

The ACT Public Service Family Violence Toolkit

Information and
Awareness Module

What is Domestic and Family Violence?

Domestic violence refers to acts of violence that occur between people who have, or have had, an intimate relationship. Family violence is a broader term that refers to violence between family members, as well as violence between intimate partners. Domestic and family violence includes physical, sexual, emotional and psychological abuse. While there is no single definition, the central element of domestic and family violence is an ongoing pattern of behaviour aimed at controlling a victim through fear, for example by using behaviour which is violent and threatening. In most cases, the violent behaviour is part of a range of tactics to exercise power and control over women and their children, and can be both criminal and non-criminal.

Domestic violence is defined in the *Domestic Violence and Protection Orders Act 2008* as follows:

a person's conduct is ***domestic violence*** if it—

(a) causes physical or personal injury to a relevant person; or

(b) causes damage to the property of a relevant person; or

(c) is directed at a relevant person and is a domestic violence offence; or

(d) is a threat, made to a relevant person, to do anything in relation to the relevant person or another relevant person that, if done, would fall under paragraph (a), (b) or (c); or

(e) is harassing or offensive to a relevant person; or

(f) is directed at a pet of a relevant person and is an animal violence offence; or

(g) is a threat, made to a relevant person, to do anything to a pet of the person or another relevant person that, if done, would be an animal violence offence.

The three principles that underpin the approach to incidents and disclosures of family violence in the ACTPS are:

Support

Confidentiality

Safety

Why are we supporting our employees in the workplace?

The ACT Government believes that workplaces offer an important opportunity to reach people who are affected by domestic and family violence, to provide support for them, and to help them to take steps to secure their safety. Workplaces are also important sites for preventing and responding to domestic and family violence because attitudes and cultures that prevail in workplaces can influence the level to which violence in our society is supported or condoned.

The ACTPS recognises that family violence has a range of impacts in the workplace where employees may:

- receive threatening or abusive calls, texts or emails at work
- arrive late to work or need to leave work at short notice to protect themselves and/or children
- request time off work to attend appointments
- experience difficulty managing workloads
- be distracted, anxious or distressed
- witness threats and /or violence and abuse towards an employee in the workplace.

The workplace provides financial stability and independence

There are clear benefits to the employer, the employee, the employee's children and to the broader community if those who are experiencing domestic and family violence can maintain their employment.

The workplace also has a key role to play in supporting employees and providing the flexibility to enable them to take action against violence whilst maintaining their employment.

Paid work plays a critical role in providing the financial stability to enable women to leave abusive relationships and to recover from abuse.

What support is available to you as an ACTPS employee?

- 1. Leave for Domestic Violence Purposes** was included as a formal entitlement in ACTPS enterprise agreements, effective from 2013, to reflect heightened community understanding of this significant social problem and to appropriately support our employees experiencing this form of violence.

We provide up to 20 days/shifts of paid leave in a calendar year to allow affected employees to attend counselling appointments, legal proceedings and other activities related to, and as a consequence, of domestic and family violence.

Support continued...Flexible Workplace Arrangements and the EAP

2. ACTPS employees have access to a range of **flexible workplace arrangements** provided in our enterprise agreements. These include:

- Flexible starting and finishing times
- Ability to take a few hours off work and make it up later (Flextime)
- Home based work on a short or long term basis
- Scheduling of meetings to assist meeting personal responsibilities

•3. The ACTPS will provide employees and their immediate families with access to independent, confidential and professional counselling at no cost through the **Employee Assistance Program**. Speak to your Corporate HR area for contact details in your directorate or agency.

Support continued...

Reasonable adjustments

4. **Reasonable adjustments** can be provided for your working arrangements to accommodate your circumstances. These include:

- moving you to another workplace
- providing you with a new telephone number and email identity
- review of workloads and priorities
- implementing a buddy system as you enter and exit your workplace
- additional safety measures can be put in place

Support continued...

Protection against discrimination

5. In the ACT, it is against the law for someone to discriminate against you because you are being, or have been, subject to family violence or domestic violence. This means that you are protected from being treated unfavourably in the workplace (or in other areas of public life, such as housing, education, or with regard to the provision of goods and services).

Therefore, for example, your employer must not unreasonably refuse to accommodate your request for part-time work to enable you to attend court proceedings, or assume that you are not interested in developmental opportunities at work because of your situation.

You can make a **discrimination complaint** to the ACT Human Rights Commission if you believe you have been discriminated against because you are a victim of domestic or family violence. The *Discrimination Act 1991* also protects you from being victimised or being subjected to a 'detriment' because you have made a discrimination complaint.

More information about the Commission's role and processes is available at: <http://hrc.act.gov.au/> or from the Commission's Complaint Intake service by phone at 6205 2222 or via email HRCIntake@act.gov.au.

Confidentiality

The ACTPS understands the difficulty surrounding disclosure of a domestic and family violence incident.

As such, any approach by an employee experiencing domestic and family violence will be treated on a need to know basis for the purpose of workplace safety and with **the highest possible level of confidentiality**.

Importantly, someone making a disclosure of domestic and family violence will not be forced into acting. We will support you with information and options but you will be in control of the situation and determine what happens next.

Safety in the Workplace

The ACTPS is committed to promoting, achieving and maintaining the **highest levels of health and safety for all employees**. Where there is a real or perceived possibility that an abusive partner, family member, stalker or other sources may have the capacity to present at an employee's place of work, appropriate steps will be taken to ensure the safety of the affected employee and their colleagues.

The ACTPS will not tolerate domestic and family violence being perpetrated in or from the workplace. Such behaviour is in direct violation of the ACTPS Code of Conduct and may be subject to proportionate disciplinary action if appropriate.

If you don't want to disclose in the workplace but still need assistance and advice look for the **'Where to get Help Guide'** in the Toolkit

Important Canberra Numbers

Police 000 in an emergency or 131 444 if not an emergency

Domestic Violence Crisis Services (24 Hours)

www.dvcs.org.au

02 6280 0900

Canberra Rape Crisis Centre (24 Hours)

www.cccc.org.au

02 6247 2525

Everyman Australia

<http://www.everyman.org.au>

02 6230 6999

Important National Numbers

National Sexual Assault, Domestic Family Violence Counselling Service (24 Hours)

www.1800respect.org.au

1800RESPECT (1800 737 732)

Lifeline (24 Hours)

www.lifeline.org.au

13 11 14

Kidsline (24 hours)

www.kidshelpline.com.au

1800 55 1800

MensLine (24 Hours)

www.mensline.org.au

1300 789 978

Relationship Australia

www.relationships.org.au

1300 364 277

Thank you for your time

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