

# FAMILY VIOLENCE SUPPORT PROCEDURE

## PURPOSE

The University recognises that employees sometimes experience situations of violence or abuse in their personal life constituting family violence that may affect their attendance or performance at work.

This procedure articulates the University's ('us', 'our' or 'we') commitment to providing support to employees who experience family violence. It also sets out the process for employees to access leave for absences due to family violence and/or flexible work arrangements.

## SCOPE

This procedure applies to all full time, continuing and casual/sessional employees of the University, herein collectively referred to as 'you' for the purpose of this procedure

## PROCEDURE STATEMENT

We condemn all forms of violence including family violence.

We recognise that if you are experiencing family violence, you may require support and we are therefore committed to providing a broad range of support for you.

### 1. Support for employees

- 1.1 If you are experiencing family violence, you may request support through your supervisor or by contacting a Family Violence Contact Officer within [Safer Community Unit](#) on 990 51599 or via email.
- 1.2 Support may include (but is not limited to):
  - access to Family Violence Contact Officers
  - time away from the workplace to attend medical appointments, legal proceedings, relocation activities, to attend counselling, police appointments, accessing legal advice, and making care or education arrangements
  - flexible work arrangements
  - additional safety/security arrangements and safe accommodation.
- 1.3 You may be required to provide evidence to support the need for family violence support. Such evidence may include a document issued by police, a court, a medical practitioner, a district or maternal and child health care nurse, a family violence support service, or a lawyer or a statutory declaration.

Note: Further information can be found under Part F, [section 46.3](#) of the Monash University Enterprise Agreement (Academic & Professional Staff) 2014.

### 2. Family Violence Contact Officers

- 2.1 We provide designated Family Violence Contact Officers who have expertise in family violence and privacy issues. A Family Violence Contact Officer will:
  - be available to liaise between you and your supervisor;
  - provide advice to your supervisor on how to best support you;
  - advise on the support available, including leave and flexible working arrangements (subject to approval);
  - provide referrals to other University support services; and
  - assist you to make informed choices about your safety.

### 3. Family violence leave

3.1 Subject to approval, you may have access to:

- accrued sick leave (if applicable under your conditions of employment); and/or
- accrued annual and long service leave (if applicable under your conditions of employment); and/or
- paid family violence leave.

Note: Further information can be found under Part F, [section 46.2](#) of the Monash University Enterprise Agreement (Academic & Professional Staff) 2014.

3.2 If you are experiencing family violence, you may apply for paid family violence leave without first exhausting any accrued sick leave, annual leave or long service leave, but any approval of paid family violence leave will be at the discretion of the Dean/Executive Director.

### 4. Applying for support

4.1 Applications for support may include (but are not limited to) special paid leave and/or changes to start/finish times or hours.

#### Submitting an application for support

4.2 You may request support relating to family violence through either your supervisor or via a Family Violence Contact Officer (refer clause 1 of this procedure). All requests will be considered as a matter of priority.

4.3 Family Violence Contact Officers will coordinate requests for support. You (or your supervisor on your behalf) must submit the request in writing (via email or a letter) to a Family Violence Contact Officer. You will need to inform the Family Violence Contact Officer of whether your supervisor is aware of the request.

#### Consideration of the support application

4.4 The Family Violence Contact Officer will liaise with the Director, Workplace Relations (as delegated by the Chief Human Resource Officer).

4.5 The Director, Workplace Relations will liaise with the Dean/Executive Director.

4.6 Applications for support will be considered by us on an individual basis considering all the circumstances, acknowledging confidentiality is paramount in this process.

#### Outcome of the support application

4.7 The Family Violence Contact Officer will notify you of the outcome of the support application. Where leave or a flexible work arrangement is approved by both the Dean/Executive Director and the Director, Workplace Relations, your leave/other relevant item will be recorded in the payroll system (e.g. special paid leave, sick leave, change to working hours, location etc.).

### 5. Supervisor consultation

5.1 The Family Violence Contact Officer will discuss with you, your wishes for your supervisor's involvement/knowledge of the request/circumstances.

5.2 Where your supervisor is not already aware of your application, and the Director, Workplace Relations determines that any approval of the requested leave requires your supervisor to be informed of some or all of the your circumstances on a "need-to-know" basis, the Family Violence Contact Officer will notify you. Your circumstances will be disclosed to the minimum extent necessary and acknowledging confidentiality is paramount in this process.

5.3 If you object to your supervisor being informed of the circumstances, you, the Family Violence Contact Officer and the Director, Workplace Relations will consider whether any other leave or other support may be offered which does not require your supervisor to be informed of some or all of the circumstances.

### 6. Dean/Executive Director consultation

6.1 If you object to your request being submitted to the Dean/Executive Director, Workplace Relations will consider whether any other leave or other support may be offered which does not require your request being submitted to the Dean/Executive Director.

