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1. Background

N/A

2. Purpose

Ipswich City Council (ICC) is committed to providing a healthy and safe working environment for all employees. It is recognised that employees sometimes face difficult situations in their work and personal life, such as domestic and family violence (DFV), that may affect their attendance and/or performance at work or safety.

ICC leaders, managers, supervisors and all employees are committed to making ICC a great place to work. This procedure details the support and entitlements available for employees experiencing domestic and family violence and the conditions under which employee can access support.

3. Regulatory Authority

- *Industrial Relations Act 2016 (Qld)*
- *Human Rights Act 2019 (Qld)*
- *Anti-Discrimination Act 1991 (Qld)*
- *Work Health and Safety Act 2011 (Qld)*

4. Human Rights Commitment

Council has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when approving and/or amending this procedure. When applying this procedure, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

5. Roles and Responsibilities

- Employees may disclose information to their manager/supervisor, or whoever they are comfortable confiding in. Employees have the right to choose whether, when and to whom they disclose information about being impacted by domestic and family violence.
- Employees will need to provide relevant information to their manager/supervisor when seeking approval for domestic and family violence leave entitlements.
- Employees are not expected to counsel their colleagues, but refer them to the appropriate networks for support and counselling.
- People and Culture Business Partners provide advice and support to the General Manager, manager/supervisor when considering reasonable adjustments to work arrangements or safety planning strategies to support employees impacted by domestic and family violence.

6. Key Stakeholders

The following will be consulted during the review process:

- People and Culture Branch
- General Manager, Corporate Services
- Executive Leadership Team.

7. Education and Training Requirements

N/A

8. Procedure

Information disclosed by an employee in relation to domestic and family violence will be kept confidential, except to the extent that disclosure is required or permitted by law. Any related communication must be conducted in a sensitive and non-judgmental manner.

8.1 Leave entitlement

- a) All employees other than casual employees who are experiencing DFV are entitled to 10 days per year of paid DFV leave in accordance with the full principles of Part 3 Division 7 of the *Industrial Relations Act 2016*.
- b) A long term casual employee is entitled to 10 unpaid days per year of DFV leave.
- c) A short term casual employee is entitled to 2 unpaid days per year of DFV leave.
- d) Employees may need to take leave to attend medical, legal, police or counselling appointments; preparing for or attending court and other legal proceedings; and organising alternative accommodation and care or education arrangements for the purposes of attending to matters arising from DFV or supporting the person experiencing DFV.
- e) DFV leave will be granted where the Manager People and Culture is satisfied that the employee requires leave because the employee is experiencing DFV. The Manager People and Culture may ask the employee to provide evidence they have experienced domestic violence and need to take leave as a result, this may include
 - 1) evidence from the police; or
 - 2) evidence of a legal proceeding or a court report; or
 - 3) evidence from a doctor or other health practitioner; or
 - 4) a report from a counsellor; or
 - 5) written advice or a statutory declaration from the employee.
- f) Where possible the employee will notify their Supervisor or People and Culture before the leave is taken. If that is not possible, notify your Supervisor or People and Culture as soon as possible from commencement of the leave.
- g) The employee does not have to use other leave entitlements before accessing this leave. This leave can be taken as consecutive days, single days or a part day.
- h) The employee may also access further paid or unpaid leave, including sick leave, carers leave, annual leave, long service leave or other accrued time to attend to matters arising from DFV—this will be in accordance with the provisions relating to each type of leave
- i) Perpetrators (or potential perpetrators) of domestic and family violence are not eligible to apply for Domestic and Family Violence Leave, however will be supported to use other leave types in order to attend counselling appointments, legal hearings and other related appointments, subject to evidence of the details of the appointments as approved by the Branch Manager.

