



Fernwood Fitness Domestic and Family Violence Policy

Support for employees affected by domestic and family violence

1. Introduction

Fernwood Fitness (Fernwood) recognises that domestic or family violence (DFV) is not tolerated in society and that its staff and club 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. Fernwood is committed to promoting the health and safety of its staff and members, in all aspects of their lives, including the workplace and clubs.

The *Domestic and Family Violence Protection Act 2012* defines domestic and family violence as often an overt or subtle expression of a power imbalance, resulting in one person living in fear of another, and usually involves an ongoing pattern of abuse over a period of time.

DFV occurs when one person in a relationship uses violence and abuse to maintain power and control over the other person. Domestic and family violence can take many forms ranging from physical, emotional and sexual assault through to financial control, isolation from family and friends, threats of self-harm or harm to pets or loved ones, constant monitoring of whereabouts, stalking and death. DFV can affect people of all cultures, religions, ages, genders, sexual orientations, educational backgrounds and income levels. However, evidence has proven domestic and family violence is gendered.

Fernwood 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 or learning environment.

Fernwood leaders, managers, supervisors, and all employees are committed to making Fernwood a great place to work. Fernwood can make a significant difference to employees affected by DFV by providing appropriate safety and support measures.

DFV is unacceptable in any setting, including the workplace. Any Fernwood employee who perpetrates violence and abuse from the workplace, including by telephone, fax, mail, email, internet or social media may be subject to disciplinary action.

All employees have a responsibility to model the Fernwood Fitness values, which includes behaving in a way that promotes a work environment free from any form of violence and supporting those who are affected by DFV.

Fostering a workplace culture where employees affected by DFV are supported in the workplace, contributes to a healthy and safe working environment for all.

2. Purpose

The purpose of this policy is to provide support and assistance to Fernwood employees affected by domestic and family violence and create a safe and supportive workplace environment. This policy applies to employees of Fernwood, including contractors, agency temporary staff, work experience and industry placements, trainees and volunteers.

3. Effective date

This policy is effective from 7th June 2023.

4. References

- *Domestic and Family Violence Protection Act 2012*
- *Work Health and Safety Act 2011*
- *Public Service Act (2008)*
- Code of Conduct

5. Documentation

- Fernwood acknowledges that employees affected by DFV may not be in a position to provide supporting documentation. An employee's access to leave and other support options should not be denied in the absence of supporting documentation
- any related communications must be conducted in a sensitive and non-judgmental manner. Any documentation sighted must be returned to the employee unless the employee requests otherwise.

6. Confidentiality and disclosure

Fernwood employees have the right to choose whether, when and to whom they disclose information about being affected by DFV. This policy does not override any legal obligations to disclose information.

Information disclosed by an employee in relation to DFV will be kept confidential, except to the extent that disclosure is required or permitted by law.

Any disclosure to Fernwood or request for support made by a staff member or student who is experiencing domestic and family violence will be dealt with on a confidential basis and in accordance with privacy laws and Government regulations. All personal information given in relation to situations of domestic and family violence will be kept confidential. No information will be kept on a personnel file without their express permission.

Personal information provided by staff to Fernwood concerning issues of domestic or family violence will be used solely for the purpose of assessing that individual's needs and determining and applying any appropriate support mechanisms as required and agreed between Fernwood and the staff member.

A Fernwood 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.

7. Support options available to employees

There are a number of support options available to assist Fernwood employees affected by DFV. These support options will be regularly reviewed to ensure their ongoing effectiveness and appropriateness.

Fernwood will assist staff experiencing the effects of domestic and family violence with the aim of supporting their continued participation in employment and to ensure they are not disadvantaged. Fernwood will provide this support by:

- coordinating existing support services available at Fernwood (including access to confidential and professional counselling);
- flexible application of work arrangements;
- co-operating with Police/Legal orders;
- protecting staff health and safety when in the Fernwood workplace; and
- any other supports, measures or adjustments that are appropriate and able to be offered by Fernwood, in the circumstances.

Fernwood seeks to create an environment where staff feel comfortable and safe in coming forward to disclose domestic and family violence and in requesting access to leave and adjustments in accordance with the Domestic and Family Violence (Staff Support) Procedure.

A staff member who experiences situations of violence and abuse in their domestic or family life that may adversely impact on their attendance and/or performance in their employment at Fernwood will not be disadvantaged.

