



# Family violence

Manager's guide to supporting  
our employees



Family violence is  
a health issue





## Why we need this guideline

We recognise that employees and volunteers sometimes face situations of family violence in their personal lives.

Family violence increases the risk of depression, anxiety, post-traumatic stress, sleep disorders, self-harm and suicide. It is a significant determinant of health and wellbeing and a major contributor to chronic health conditions.

To ensure our employees have the support they need if they have experienced or are experiencing family violence, this guideline has been developed to bring together the range of support services available to them.

It has been designed to help managers and others have sensitive conversations with their employees who may be affected by family violence issues.

Remember, you will always find the most up-to-date version of the guideline online on PROMPT.



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## **Authors**

This guideline has been developed by the Strengthening Hospital Responses to Family Violence (SHRFV) team in consultation with People and Culture, Social Work and the South Eastern Centre Against Sexual Assault (SECASA), Monash Health Family Violence Taskforce and approved by the Occupational Health and Safety Committee.

## **Target audience and setting**

This guideline applies to all Monash Health employees, including permanent and casual employees of any subsidiary company, contractors, temporary/agency personnel, volunteers, students undertaking placement and other authorised personnel. This guideline does not apply to patients.



# Guideline

## Background

Employees and volunteers sometimes face situations of family violence in their personal lives. A study involving Victorian health care workers found that one in 10 (11.5 per cent) of the 471 people surveyed had felt fear of their partner or experienced physical, emotional and/or sexual violence from them in the previous 12 months. It is expected that many of our employees are experiencing or have experienced some form of family violence.

We recognise that individuals are the best judge of their own safety and the experience of violence can cause a person profound feelings of having their sense of control taken away. As such, a key principle of this guideline is to empower the employee experiencing family violence to lead the discussion regarding a workplace safety plan.

## Roles and responsibilities

### Colleagues:

- are to provide supportive non-judgmental responses to co-workers who disclose family violence
- employees may offer support, information or a referral to a family violence agency, manager/team leader or business partner.

### Managers/team leaders:

- are required to provide a supportive, non-judgmental, respectful and confidential response to employees who disclose family violence
- are to provide information about support options available to our employees
- will be transparent with the person making a disclosure and inform them of any people that need to be made aware of their private information
  - this may include team members who may be at risk due to threats made by the person using violence
- notify payroll about coding personal leave to family violence leave
- may be involved in developing workplace safety plans.

### People and Culture Business Partners:

- have an important role in providing advice and guidance to managers and employees as well as coaching for managers
- are family violence workplace contact officers for Monash Health employees
- can provide workplace support options, discuss and implement flexible work arrangements, develop workplace safety plans, provide advice on referrals and provide support to managers and employees who disclose family violence
- will document safety plans and store them in a secure folder (not in personnel files), and
- notify Payroll about coding personal leave to family violence leave.

*Note: An employee is able to speak directly with their People and Culture Business Partner, if they do not wish to raise a family violence issue with their manager/team leader.*

# Family violence defined

## What is family violence?

Family violence is defined by the *Family Violence Protection Act 2008 (Vic)* as behaviour by a person towards a family member that is:

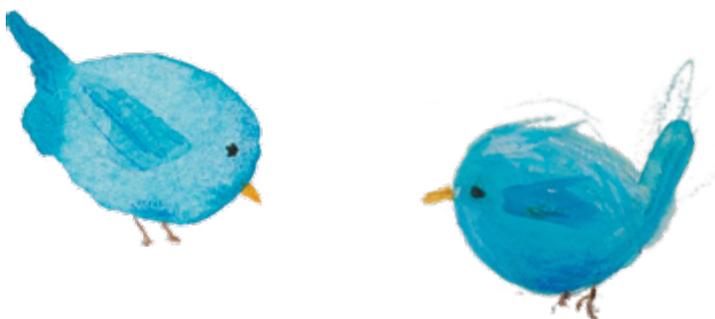
- physically, sexually, emotionally, psychologically or economically abusive, threatening, coercive or in any other way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of themselves or another family member, or
- behaviour by a person that causes a child to hear, witness, or otherwise be exposed to the effects of the behaviour.

Family violence can occur in any familial relationship; for example, between current or former intimate partners, parents (or stepparents) and children, siblings, grandparents, grandchildren, uncles, aunts, nephews, nieces, cousins and kinship relationships.

