [South Australian Modern Public Sector Enterprise Agreement: Salaried 2017](https://publicsector.sa.gov.au/policies-standards/industrial-relations/enterprise-bargaining/south-australian-public-sector-wages-parity-enterprise-agreement-salaried-2014/) and [PIRSA Working Arrangements Policy HR P 025](http://intranet.pirsa.sa.gov.au/people/work_life_balance), PIRSA encourages and supports flexible work practices that promote the successful performance of work groups and provide benefits to its employees and customers. These practices may include:

* Provision of flexibility around the taking of special leave with pay and leave without pay
* Flexitime
* Work from home arrangements
* Time off in lieu (TOIL)
* Part-time work/job sharing
* Variations in work start and finish times
* Varying roster arrangements or break times
* Compressed weeks (working hours over fewer days), and
* [PIRSA Keeping in Touch Policy HR P 005](https://objectivesag.pirsa.sa.gov.au/id:A532483/document/versions/published) work and activities (a publicly accessible version of this policy is available on the PIRSA Internet > Careers > [Working at PIRSA](http://pir.sa.gov.au/top_menu/pirsa_careers/working_at_pirsa) website).

### Leave options

In accordance with the [Commissioner for Public Sector Employment Guideline: Domestic and Family Violence](https://publicsector.sa.gov.au/policies-standards/guidelines-and-determinations/), employees may need to take time off work for a number of reasons stemming out of domestic violence; and may also be eligible for various types of paid and unpaid leave, taken as consecutive or single days, part days or hours. This includes:

* Special leave with pay – an employee (other than a casual employee) experiencing domestic violence may access up to 15 days of special leave with pay per service year (or pro rata equivalent for part-time employees), documented under urgent pressing necessity to maintain confidentiality. In addition to this, employees may also be entitled to a further up to 15 days (or pro rata equivalent for part-time employees) of special leave with pay per service year in accordance with the relevant leave provisions described in [Commissioner for Public Sector Employment Determination 3.1: Employment Conditions - Hours of Work, Overtime and Leave](http://publicsector.sa.gov.au/policies-standards/award-info/)
* Annual/recreation leave
* Long service leave
* Retention leave
* Leave without pay
* Purchased leave.

## Returning to work

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 personal safety plan if they have not previously developed one (refer to section 4.2 Workplace safety planning), or to review a personal safety plan that was previously in place if circumstances have changed.

## Zero tolerance of domestic violence perpetrated in or from the workplace

PIRSA will not tolerate domestic violence being perpetrated in or from the workplace; such behaviour is in direct violation of the [Code of Ethics for the South Australian Public Sector](http://publicsector.sa.gov.au/policies-standards/code-of-ethics/). Any employee who threatens, harasses or abuses a family or household member at, or from, the workplace will be subject to disciplinary action. This includes employees who use workplace resources such as phones, fax machines, computers, email, postal mail, the Internet, social media or other means to threaten, harass or abuse a family or household member. If an employee is observed or suspected of perpetrating domestic violence in or from the workplace, managers have a responsibility to implement the appropriate action, which may result in disciplinary action. Refer to the [PIRSA Workplace Conduct](http://intranet.pirsa.sa.gov.au/people/workplace_conduct) intranet page for more information.

# Roles and Responsibilities

| **Role** | **Responsibilities** |
| --- | --- |
| Chief Executive | * Approving this policy, and positively promoting the importance of a safe and supportive work environment. |
| Deputy Chief Executives, Executive Directors, Directors and Senior Managers | * Positively promoting the importance of a safe and supportive work environment. * Supporting employees who are victims of domestic violence attend employee assistance program (EAP) counselling sessions through the reasonable provision of time off and assistance, if requested. * Initiating positive early interventions to address issues affecting work groups and employee performance. * Complete ongoing training requirements to build and maintain capability to respond to disclosures of domestic violence in the workplace |
| General Manager, People and Culture | * Implementing this policy (including awareness, communication and training). * Ongoing management of the policy (including feedback, review, document and records management requirements, updating policy versions and removal of revoked policies). * Evaluating, monitoring and reporting on the implementation and compliance with this policy across PIRSA. * Arrange for this policy to the reviewed at least once every three years or when changes require. |
| People and Culture representatives | * Providing policy advice and assistance. * Ensure that delegates and employees are appropriately informed as to the contents and intention of this policy |
| Employees | * Complying with the policy. * Being responsible for their own wellbeing and actively seeking support and assistance when they have experienced domestic violence, by advising their manager and/or PIRSA People and Culture to ensure that proper safety measures are put in place. * Treating domestic violence victims with respect and courtesy, and being flexible and understanding of colleagues who have experienced domestic violence in accordance with the intention of this policy. * Complete ongoing training requirements to build and maintain capability to respond to disclosures of domestic violence in the workplace |