## 7. Other support available

- 7.1 If you are providing care or support to a family member who is experiencing family violence, you may also access other applicable leave entitlements (e.g. carer's leave, annual leave, compassionate leave, court appearances leave, special unpaid leave) to accommodate that provision of care or support.
- 7.2 Refer to the our [family and interpersonal violence](#) intranet support page via Safer Community Unit for all family violence support options and a list of the Family Violence Contact Officers.
- 7.3 We also provide access to confidential, professional counselling and support for you and your immediate family through the provision of the [Employee Assistance Program \(EAP\)](#), the [University Counselling Service](#) and [Safer Community Unit services](#).

## 8. Non-victimisation and privacy of information

- 8.1 A person must not victimise or otherwise subject another person to detrimental action as a consequence of that person raising, providing information about, or otherwise being involved in the support for an individual experiencing family violence.
- 8.2 Persons involved in a matter raised under these procedures are required to respect the privacy of personal information and the sensitivity of the matters raised. Disclosure of personal information should be limited so that only persons directly involved are informed, and then only on a "need-to-know" basis (unless otherwise required by law).
- 8.3 Information collected, used and retained under this procedure is to be collected, used, and stored in accordance with the Privacy and Data Protection Act 2014 and other applicable privacy laws and our Conduct and Compliance Procedure - Privacy. Such information is to be securely stored and used only for the purposes for which it was collected, except as otherwise required or permitted by law.
- 8.4 A breach of this privacy or non-victimisation requirement will be treated seriously by us. It may constitute misconduct and may result in disciplinary action.

## 9. Breach of procedure

- 9.1 We treat any breach of our policies or procedures seriously. We encourage reporting of concerns about non-compliance and manage compliance in accordance with the applicable Enterprise Agreement or contract terms.

## DEFINITIONS

<b>Executive Director</b>	The Dean of the Faculty or Executive Director of a Division or their nominee in any case where the Dean or Executive Director has formally nominated a person to act as their nominee for the purpose.
<b>Family Member</b>	Either: <ul style="list-style-type: none"><li>• a member of the employee's household; or</li><li>• a member of the employee's immediate family, which includes a spouse, child, parent, grandparent, grandchild, sibling or any other person with whom the University is satisfied the employee has a genuine family relationship.</li></ul>
<b>Family Violence</b>	Includes physical, sexual, financial, verbal or emotional abuse by a family/household member as defined in the Family Violence Protection Act 2008 (Vic), or by someone on behalf of a family/household member.
<b>Family Violence Contact Officer</b>	An individual who has been nominated by the University, and has expertise in family violence and privacy issues.
<b>Long-term casual staff</b>	Casual or sessional staff of the University who have been employed by the University on a regular and systematic basis for a sequence of periods of employment during a period of at least 12 months.
<b>Spouse</b>	Defined as including spouse, de facto spouse, former spouse and former de facto. "De facto spouse" means a person who lives with the employee as husband, wife or partner of the employee on a bona fide domestic basis although not legally married to that person, and domestic partner will have the same meaning.
<b>Supervisor</b>	The person who is responsible for the supervision of employee(s) and in most cases this will be the immediate line manager.

## ADMINISTRATION

Parent policy	<a href="#">Equal opportunity</a>
Supporting policies	<ul style="list-style-type: none"><li>• <a href="#">Employment conditions</a></li><li>• <a href="#">Ethics Statement</a></li><li>• <a href="#">Integrity and respect</a></li><li>• <a href="#">Leave and wellbeing</a></li><li>• <a href="#">Pay, benefits and entitlements</a></li><li>• <a href="#">Probation, performance and promotion</a></li><li>• <a href="#">Recruitment and appointment</a></li></ul>
Supporting procedures	<a href="#">Privacy</a>
Supporting documents	<ul style="list-style-type: none"><li>• <a href="#">Counselling &amp; Mental Health Programs</a></li><li>• <a href="#">Clause 40.16 - Family Violence Leave</a></li><li>• <a href="#">Clause 46 - Family Violence</a></li><li>• <a href="#">Employee Assistance Program (EAP)</a></li><li>• <a href="#">Safer Community Unit</a></li></ul>
Legislation mandating compliance	<p><b>Federal Legislation</b></p> <ul style="list-style-type: none"><li>• <a href="#">Fair Work Act 2009</a></li></ul> <p><b>State Legislation</b></p> <ul style="list-style-type: none"><li>• <a href="#">Family Violence Protection Act 2008 (Vic)</a></li><li>• <a href="#">Privacy and Data Protection Act 2014</a></li></ul>
Responsibility for implementation	
Approval body	Chief Human Resources Officer
Procedure owner	Director Workplace Relations
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Content enquiries	<a href="#">ask.monash</a> or phone Monash HR on (03) 990 20400