8.2 Work performance and attendance

- a) Work performance or attendance may be influenced by factors not connected with work. Employees will be supported and encouraged to raise concerns about their personal circumstances, including whether DFV is a contributing factor to work performance and attendance.
- b) It may also be necessary to include additional support and provide reasonable workplace and role adjustments for a period of time. Regular reviews, a return to work plan and a performance improvement process may still be required.

8.3 Flexible working arrangements

ICC will provide employees experiencing DFV with access to appropriate flexible working arrangements where possible. Employees are encouraged to discuss their request for flexible working arrangements with their managers in the first instance.

8.4 Employee Assistance Program (EAP)

ICC offers the Employee Assistance Program (EAP) to all employees and their immediate family members. The EAP is a free and confidential support service offering face-to-face and telephone counselling. The EAP also provides specific advice to managers to support employees experiencing DFV.

8.5 Other workplace support and role adjustments

Council may also consider:

- workplace safety needs and arrangements to protect the employee and colleagues following a risk assessment, including increased security measures
- supporting employees to have the workplace included in a Domestic Violence Order issued by the courts, where appropriate
- providing other support and reasonable adjustments in the workplace, such as:
 - job redesign or changes to duties;
 - changes to working hours or patterns of work;
 - alternative suitable employment in other teams, offices and locations;
 - changes to email address and telephone numbers;
 - secure parking.
- Employees who are facing unexpected costs such as legal fees, crisis accommodation and/or relocation expenses are encouraged to contact a People and Culture Business Partner to determine what assistance could be available on a temporary basis. Support options could include cashing in annual leave or long service leave, or a temporary change to superannuation contributions.

8.6 Safety in the workplace

The safety and wellbeing of all ICC employees in the workplace is the highest priority. Fostering a workplace culture where employees experiencing Domestic and Family Violence are supported contributes to a healthy and safe working environment for all.

In situations where an employee experiencing DFV is concerned for their safety or that of their colleagues, it is recommended that the employee work in consultation with their manager and/or supervisor and/or Workplace Safety & Wellbeing Advisor to develop a Workplace safety plan agreement.

A DFV risk assessment checklist should be completed by the supervisor/manager and/or Workplace Safety & Wellbeing Advisor in consultation with the employee experiencing DFV, prior to completing a Workplace safety plan agreement, and includes any necessary support and reasonable adjustment.

The Workplace safety plan agreement should outline the specific workplace safety needs and arrangements to support the employee, such as:

- any changes in relation to any work patterns, practices or work location
- any precautionary plans to be undertaken pre or post-work (e.g. travel arrangements, secure carpark etc.) to support the safety of the employee
- any workplace changes and/or security measures to protect the employee and their colleagues where necessary
- updated emergency contacts and/or next of kin details.

8.7 Confidentiality and Disclosure

Information and any related communication disclosed by an employee in relation to Domestic and Family Violence matters will be treated in a confidential, sensitive and non-judgemental manner. Only authorised parties should be involved with these matters. People and Culture will manage all documentation in confidential consultation with General Managers and Branch Managers.

Employee personal details such as address, personal phone numbers or work pattern will remain confidential and not be disclosed to unauthorised or other persons not connected with the workplace. Information disclosed by an employee in relation to domestic and family violence is kept confidential, except to the extent that disclosure is required or permitted by law.

Council will not discriminate or take adverse action against an employee if attendance or work performance is directly impacted as a result of domestic or family violence. In return it is expected that employees impacted will seek assistance and provide appropriate updates to their manager or People and Culture.

8.8 External Support Services

There are a number of external community care groups and support services that provide support for employees impacted by domestic and family violence.

Council recognises that some external support services may only be accessible during working hours such as arranging alternative or crisis accommodation, legal aid, children's services, medical, police or counselling services. In these situations, employees are encouraged to discuss their needs with their manager/supervisor or other suitable person so arrangements can be made to facilitate safe access to the services and appropriate leave provisions.

At the time of writing this procedure, the external domestic and family support services available include:

8.8.1 Emergency Response - 000

In the case of an emergency where someone is in imminent danger or has been the immediate victim of violence, call the police immediately. Other emergency services such as ambulance for injuries or fire services for accidents must also be contacted.