# Definitions

| **Term** | **Meaning** |
| --- | --- |
| Aboriginal family violence | This includes violence perpetrated within intimate Aboriginal partner relationships, however it also encompasses other forms of violence perpetrated against or amongst Aboriginal individuals, families and communities. While the term domestic violence is used throughout this policy, it is important to recognise that for Aboriginal employees, the term family violence may be more appropriate. |
| Domestic violence | Refers to acts of violence that occur between people who have, or have had, an intimate relationship in domestic settings. These acts include physical, sexual, verbal, emotional, psychological, social, economic deprivation, property damage or other types of abuse. It includes violent, abusive and/or intimidating/threatening behaviour carried out by a partner, carer or family member to control, dominate or instil fear.  For the purposes of this policy, an individual is not considered to be experiencing domestic violence if the individual is a victim of crime by someone who is not intimately known to them.  Defining forms of violence, its perpetrators and their victims is complicated by the many different kinds of intimate and family relationships and living arrangements present in Australian communities (refer to [Parliament of Australia Background Note: Domestic Violence in Australia](http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BN/2011-2012/DVAustralia) - An overview of the issue). |
| EAP | The [PIRSA Health and Wellbeing (Employee Assistance Program)](http://intranet.pirsa.sa.gov.au/people/health_wellbeing), which comprises employee counselling, manager assistance, online tools and critical incident assistance services. |
| Flexible work arrangements | Practices designed to promote the successful performance of work groups and provide benefits to PIRSA employees and customers. |
| PIRSA | Primary Industries and Regions South Australia. |

# Related Documents

## Internal documents

The following links to agency documents or pages published on the PIRSA intranet are only accessible by SA Public Sector employees on the PIRSA and/or StateNet SA Government networks:

* [*PIRSA Health and Wellbeing Program (Employee Assistance Program)*](http://intranet.pirsa.sa.gov.au/people/health_wellbeing) intranet page
* [*PIRSA Flexible Work Arrangements*](http://intranet.pirsa.sa.gov.au/people/work_life_balance) intranet page
* [*PIRSA Workplace Conduct*](http://intranet.pirsa.sa.gov.au/people/workplace_conduct) intranet page
* [*PIRSA White Ribbon Workplace Accreditation*](http://intranet.pirsa.sa.gov.au/people/white_ribbon) intranet page
* [*PIRSA Information Privacy Policy IM P 011 and Principles*](http://intranet.pirsa.sa.gov.au/work_tools/information_privacy) intranet page (a publicly accessible version of the PIRSA policy is available on the PIRSA Internet > About Us > [Corporate Policies](http://pir.sa.gov.au/top_menu/about_us/corporate_policies/) website)
* [*PIRSA Keeping in Touch Policy HR P 005*](https://objectivesag.pirsa.sa.gov.au/id:A532483/document/versions/published) (a publicly accessible version of this PIRSA policy is available on the PIRSA Internet > Careers > [Working at PIRSA](http://pir.sa.gov.au/top_menu/pirsa_careers/working_at_pirsa) website)

## External documents

* [*Code of Ethics for the South Australian Public Sector*](http://publicsector.sa.gov.au/policies-standards/code-of-ethics/)
* [*Commissioner for Public Sector Employment Guideline: Domestic and Family Violence*](https://publicsector.sa.gov.au/policies-standards/guidelines-and-determinations/)
* [*Commissioner for Public Sector Employment Determination 3.1: Employment Conditions - Hours of Work, Overtime and Leave*](http://publicsector.sa.gov.au/policies-standards/award-info/) – Section F

