

Family Violence Management Policy

Yarriambiack Shire Council encourages a working environment which promotes gender equality and models non-violent and respectful relationships.

Prevention of Violence against Women Statement

Yarriambiack Shire Council (YSC) is a member of the Communities of Respect and Equality (CoRE) Alliance and is committed to creating a safe, equal and respectful community that is free from violence against women and children.

Violence against women is preventable by ensuring respect and equality between women and men. Yarriambiack Shire Council has a leadership role in the community and can influence cultural and social norms through our interaction with individuals, families, organisations and community to eliminate attitudes that support violence.

Yarriambiack Shire Council has an obligation to ensure a safe, equal and respectful workplace and to support employees.

Yarriambiack Shire Council is committed to addressing the drivers of gender inequality through the full range of our functions and responsibilities. Our work is underpinned by our membership of the CoRE Alliance and by the actions we have committed to undertaking the prevention of violence against women and address gender inequality.

Purpose

This policy outlines the approach of Yarriambiack Shire Council to supporting staff members who are impacted by family violence. This includes information regarding support, safety planning, flexible work and leave entitlements. This policy also provides guidance for handling disclosures of family violence.

Scope

This policy applies to all Council employees, committee members, volunteers and contractors whether located within or outside Yarriambiack Shire Council's **offices. This policy provides** guidance for providing support to those experiencing family violence and also responding to disclosures from staff about: experiences of violence or information that may indicate risk of family violence. For other types of disclosures (e.g. about operations, financial management or staff conduct) refer to the Employee Code of Conduct and Public Interest Disclosure Policies.

Responsibility

The People & Culture department is responsible for the implementation and communication of this policy.

All Council employees, committee members, volunteers and contractors are responsible to adhering to the policy and guidelines.

Consultation is undertaken with **Council's Consultative committee and Councillors**

Definitions

Family violence - Family violence is behaviour by a person towards a family member of that person, if that behaviour:

- 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 family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person; or

- g) behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, behaviour referred to in paragraph (*Family Violence Protections Act 2008*, Section 5).

Context

Yarriambiack Shire Council is a member of the Communities of Respect and Equality (CoRE) Alliance. Yarriambiack Shire Council is committed to working towards a society that is safe, equal and respectful for everyone, by working to prevent violence against women before it occurs.

Two thirds of women who experience family violence are in paid work at the time of the violence. Yarriambiack Shire Council recognises that the workplace has the opportunity to be a source of support and safety for people experiencing violence, increasing social connection and opportunities to link to support services, as well as providing crucial economic security. Yarriambiack Shire Council also understands that experiencing family violence may have an impact on a staff **members'** capacity to undertake their role, and that a staff member experiencing family violence may require support to maintain their employment. Yarriambiack Shire Council is committed to supporting all staff who are experiencing family violence.

In exploring topics of gender inequality and violence against women, the work of Yarriambiack Shire Council may trigger experiences for victims/survivors of violence and/or family and friends of victims/survivors. Given national and state statistics on the high prevalence of violence against women, it is likely that there may be individuals among our Staff members currently experiencing some type of violence. Yarriambiack Shire Council has developed this policy and guide to support staff to respond in the event of a disclosure or where there is an identified risk of family violence.

Policy

Commitment: Yarriambiack Shire Council is committed to working towards a safe, equal and respectful society for everyone, including a society free from violence. Yarriambiack Shire Council recognises that family violence and violence against women more broadly is a whole-of-community issue underpinned by gender inequality, and is committed to promoting gender equity and preventing violence against women. Yarriambiack Shire Council recognises that given the prevalence of family violence, and the percentage of people in the workforce who have experienced or are experiencing family violence, it is therefore a workplace issue. Yarriambiack Shire Council supports all staff who have experienced or are experiencing family violence.

Yarriambiack Shire Council recognises that the nature of its work and events regarding the prevention of violence against women may be a triggering factor for people living with family violence or their family/friends, and that staff need support to assist in responding to disclosures.

Information and training: Yarriambiack Shire Council makes available information for staff to support them to identify risks and respond in the event of a disclosure. This includes information on appropriate referral pathways and support services (state-wide and in the Wimmera Mallee region). See Appendix B for guidance points for responding to disclosures and referral information.

Support: Yarriambiack Shire Council is committed to providing all staff support in the event of an experience with family violence through the Employee Assistance Program. Yarriambiack Shire Council may make available professional counselling support for a staff member who is handling a complex disclosure and requires additional guidance and support or counselling for their own personal response to the disclosure.

