



<b>Responsible Officer</b>		Vice-President, University Services	
<b>Contact Officer</b>		Human Resources Manager	
<b>Superseded Documents</b>		Nil	
<b>Review</b>		17 December 2013	
<b>File Number</b>		2013/07691	
<b>Associated Documents</b>		UNSW (Professional Staff) Enterprise Agreement 2010. UNSW (Academic Staff) Enterprise Agreement, 2011. <a href="#">Domestic Violence Support Procedure.</a>	
<b>Version</b>	<b>Authorised by</b>	<b>Approval Date</b>	<b>Effective Date</b>
1.0	Authorised by the President and Vice-Chancellor	3 April 2013	1 January 2013

## 1. Preamble

### 1.1. Purpose

The University is committed to supporting victims of domestic violence to continue to participate in the workplace and maintain their employment by providing a broad range of support.

The purpose of this policy is to provide a framework to support staff that experience domestic violence.

### 1.2. Background

The University recognises that both female and male staff members may sometimes experience situations of violence or abuse in their personal life that may have a significant impact on their lives and may affect their attendance or performance at work. The findings of the *2011 UNSW National Domestic Violence and the Workplace Survey* - the first Australian survey into domestic violence and its impact on the workplace - confirm international evidence that domestic violence affects a significant numbers of workers: undermining their capacity to get to work and their performance, safety and productivity at work. Most domestic violence harassment at work takes the form of abusive phone calls, text and email messages, and/or the abusive person physically presenting at the workplace.

To demonstrate the University's commitment to supporting staff experiencing domestic violence, the University has included Domestic Violence Leave clauses in both the *UNSW (Professional Staff) Enterprise Agreement 2010* and *UNSW (Academic Staff) Enterprise Agreement 2011*. The support offered by the University includes, where appropriate, access to paid leave provisions, flexible work arrangements and access to special workplace changes to minimise any identified risks to the staff member. The University has also committed to developing further policy in this area.

## 2. Scope

The policy applies to staff experiencing domestic violence who wish to access the provisions of this policy and/or *Domestic Violence Leave* clause/s of the relevant enterprise agreement.

## 3. Definitions

**Domestic violence:** A working definition of domestic violence is contained in the NSW Police Force *Domestic and Family Violence Policy* as an abuse of power, mainly perpetrated by men in an intimate partner relationship or after separating from the relationship. It amounts to a pattern of behaviour that can include:

- escalating levels of abuse and violence
- intimidation
- physical abuse
- verbal abuse and/or threats
- psychological abuse
- threats to harm others, and/or causing harm to pets
- threats to damage property or actually damaging property
- financial deprivation and social isolation
- coercive control in order to maintain control over the victim's behavior

The Australian Law Reform Commission's definition recognises that family violence is violent or threatening behaviour, or any other form of behaviour, that coerces or controls a family member or causes that family member to be fearful. This definition would include the adolescent or adult children.

**Enterprise Agreement:** *UNSW (Professional Staff) Enterprise Agreement 2010* and *UNSW (Academic Staff) Enterprise Agreement 2011*, or any successor or other applicable agreement.

**Staff:** All continuing, fixed term and casual staff (paid leave related provisions of the policy will not apply to casual staff).

**Supervisor:** The staff member's immediate work unit supervisor.

**Senior Manager:** The manager of the staff member's supervisor.

## 4. Policy Statement

The University is committed to supporting staff experiencing domestic violence to continue to participate in the workplace and maintain their employment through a broad range of support.

Specifically this support could include;

- Approval for sick leave, carer's leave, and compassionate leave
- Approval for other forms of leave such as leave without pay, annual leave and long service leave
- Flexible work arrangements including variations to start and finish times; changing work location and contact details
- Safety plans or contingencies

In providing this range of support it is recognised that;

- Domestic violence may impact on a staff member's work attendance and work performance
- Supervisors should work positively with staff members experiencing domestic violence, providing them with appropriate support as outlined in this policy and related procedure as well as any affected colleagues and co-workers
- Staff members will have different requirements - leave requests, flexible work arrangements, safety plans and contingencies should be tailored to the individual needs of the staff member and immediate work unit, where required
- UNSW will co-operate with all legal orders (e.g. Apprehended Violence Orders) protecting staff experiencing domestic violence
- All personal information concerning domestic violence will be kept confidential in line with University policy and relevant legislation. No information will be kept on a staff member's personnel file without their permission.