8.8.2 Policelink - 131 444

The main police contact number operating 24 hours, 7 days per week and can be used to report crimes or if a person feels threatened or in danger. Trained call operators will be able to appropriately obtain any information needed to assist the caller.

8.8.3 DVConnect Womensline - 1800 811 811

Operates 24 hours, 7 days per week to assist women and their children to obtain safe refuge accommodation, counselling and referral to other support services.

8.8.4 DVConnect Mensline - 1800 600 636

Operates 9.00am to midnight, 7 days per week to provide a free, confidential telephone counselling, referral, information and support service for Queenslanders identifying as male and how may be experiencing or using domestic and family violence.

8.8.5 Lifeline (24 hours crisis line) - 131 114

Lifeline operates 24 hours, 7 days per week and provides Australian's experiencing a personal crisis with access to crisis support and suicide prevention services.

8.8.6 1800 RESPECT - 1800 737 732

A national service operating 24 hours, 7 days per week and provides confidential information, counselling and support to people impacted by sexual assault, domestic or family violence and abuse.

9. Monitoring and review

This procedure shall be reviewed every four (4) years, or as required.

10. Related documents

[Flexible Working Arrangements Administrative Directive](#)
[Flexible Working Arrangements Request Form](#)

11. Definitions

Domestic and Family Violence	<p>Defined by the <i>Family Law Act 1975</i> as violent, threatening or other behaviour by a person that coerces or controls a member of the person's family, or causes the family member to be fearful. The <i>Domestic and Family Violence Protection Act 2012</i> defines domestic violence as behaviour from one person towards another person within a relevant relationship that is:</p> <ul style="list-style-type: none"> physically or sexually abusive; emotionally or psychologically abusive;
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	<ul style="list-style-type: none"> • economically abusive; • threatening; • coercive; or • in any other way controls or dominates the second individual and causes fear for their safety or wellbeing or that of someone else. <p>A relevant relationship is:</p> <ul style="list-style-type: none"> • an intimate personal relationship (former or present spousal, parent, engagement or couple); • a family relationship (relative of the person, including relationships in accordance with Aboriginal or Torres Strait Islander kinship rules); • an informal care relationship (where one person is dependent on another for help in an activity of daily living). <p>Domestic and family violence can include behaviours such as:</p> <ul style="list-style-type: none"> • verbal abuse (including yelling, shouting, name-calling and swearing); • social abuse (being stopped from seeing friends and family, isolating socially or geographically); • spiritual abuse (being stopped from practicing religion); • financial abuse (taking control of money, not allowing access to money, forcing a person to hand over their money, not letting a person have a say in how it is spent); • emotional abuse (making a person feel worthless, criticising personality, looks, dress, constant put downs, threatening to hurt a person, children or pets); • physical assault (including punching, hitting, kicking, pushing, slapping, choking or the use of weapons); • sexual assault (being forced to have sex or participate in sexual activities, either by watching or participating); • damaging property such as furniture, the house, car or pets in order to threaten or intimidate; and or • controlling or harassing behaviour that may include scanning phone calls and text messages, unauthorised tracking of location, repeated unwelcomed contact by phone, email, message or stalking.
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Flexible Working Arrangements	Means flexibility in the workplace allowing ICC and employees to make arrangements about when, where and how an employee will work meeting individual and operational needs.
Part-Time Employee	An employee who is engaged as a part-time employee to work on pre-determined days of the week for a regular number of hours.
Part-Time Arrangements	All arrangements where the employee is engaged in part-time work on pre-determined days of the week for a regular number of hours. This includes returning to work from maternity leave and transitioning to retirement.

12. Process Model

N/A

13. Procedure Owner

The General Manager (Corporate Services) is the procedure owner and the Manager, People and Culture is responsible for authoring and reviewing this procedure.