Family Violence Leave Entitlements: Paid staff are entitled to up to 20 days paid leave per year as a result of family violence. Council will support paid staff who require more than 20 days leave to access other forms of leave such as personal leave and annual leave prior to encouraging paid staff to access unpaid leave.

Paid staff who are supporting another person experiencing family violence are able to access carers leave in order to provide that support (examples include but are not limited to accompanying the victim of family violence to court, assisting with relocations or

Policy Name: Family Violence Management Policy	This Document is Uncontrolled when Printed	Responsible Officer: Manager People & Culture	
Version: 2.0	Issue Date: 24 May 2023	Next Review: 24 May 2026	Page 2/ 10

implementing safety arrangements, caring for children). This leave will be in addition to existing leave entitlements and may be taken as consecutive or single days or as a fraction of a day.

Yarriambiack Shire Council will approve any reasonable request from an employee experiencing family violence as per Yarriambiack Shire Council's **Enterprise Bargaining Agreement**.

Paid staff are not able to utilise family violence leave as a result of perpetration of family violence. Paid staff who have perpetrated family violence and require leave to attend legal appointments, court, the police station, or behaviour change programs are able to access other forms of leave such as annual leave.

Workplace Safety Planning: A staff member experiencing family violence is encouraged to develop a workplace safety plan in partnership with a specialist family violence response agency. Yarriambiack Shire Council is able to support any staff member to contact a specialist family violence response agency. Refer to Appendix A – Workplace Family Violence Safety Considerations, for example; areas a workplace safety plan may address. A copy of the workplace safety plan should be provided, with consent, to the staff member's **manager, as well as other relevant staff** (such as reception staff) on a needs basis.

Flexible Working Entitlements: All paid staff are entitled to request and access flexible working arrangements, including staff who require flexibility as a result of family violence. This may include a compressed working week, time in-lieu, working from home or job sharing in order to attend health, legal, financial appointments, attend court, care for children or other requirements. This may also include a need to adjust work schedules or locations for safety considerations. Any paid staff seeking a flexible working arrangement should discuss the request with their manager, Chief Executive Officer or Manager People & Culture and submit a flexible working arrangements request form. Refer to the Flexible Working Arrangements Guidelines.

Adverse Action: No adverse action will be taken against staff whose performance is affected as a result of family violence, provided the staff member has disclosed the violence to their supervisor.

Privacy and confidentiality: Staff will at all times uphold the privacy and confidentiality of the individual who has disclosed to them, unless the person has provided consent or there is an imminent risk of harm and a judgement is necessary and appropriate to share information with relevant authorities (e.g. the police). Information about a **staff member's experience of family violence** will not be recorded on their personnel file without their written consent. Family violence leave will be recorded on payroll and other documentation in a way that is not identifiable to others in order to maintain the confidentiality of the staff member involved.

Disclosures of perpetration of family violence: Where it is disclosed that a Council employee has perpetrated family violence, Council will seek advice from a specialist family violence response service as to appropriate action to be taken. If the Yarriambiack Shire Council has reasonable grounds to believe that the accused perpetrator has perpetrated family violence from the workplace, including violence perpetrated during work hours and/or using workplace equipment such as phones and computers, the Yarriambiack Shire Council will refer to the Employee Code of Conduct and take appropriate disciplinary action for a breach of the Code. If it is decided that perpetration of family violence by a staff member is damaging to the credibility of the Yarriambiack Shire Council disciplinary action, including dismissal, may be taken.

In the event that both the accused perpetrator and the victim of family violence are staff of Yarriambiack Shire Council, safety of the victim of family violence will be prioritised. A safety plan should be developed in partnership with a family violence response agency, and a copy **of the plan provided to both staff member's managers and other relevant staff, with consent** and on a needs basis.

Procedural Principles / Procedures

Family Violence Policy Contact: Any queries or concerns regarding this policy, and the operation or implementation of this policy, may be directed to the Manager of People & Culture.

Induction: The CEO or delegated supervisor ensures that information on this policy is provided to new staff as part of induction.

Training: Bystander Intervention training will be conducted every two years.

Manager of People & Culture may approve other training opportunities relating to identifying and responding to family violence.

Support: Yarriambiack Shire Council staff may access support under the Employee Assistance Program. The CEO, at their discretion, may approve additional sessions where the need for counselling support is due to the experiencing of family violence.