## 5. Legal and Policy Framework

This policy operates within the context of the *UNSW (Professional Staff) Enterprise Agreement 2010* and *UNSW (Academic Staff) Enterprise Agreement 2011*, any successor or other applicable agreement, university policies, relevant state and federal legislation regarding domestic violence as well as any other relevant legislation and policies.

## 6. Implementation

Procedures for implementation of the *Domestic Violence Support Policy* are detailed in the *Domestic Violence Support Procedure*.

## 7. Roles and responsibilities

**Staff members:** Staff members are responsible for contacting their supervisor or Human Resources Manager if they wish to access the support outlined in this policy, related procedures and enterprise agreements.

**Human Resources:** Human Resources staff are responsible for providing advice to staff and supervisors about this policy, related procedures and enterprise agreements and may coordinate support for a staff member. The Director, Human Resources is responsible for reviewing this policy and related procedures. While Human Resources staff are able to advise and assist staff they are not able to act on behalf of or as an advocate for a staff member.

**Supervisors:** Supervisors are responsible for providing advice to staff about this policy, related procedures and enterprise agreements, as requested by staff, and may coordinate support for a staff member in conjunction with the relevant Human Resources Manager. Supervisors may approve leave applications and/or requests for flexible working arrangements for their staff, safety plans and other contingencies in accordance with the procedure. While Supervisors are able to advise and assist staff it should be noted that they are not able to act on behalf of, or as an advocate for staff.

## 8. Support and advice

Advice in relation to the application of this policy is available from Human Resources. The University offers confidential counselling for all staff of the University and their families, through the UNSW Employee Assistance Provider, Davidson-Trahaire Corpsych. Staff can access the program by contacting 1300 360 364 or by email [www.davcorp.com.au](http://www.davcorp.com.au).

Staff may also obtain advice and support from a representative such as a union or legal advisor.

## 9. Communication

The policy will be communicated to staff via News@UNSW, notices on myUNSW, and through communications to Faculties and Divisions. The policy will also be accessible on the HR website and the Governance Support website.

New staff will be advised of this policy at their Human Resources induction or onboarding.

## 10. Training Plan

Training will be provided to all Human Resource Managers in regards to the implementation of this policy and related procedure.

## 11. Procedures

For detailed procedures refer to the *Domestic Violence Support Procedure*.

## 12. Review

This policy will be reviewed by the Director, Human Resources in consultation with relevant stakeholders by December 2013.

## 13. Acknowledgements

*Domestic Violence Workplace Rights and Entitlements Project – Workplace Bulletin, winter 2011* - published by the Australian Domestic & Family Violence Clearing House, The University of New South Wales.

*Safe at Home Safe at Work - Australian Domestic & Family Violence Clearing House. Website and resource materials 2011-2012.* The University of New South Wales.

*New South Wales Department of Premier and Cabinet – circular C2011-08 Support for Employees Experiencing Domestic Violence* - published by the Department of Premier and Cabinet, February 2011.

*Domestic & Family Violence* - Information pamphlet published by the NSW Police Force, 2011.

*Surf Coast Shire Council Enterprise Agreement (No 7) 2010* - Clause 4.3. Published, December 2010

*City of Greater Geelong Enterprise Agreement (No.7) 2011* - Clause 6.12 Published, September 2011

The research and resources published by the *Australian Domestic & Family Violence Clearing House Project database 2011- 2012* in The Centre for Gender-Related Violence Studies, University of New South Wales, is gratefully acknowledged.

## Appendix A: History

Version	Authorised by	Approval Date	Effective Date	Sections modified
1.0	President and Vice-Chancellor	3 April 2013	1 January 2013 to 3 November 2016	This is a new Policy