## Recognising the signs of family violence

Managers/team leaders are in a position to recognise the signs of an employee experiencing family violence. An employee affected by family violence may show signs of:

- fear
- distraction
- tiredness
- stress
- depression
- anxiety
- loss of confidence
- increased absenteeism or arriving late to work
- emotional outbursts
- being withdrawn from colleagues or isolating themselves
- receiving more personal calls at work
- visible bruising or injuries.



# Support in the workplace

## Confidentiality

Employers and managers should keep any family violence-related disclosure confidential. There may be times when there is an inherent safety risk to the employee or other employees. For example, if there is a risk the person using violence might come into the workplace and impact on the safety and wellbeing of the employee or others. In these instances, sharing information may be required, however kept to a minimum. Please ensure you obtain consent from the employee experiencing violence before making a disclosure to others.

You can promote confidentiality by:

- having conversations with employees in a private setting; do not continue a conversation as you leave the office
- obtaining advice from your People and Culture Business Partner
- if seeking advice, keep the person's name confidential (unless you have obtained consent to share it)
- working with Payroll to have family violence leave discreetly coded
- ensuring notes are **not** kept in the employee's personnel/local file.

*Note: All personal information concerning family violence will be kept confidential in line with People and Culture's Employee Records Management procedure. No information will be kept on an employee's personnel file without their express written permission.*

## Reporting

### Criminal offences

According to the *Failure to Disclose Act, 2014*, any adult that believes a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.

### Child protection notifications

Employees can make a notification to child protection for children under the age of 18 when there are concerns a child is in need of protection.

Child Protection may be notified, however this will be considered on a case-by-case basis. Professions who are mandated to report are only obligated to make a report if the belief is formed as a result of carrying out their professional duties. Monash Health will work with employees to empower them to take action. If you are concerned about the wellbeing of an employee's child/children, consult your manager or People and Culture Business Partner for further advice.

## Counselling and flexible work options

Monash Health will approve any reasonable temporary request from an employee experiencing family violence for:

- changes to their hours of work/pattern of work
- job redesign or change to duties
- relocation to suitable employment
- a change to their telephone number or email address
- family-friendly flexible working arrangements
- any other appropriate measures including those available under existing provisions for family friendly and flexible working arrangements.

Any changes to an employee's role should be reviewed at agreed periods. When an employee is no longer experiencing family violence, the terms and conditions of employment may revert back to the terms and conditions applicable to the employee's substantive position.

In addition to the above, all Monash Health employees and volunteers have access to trained counsellors at the Employee Assistance Program (EAP), a service available 24-hours-a-day, 7-days-a-week. The EAP offers ongoing support and counselling for people experiencing family violence.

## Workplace safety plan

When an employee discloses family violence, the manager/team leader should enquire about their safety at work. If there is an intervention order in place, or if the staff member believes they are unsafe during work time, a family violence workplace safety plan may be required. This plan will be developed according to the needs of the staff member and in consultation with any family violence specialist support services already involved.

- Where a workplace safety plan is developed in consultation with the individual's manager and People and Culture Business Partner, the plan should be documented and distributed to those on a strictly 'needs to know' basis and with the consent of the employee.
- Employees and managers need to consider that safety plans may remain in place for a number of months.
- Plans developed may need regular review to ensure they remain effective.
- A workplace safety plan is developed in collaboration with the employee, manager and People and Culture Business Partner.

Please see Appendix C for more details on developing the safety plan and Appendix D for a safety plan template.

## Family violence leave

Family violence leave is available to all Monash Health employees. An employee who supports a person experiencing family violence may utilise their personal/carer's leave entitlement for a range of reasons, for example, to accompany them to court, hospital or to care for children.

Family violence leave can be accessed for an employee to attend:

- a counselling/medical appointment
- any legal proceedings that need to be arranged with a legal practitioner
- other activities as a consequence of family violence (e.g. moving house).

Family violence leave is in addition to other leave entitlements. It may be taken in hours, single days or consecutive days. It does not accumulate, however if an individual is utilising their entitlement and more leave is required, consideration will be given on a case-by-case review. Casual employees will be supported with unpaid leave as appropriate.

People and Culture Business Partners, managers/team leaders and employees can enter the leave as personal leave in the employee's timecard. Payroll is to be notified, enabling the leave to be coded in the background of the employee's KRONOS record as family violence leave. Managers/team leaders and Business Partners are able to notify Payroll of the change.