References

- *Yarriambiack Shire Council Enterprise Bargaining Agreement*
- *Family Violence Protection Act 2008*
- YSC Employee Code of Conduct
- Information Privacy Policy
- *Occupational Health and Safety Act 2004*
- *Public Interest Disclosure Act 2012*
- *The Charter of Human Rights and Responsibilities Act 2006*
- *Gender Equality Act 2020*

Points of Guidance

This section provides specific points of guidance to assist staff in responding to disclosures and identifying and responding to risk factors. Refer Appendix A and B. This is not intended to be comprehensive but provide a foundation of key knowledge that may be updated from time to time outside the review of this policy.

It includes:

- a) Workplace Family Violence Safety Considerations (Appendix A)
- b) Guidance Points for responding to disclosures (Appendix B)
- c) Possible indicators of family violence and risk factors (Appendix B)
- d) Referral information for safety planning and counselling services (Appendix C)

Consistency with Governance Principles Local Government Act 2020

Governance Principle	Section of policy where covered
(a) Council decisions are to be made and actions taken in accordance with the relevant law;	Section-References
(b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;	Section - Policy Commitment
(c) the economic, social and environmental sustainability of the municipal district,	Section - Prevention of Violence against Women Statement

Governance Principle	Section of policy where covered
including mitigation and planning for climate change risks, is to be promoted;	
(d) the municipal community is to be engaged in strategic planning and strategic decision making;	Section - Responsibility
(e) innovation and continuous improvement is to be pursued;	Section - Training
(f) collaboration with other Councils and Governments and statutory bodies is to be sought;	Section - Prevention of Violence against Women Statement
(g) the ongoing financial viability of the Council is to be ensured;	Sections - Purpose, Family Violence Leave Entitlements, Flexible Working Entitlements
(h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;	Section - References
(i) the transparency of Council decisions, actions and information is to be ensured.	Section - commitment

In giving effect to the overarching governance principles, a Council must take into account the following supporting principles—

- (a) the community engagement principles;
- (b) the public transparency principles;
- (c) the strategic planning principles;
- (d) the financial management principles;
- (e) the service performance principles.

Policy Review

This policy will be reviewed in conjunction with its associated procedures every three years, and in accordance with the *Family Violence Protection Act 2008* requirements.

Council Approved Policy

Policy Adopted:	Ordinary Meeting 27 May 2020	Minute page number 437
Policy Reviewed:	Ordinary Meeting 24 May 2023	Minute page number 32

Appendix A: Workplace Family Violence Safety Considerations

A workplace safety plan should be completed in partnership between the member of the Yarriambiack Shire Council community who is experiencing family violence and a specialist family violence response. Refer to the Family Violence Safety Plan Templates for Employee and Employer in the Human Resource Forms folder. A copy of the workplace safety plan **should be provided to the staff member's supervisor or chosen workplace contact person, and any necessary changes to the staff member's work conditions** discussed.

Some safety measures at work might include:

- a) Remind staff to never provide the personal contact details or whereabouts of staff to others.
- b) Provide a copy of an intervention order to management and human resources Manager as required.
- c) Alert reception staff to the possibility of the perpetrator entering the workplace, including providing a photo of the perpetrator, and develop a safety plan should the perpetrator enter the workplace or calls the workplace.
- d) Develop a system to screen calls directed to the staff member experiencing family violence to prevent the perpetrator contacting them at work.
- e) **Consider changing the staff member's work phone and email contact details.**
- f) **Changes to the staff member's work hours or work location.**
- g) **Changes to the staff member's method of travel to work.**
- h) Allocate an emergency contact person that the staff member can contact in an emergency.

Appendix B: Guidance Points for Responding to Disclosures

If someone has disclosed family violence to you:

- a) **Validate their efforts to protect themselves and their families, don't judge or criticise,** show empathy.
- b) Focus on positive engagement.
- c) Remember the person using violence is responsible for the violence.
- d) State clearly violence is not their fault, place responsibility with the perpetrator.
- e) Discuss services and support options available and offer to assist with referrals (see referrals page).
- f) If required, discuss opportunities for safety planning, in consultation with a specialist family violence agency – e.g. phone, place to go, toiletries and essentials stored away.
- g) Respect their timing and decisions – they are the expert of their circumstances (and leaving a partner is a high risk time).
- h) Discuss limits of confidentiality (i.e. that if concerned about imminent harm and child safety, you will feel obligated to report information to police or child services. Where you think this may be necessary and given potential implications, you may wish to talk this through with a colleague/support service professional).