8. Leave entitlement

- A Fernwood employee who is affected by DFV will have access to a minimum of 10 days of paid leave per annum.
- The reasons may include, but are not limited to, attending medical, legal, police or counselling appointments; 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 affected by DFV.
- Leave should be granted where the chief executive/franchise owner is satisfied that the employee requires leave because the employee is affected by DFV. However, leave should not be denied in the absence of supporting documents.
- 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 fraction of a day.
- The employee may also access further paid or unpaid leave, including special leave, sick leave, carers leave, recreation leave, long service leave or other accrued time to attend to matters arising from DFV—this will be in accordance with the directives relating to each type of leave.

9. Work performance and attendance

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.

It may also be necessary to include additional support and provide reasonable workplace and role adjustments for a period of time. Individual circumstances and support needs will be taken into account, which may include regular reviews, return-to-work plans and appropriate performance support measures.

10. Flexible working arrangements

Fernwood will provide employees affected by DFV with access to flexible working arrangements. Employees are encouraged to discuss their request for flexible working arrangements with their managers in the first instance.



11. Counselling support services

If you, a child, or another person is in immediate danger, call 000.

If you need more help, there are a number of external support services:



1800RESPECT is the national domestic, family and sexual violence counselling, information and support service. If you or someone you know is experiencing, or at risk of experiencing, domestic, family or sexual violence, call 1800RESPECT on 1800 737 732 or visit [1800RESPECT.org.au](https://1800respect.org.au). In an emergency, call 000.

1800RESPECT Service Directory:

<https://1800respect.org.au/services> The 1800RESPECT Service Directory is a free national online database of services that provides information, advice, counselling, support, advocacy and crisis response to those who are experiencing or supporting someone who is experiencing domestic, family or sexual violence. The Service Directory includes specialist services, crisis helplines, housing, legal, health and financial services.



LIFELINE — 13 11 14

Lifeline has a national number who can help put you in contact with a crisis service in your state.

Anyone across Australia experiencing a personal crisis or thinking about suicide can call.



RELATIONSHIPS AUSTRALIA — 1300 364 277

Support groups and counselling on relationships, and for abusive and abused partners.



NATIONAL DISABILITY ABUSE AND NEGLECT HOTLINE — 1800 880 052

An Australia-wide telephone hotline for reporting abuse and neglect of people with disability.

Call the free hotline on 1800 880 052.

12. Other workplace support and role adjustments Fernwood 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.

13. Safety in the workplace

Fernwood is committed to providing a workplace that is free from any form of violence, including domestic violence. Of paramount consideration is the safety and wellbeing of all Fernwood employees in the workplace. Fostering a workplace culture where employees affected by DFV are supported contributes to a healthy and safe working environment for all.

In situations where an employee affected by 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 human resources officer to develop a *Workplace safety plan agreement*.

A *DFV risk assessment checklist* should be completed by the supervisor/manager and/or human resources officer in consultation with the employee affected by DFV, prior to completing a *Workplace safety plan agreement*, and include 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.

Arrangements should be reviewed at pre-determined intervals to ensure currency and to ascertain ongoing appropriateness.

14. Responsibilities

Leaders/managers/supervisors will:

- model the public service values, including behaviour in a way that promotes a work environment free from any form of violence
- actively participate in DFV related learning and development activities to effectively communicate and manage any domestic violence arising in the workplace
- encourage employees to actively participate in DFV related learning and development activities
- sensitively communicate with employees affected by DFV
- take prompt and appropriate action to address any reports of employees affected by DFV
- ensure appropriate levels of support are provided to employees affected by DFV
- ensure appropriate management of work performance and monitoring of attendance issues.

Employees will:

- model the public service values, including behaving in a way that promotes a work environment free from any form of violence
- actively participate in DFV related learning and development activities
- sensitively communicate with colleagues affected by DFV
- ensure colleagues are aware of available support services and encourage colleagues to seek assistance.



15. Related policy instruments

Fernwood encourages all employees to familiarise themselves with the policies listed below.

Bullying, discrimination, harassment, and sexual misconduct policy

Staff support procedure

Staff Code of Conduct

16. Further information

Further information on the DFV policy and its application may be directed to:

- Your manager or supervisor
- Your Fernwood Club Franchise Owner

17. Administration

Approval Details

Policy Sponsor:	
Approval Authority:	
Date for next review:	

Revision History

Version	Approval date	Implementation date	Description of changes	Author

Contact person:	
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