*Note: This information does not show up on the employee's payslips/ESS etc.*

## Supporting documentation

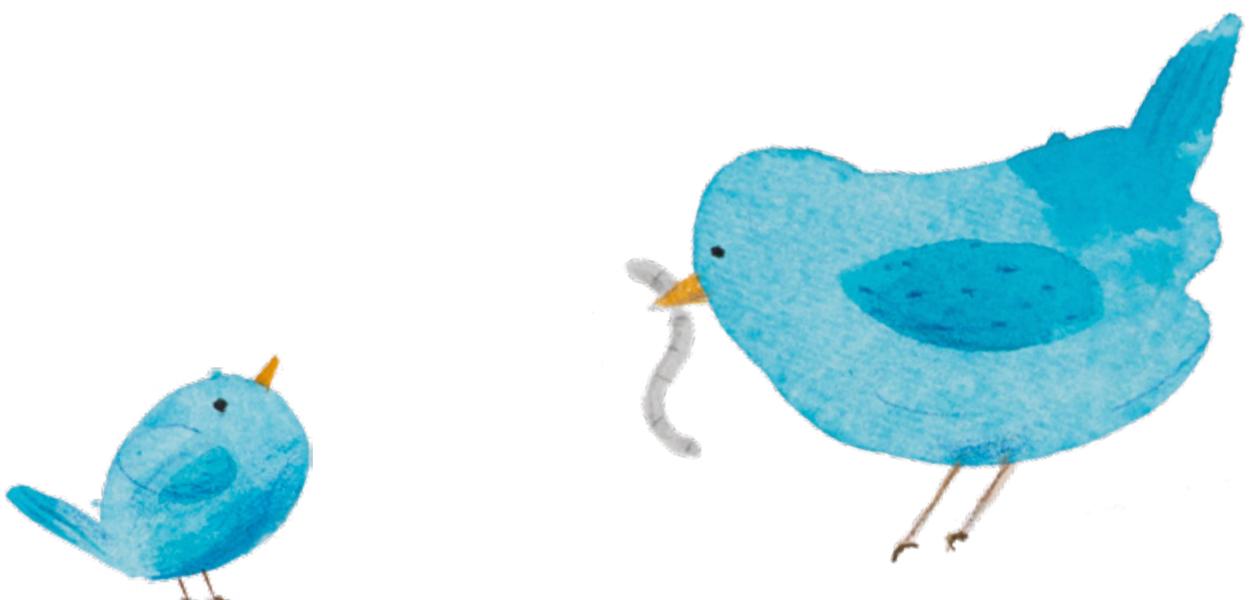
Evidence may be requested. This can be in the form of:

- documentation from Victoria Police
- documentation from a court or legal service
- documentation from a registered health practitioner/family support service/counsellor, or
- a signed statutory declaration.



## Returning to work

When returning to work after leave due to family violence related issues, employees are encouraged to talk to their manager/team leader regarding any ongoing safety concerns they may have. If a safety plan has been developed, employees are encouraged to review it, particularly if circumstances have changed.





## Committing family violence in the workplace

Monash Health does not tolerate family violence being carried out in or from the workplace. This behaviour is in direct violation of the *Monash Health Code of Conduct (People and Culture Code of Conduct staff Operational Policy)* and iCare Values. If an employee is observed or suspected of using family violence from the workplace, managers/team leaders have a responsibility to respond appropriately, which may result in disciplinary action. This includes employees and volunteers who use workplace resources including, but not limited to, online technologies, telephones (including smartphones), email, mail or other means, to threaten, harass or abuse a family member.



# Referrals and resources

Service	Description	Contact number
<b>Employee Assistance Program (EAP)</b>	Converge, Monash Health's EAP, will assist employees with any matters relating to family violence and can provide appropriate referrals.	1300 687 327
<b>1800RESPECT</b>	Qualified and experienced counsellors provide 24-hour phone and online counselling, information and assistance to access other services to all people in Australia affected by sexual assault and family violence.	1800 737 732
<b>The Orange Door</b>	Linking people experiencing or using family violence with the services appropriate to their needs. The service can be accessed in person or over the phone.	1800 319 353 (Frankston)
<b>Safe Steps</b>	24-hour state-wide crisis accommodation services for women and children.	1800 015 188
<b>South Eastern Centre Against Sexual Assault &amp; Family Violence (SECASA)</b>	SECASA provides services for sexual assault and counselling for family violence. SECASA can be contacted 24/7.	9594 2289
<b>MensLine Australia</b>	24-hour national phone and online support service for men who are victims of family violence.	1300 766 491
<b>No To Violence Men's Referral Service</b>	A confidential counselling, information and referral service to help men involved with family violence, including those using violent and controlling behaviour towards a partner or family member.	1300 766 491
<b>InTouch Multicultural Centre Against Family Violence</b>	A state-wide organisation specialising in services, programs and responses to family violence in migrant and refugee communities.	1800 755 988
<b>Victorian Aboriginal Child Care Agency (VACCA)</b>	Provides family violence services to women, young people and children, including outreach and case management.	03 9701 4200 (Dandenong) 03 8796 0700 (Frankston)
<b>Women's Legal Service Victoria</b>	Provides phone advice and appointments for women in Victoria who are in need of legal advice, information or referral.	1800 133 302