# APPENDIX 1: DOMESTIC AND ABORIGINAL FAMILY VIOLENCE STATE WIDE SUPPORT SERVICES

| State wide Support Service | Phone No. |
| --- | --- |
| 24/7 National Sexual Assault, Domestic Family Violence and Online Counselling and Telephone Service <http://www.1800respect.org.au/> | 1800RESPECT (or 1800 737 732) |
| Aboriginal Family Domestic Violence Hotline | 1800 019 123 |
| Domestic Violence Crisis Line | 1800 800 098 |
| Adelaide Domestic Violence Crisis Accommodation - Bramwell House | (08) 8379 7223 |
| Migrant Women Support and Accommodation | (08) 8346 9417 |
| National Council for Single Mother s and their Children | (08) 8354 3856 |
| Staying Home, Staying Safe | 1800 182 368 |
| Ceduna Regional Domestic Violence & Aboriginal Family Violence Service | (08) 8625 3810 |
| Coober Pedy Regional Domestic Violence & Aboriginal Family Violence Service | 0488 991 945 |
| Cross Border/APY Lands Aboriginal Family Violence Service | (08) 8958 2375 |
| Eastern Adelaide Domestic Violence Service (Campbelltown) | (08) 8365 5033 |
| Fleurieu and Kangaroo Island Domestic Violence Service | (08) 8392 3000 |
| Kangaroo Island Domestic Violence Service | (08) 8553 4231 |
| Limestone Coast Domestic Violence Service | (08) 8723 1385 |
| Murray Mallee and Adelaide Hills Domestic Violence Service (includes Riverland, Murray Bridge and Adelaide Hills) | (08) 8582 2100 |
| Northern Adelaide Domestic Violence Service (includes Gawler/Barossa) | (08) 8255 3622 |
| Northern Regional Aboriginal Domestic Violence and Family Violence Service - Nunga Mi:Minar | (08) 8367 6474 |
| Port Augusta Regional Domestic Violence & Aboriginal Family Violence Service | (08) 8642 4357 |
| Port Lincoln Regional Domestic Violence Service | (08) 8683 0311 |
| Southern Adelaide Domestic Violence Service | (08) 8382 0066 |
| Southern Regional Aboriginal Domestic Violence and Family Violence Service - Ninko Kurtangga Patpangga | (08) 8382 0066 |
| Western Adelaide Domestic Violence Service | (08) 8268 7700 |
| Whyalla Regional Domestic Violence Service | (08) 8645 3655 |
| Yorke & Mid North Domestic Violence Service | (08) 8633 8622  0428 326 540  (after hours) |

Further counselling and support hotlines and resources can be accessed at the White Ribbon Australia link below, including local recourses.

<https://www.whiteribbon.org.au/find-help/domestic-violence-hotlines/>

# Appendix 2: Advice on Developing a Workplace Domestic Violence Personal Safety Plan

A workplace domestic violence personal safety plan is a document developed in partnership between an employee and their manager, when it has been identified that the employee's safety in the workplace or that of their co-workers is at risk.

When developing a personal safety plan, risks associated with the current working arrangements should be discussed and changes to improve safety identified and implemented. The following considerations may be discussed to help form an effective personal safety plan:

* Inform your manager if the perpetrator of domestic violence is also a PIRSA or other SA Public Sector employee; or someone they may come into contact with as part of performing your duties whilst working.
* Inform your manager if the perpetrator has threatened you at the workplace, whether in person, over the phone, fax, computer, email, postal mail, the Internet, social media or other means, or threatened to come to the workplace; or if you are concerned this may occur.
* Inform your manager if stalking has been a problem, or if another employee may be specifically under threat from the perpetrator.
* Consider obtaining an intervention (restraining) order and include the workplace as a location the perpetrator is prevented from attending or approaching:
* Intervention orders are legally binding orders made by a magistrate to protect the safety of the victim. They include conditions that prevent the perpetrator contacting the victim or frequenting places the victim is likely to be.
* Applications for an intervention order can be made through the SA Police or directly to the Magistrates Court.
* Inform the employee of the Domestic Violence Disclosure Scheme through SAPOL <https://www.police.sa.gov.au/your-safety/dvds>
* If an intervention order has been filed that includes the workplace, it is recommended that a copy be provided to management, security and/or the PIRSA People and Culture Unit, however this is not a requirement if the employee does not wish to.
* Save records of any threatening or intimidating emails, letters, faxes, SMS texts, postings, voicemail messages or other forms of contact from the perpetrators, and provide copies to the police or courts.
* Consider implementing special phone and email security measures such as:
* programming mobile phones with emergency contact numbers
* if possible, having your incoming calls, faxes and postal mail screened
* if possible, having your work phone number and email address changed
* removing your phone number from any internal directories (such as SA Direct), and arrange for the number to be made a private number.
* In respect to social media, employees should consider if they are able to be located via social media tools, including by colleagues using Twitter or Facebook to promote professional or social events; who may be identified by the perpetrator such as via friends on Facebook; or if their workplace is identified via accounts such as LinkedIn?
* Can your work area be relocated for better restricted access security?
* Do your work hours and schedules need to be temporarily adjusted?
* Can parking/travelling to work arrangements be altered to increase safety?
* Can security assist in keeping the workplace safe?
* If you are temporarily residing in a confidential location, ensure that your manager, the PIRSA People and Culture Unit and any other designated workplace employees have your current emergency contact information; and advise them that these details are to be kept confidential.
* Identify an emergency contact person(s) you can be contacted through in an emergency.