General Awareness of Family Violence Indicators and Risks

Yarriambiack Shire Council supports a whole of community effort to end family violence by assisting anyone in the community to identify and understand risks and indicators of family violence. This section aims to support general awareness.

Possible indicators of family violence	High risk factors
<ul style="list-style-type: none"> • Appears nervous and evasive • Always over anxious to please, 'walking on eggshells' • Describes their partner as controlling or prone to anger • Seems uncomfortable or anxious if their partner is present • Partner always attends meetings and does most of the talking • Physical signs of violence: bruising, cuts, presents with multiple injuries • Presents with patterns of repeated injury • Stress related illness • Signs of isolation (e.g. has stopped seeing friends) • Signs of financial abuse (e.g. no access to joint bank account) • Criticised or humiliated by their partner • Ordered to comply to partner's rules and wishes • Fearful to leave relationship (risk is greatest at separation) • Suffers anxiety, panic attacks, stress and/or depression • Reports sexual dysfunction 	<ul style="list-style-type: none"> • Pregnancy • High isolation • Low language skills • Large family e.g. 6 children • No access to ID, passports • Has been physically assaulted by perpetrator • Sexual assault or grooming by perpetrator • Children have been hurt • Children present during violence • Kidnapped or threat to abduct by perpetrators

If you identify risks and are concerned, consider responding with some questions and information.

In a safe, private space, ask the question and explain your concerns:

a) **'I am a little** concerned about you **because.....'**

Ask prompting questions e.g.

- a) Are you afraid of someone at home or in your family?
- b) Has someone in your family physically hurt you or threatened to hurt you?
- c) Are you worried about your children?
- d) Would you like help?

If it seems Family Violence is not occurring, or the person is not ready to talk, respect this.

Appendix C: Referral Information

Local Referral Information relevant to YSC's location

- Wimmera Uniting Care, Horsham – Ph. 5362 4000 (9am - 5pm)
- Grampians Community Health, Horsham – Ph. 5358 7400
- Converge International (YSC Counselling Provider) Ph. 1300 687 327
- Yarriambiack Shire Council Employee Assistant Program

Contact: Manager People & Culture – Ph. 0428 974 172 or 5389 0104

Email: bschilling@yarriambiack.vic.gov.au

Family Violence Support Services

If you or someone you know is in immediate danger or requires Police attendance call POLICE 000

- Workplace matters (e.g. discrimination and harassment)
Victorian Equal Opportunity and Human Rights Commission, Ph. 1300 292 153.
- Safe Steps Family Violence Response Centre
State-wide professional support, information and referrals, Ph. 1800 015 188 toll free 24/7 www.safesteps.org.au
- 1800 Respect
National counselling helpline, information and support 24/7, Ph. 1800 737 732 <https://www.1800respect.org.au/>
- Berry Street
Family Violence specialist crisis response (24/7) and support services Ph. 5330 5000 www.berrystreet.org.au
- WRISC Family Violence Support
Counselling and support services for women and children affected by family violence Ph. 5333 3666 <http://www.wrisc.org.au/>
- Child & Family Services (CAFS)
CAFS provides a range of programs and services to children, young people and families who need support Ph. 5337 3333 or 1800 692 237 www.cafs.org.au
- **SalvoConnect Women's Service**
SalvoConnect provides support and accommodation services for women, Ph. 5223 5400. www.salvoconnect.com.au/
- Centre for Sexual Assault
Counselling for anyone who has experienced sexual violence. Ph. 1800 806 292 (24/7 crisis), 5320 3933 (Ballarat), 5381 1211 (Horsham), Mildura 5025 5400.
- Victims of Crime Helpline
Specially trained support officers, operates between 8am – 11pm, Ph. 1800 819 817
- Child Protection Crisis Line
Report concerns of child sexual abuse, Ph. 131 278
- Kids Helpline
www.kidshelpline.com.au , Ph. 1800 551 800

- No to Violence
www.ntv.org.au, Ph. 1300 766 491
- **Women's Legal Service – Victoria**
Ph. 9642 0877 (Legal Advice), or Ph. 1800 133 302
- **Women's Domestic Violence - Crisis Services**
24 Hours, 7 days a week, Ph. 9928 9600 or 1800 015 188
- Orange Door - Mallee
9.00am – 5.00pm, Monday to Friday, Ph. 1800 290 943
- **Men's Referral Services**
9.00am – 9.00pm Monday – Friday, Ph. 9428 2899 or 1300 766 491
- **Men's Australia**
Ph. 1300 789 978
- Lifeline
24 Hours, 7 days a week, Ph. 13 11 14