# Additional Resources

*Fair Work Act 2009*

Victorian Public Health Sector Enterprise Agreements

People and Culture Code of Conduct Operational Policy

Family Violence and Abuse Response Operational Policy

Family Violence Clinical Guideline

## References

Department of Justice and Community Service. (2019). *Failure to Disclose Offence*.

<https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence>

Domestic Violence Resource Centre (2017). Red Flags.

<https://www.thelookout.org.au/new-infographic-risk-factors>

*Family Violence Protection Act 2008*

McFerran, L. (2011). *Safe at home, safe at work?* National Domestic Violence and the Workplace Survey. University of New South Wales.

McLindon, E., Humphreys, C., Hegarty, K. (2018). "It happens to clinicians too": an Australian prevalence study of intimate partner and family violence against health professionals. *BMC Women's Health*, 18(1), 113. doi:10.1186/s12905-018-0588-y



# Appendices

## Appendix A - Sensitive enquiry

When managing family violence matters with employees and volunteers, it can be helpful to follow the six steps of sensitive inquiry:

### Step 1: Notice the signs

See 'Recognising the signs of family violence' on page 6 for indicators that an employee may be experiencing family violence

### Step 2: Ask sensitively

Start with a framing statement. The purpose of a framing statement is to position the inquiry about family violence as a routine inquiry – to normalise it. This will make the person feel less 'singled out', reducing the stigma associated with being identified as a person experiencing family violence. You need to frame a statement that works for you so that it is authentic.

Examples are:

- "You're such a great member of our team but I've noticed lately that you're not yourself – is there anything that is causing you stress?"
- "I noticed that you seem to be quite withdrawn from the team and a bit distracted at work – is everything OK?"
- "Do you feel safe at work/at home?"

### Step 3: Respond supportively

Listen attentively, be empathic and non-judgmental; validate what has been disclosed.

Acknowledge the complexity of the issue and the person's individual concerns and rights. This is the opportunity to share details of the support available. Make a plan; short term and realistic.

Avoid:

- interrupting
- being critical and blaming the person for the abuse
- trying to figure out the reasons for the abuse
- giving advice, or
- being judgmental of the employee.

For more information, see Appendix B

### Step 4: Clarify risk factors

There are a number of things that increase the risk of significant harm or death for those experiencing family violence. Please see Appendix E for more information.

### Step 5: Action plan and refer

See 'Support in the workplace' on page 7 for support options and 'Referrals and resources' on page 8 for referral pathways.

For further information go to Appendix C and Appendix D.

### Step 6: Document

Documentation is to be kept factual and confidential. This information is shared strictly on a need-to-know-basis. Safety plans are to be stored in a secure folder only accessible by People and Culture Business Partners.

# Appendix B - Having conversations about family violence

Discussing family violence is not easy. However, it is important for managers/team leaders and other leaders to have discussions with employees and volunteers in a sensitive and understanding manner. Here are some tips on having conversations with employees who disclose that they are experiencing family violence:

- Hold the discussion in a private and safe environment — i.e. in your office or a private space where you can close the door and won't be interrupted.
- Listen — it is not easy for an employee to discuss family violence issues. Try not to interrupt with advice.
- Ensure safety — use questions to elicit the physical and psychological safety of the employee e.g. “do you feel safe at work?”
- Be sensitive and non-judgmental — your response will be important in making the employee feel safe. Think before you ask a question, as some questions can make a person feel like you don't believe them or you are blaming them:
  - do not pass judgment or comment on the person using violence
  - often a person experiencing family violence will not, in the first instance, leave a person who is being violent toward them
  - if you comment on the person using violence, it may make the employee reluctant to come and talk to you in the future if they continue in the relationship.
- Acknowledge and validate — acknowledge the employee's courage to talk about the family violence. Tell them what they are experiencing is not ok.
- Inform the employee of their entitlements — if appropriate during the discussion you should inform the employee of their entitlement to family violence leave and support.
- Safety – discuss any safety concerns the employee may have in the workplace and examine alternatives (e.g. resources, coping mechanisms, etc.).
- Make plans – short-term and realistic plans need to be considered for the workplace. Who will do what, when, where and with whom?
- Referral services — give the employee information on relevant support services, which they can take away and refer to in their own time — see the Referrals and resources section of this guideline.
- Seek assistance — you do not need to be an expert on family violence. If you are uncertain of what you can or can't do, consult your People and Culture Business Partner, your manager/team leader or a specialist family violence service for guidance.
- Keep it confidential — beyond your legal obligations, remember to be mindful of the confidential nature of the information you have been given.

Below are some tips of things you should avoid when talking to someone experiencing family violence:

- interrupting
- being critical and blaming the person for the abuse
- trying to figure out the reasons for the abuse
- giving advice; don't tell them they should leave
- being judgmental of the person experiencing violence.



# Appendix C - Creating a workplace safety plan

If the employee or volunteer is linked with a family violence service, the workplace safety plan will be aligned with the plan developed with this service.

The safety plan is developed in collaboration with the employee, their manager/team leader or People and Culture Business Partner and if the employee desires, a family violence specialist (if the employee is already connected with a family violence service). The employee's wishes are central to the development of their safety plan.

## Considerations

### **Employee safety to and from workplace and office:**

- where is the employee parking their car, does this need to be changed?
- does the employee require a security escort from their car?

### **Physical location/office space and safety:**

- is the employee's office in a secured area or do they need to work from a more secure area?
- does the employee need to have their contact number and email address changed?

### **Change of work hours:**

- do the working hours of the employee need to be adjusted?
- can there be some work done at home or from another secure environment?

### **Changes to electronic Payroll or benefits and employee documentation:**

- does the employee need to adjust or amend their pay arrangements and bank details?
- does Monash Health need to ensure employment-related documents are sent to another address?

### **Personal alarm or desk alarm:**

- does the employee have ready access to a duress alarm, do they require a personal alarm?

### **Intervention orders/security:**

- are there any relevant intervention orders or family law orders in place?
- do these have implications for the workplace?

### **Child safety:**

- does the employee need support in relation to their children's safety, perhaps in regards to picking up children from school or child care?

*Please note: Professions who are mandated to report child abuse are only obligated to make a mandatory report if the belief is formed as a result of carrying out their professional duties. If you are very concerned, child protection may be notified, however this will only be considered on a case-by-case basis. We will work with employees to empower them to take action to keep their children safe. If you are concerned about the wellbeing of an employee's child/children, consult your manager or People and Culture Business Partner for guidance.*

# Appendix D – Workplace safety plan template

This plan is to be reviewed and is developed in relation to real-time risks and concerns.

Name of employee: \_\_\_\_\_ Contact No: \_\_\_\_\_

Department/Unit of employee: \_\_\_\_\_ Contact No: \_\_\_\_\_

Supporting employee: \_\_\_\_\_ Contact No: \_\_\_\_\_

Is there a current intervention order? Yes  No

Does the health service have a copy of the order? Yes  No

Has the employee provided consent to share this information? Yes  No

Who has the employee authorised to have access to this information?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Security issues

Name of person using violence: \_\_\_\_\_

Image/identification of the person using violence – please attach.

Description of concerns:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Summary of events/rationale for plan:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Plan and actions to be taken by whom and when:

Plan	Action	Who	When

Supports involved:

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This plan is to be internally distributed to:

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External services:

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## Appendix E – Family violence risk factors

Please note that the following evidence-based risk behaviours increase the risk of significant harm or death for those experiencing family violence:

- controlling behaviours
- escalation of violence
- recent separation or plans to separate
- stalking
- pregnancy or new birth
- jealous, obsessive behaviour
- threats to kill
- threats to kill or harm children, pets or self
- strangulation or attempts to strangle
- access to or use of weapons
- person using violence is also misusing drugs or alcohol
- sexual assault
- financial abuse
- previous or current breaches to intervention orders
- history of violence, and/or
- unemployment.

It is important to assess the level of risk with the employee as they are assumed to be the expert in their own safety.

If any of these risk factors are present, please consider contacting a family violence specialist service for a comprehensive risk assessment.



# Appendix F – Employee family violence flowchart

