



DOMESTIC VIOLENCE SUPPORT PROCEDURE

Policy Hierarchy link		This procedure details actions and processes pursuant to the <i>Domestic Violence Support Policy</i>	
Responsible Officer		Vice-President, University Services	
Contact Officer		Human Resources Manager	
Superseded Documents		Nil	
File Number		2013/07692	
Associated Documents		Domestic Violence Support Policy UNSW (Professional Staff) Enterprise Agreement 2010 UNSW (Academic Staff) Enterprise Agreement 2011	
Version	Authorised by	Approval Date	Effective Date
1.0	Vice-President, University Services	16 April 2013	1 January 2013

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1. PURPOSE AND SCOPE

The University recognises that both female and male staff may sometimes experience situations of violence or abuse in their personal life that may affect their attendance or performance at work. The University is committed to providing a broad range of support to staff that experience domestic violence and has included Domestic Violence Leave clauses in both the *UNSW (Professional Staff) Enterprise Agreement 2010* and the *UNSW (Academic Staff) Enterprise Agreement 2011* (the Enterprise Agreements).

The purpose of this procedure is to outline the steps staff experiencing domestic violence can take to access a range of support and to outline how supervisors and Human Resources staff can implement support as requested.

Specifically it outlines:

- How to request support and key contacts
- How to access the different types of support
- Implementing safety plans
- Documentation required
- Confidentiality
- Record keeping

- Appealing a decision
- Resources and additional information

This procedure should be read in conjunction with the *Staff Domestic Violence Support Policy* and the Domestic Violence Leave clauses in the Enterprise Agreements. The procedure refers to a number of other existing policies, procedures and guidelines which may be read individually or conjunction with this procedure.

For definitions relating to Domestic Violence, refer to the *Domestic Violence Support Policy*.

2. DOMESTIC VIOLENCE SUPPORT PROCEDURE

2.1 Requesting support

A staff member may contact their immediate supervisor, senior manager, the Workplace Diversity Manager or Human Resources Manager to request specific support as outlined below. If a request is made to a supervisor, the supervisor should confidentially contact their Human Resources Manager for advice on coordinating support. In most circumstances where a Human Resources Manager is contacted they will be required to contact the supervisor to assist in the coordination of support.

It is recognised that staff experiencing domestic violence may disclose their experience in a discussion with their supervisor. They may also disclose to another trusted staff member either within or outside their immediate work unit. In these circumstances, staff should as much as possible refer their colleague to this procedure, related support materials and the Employee Assistance Program.

2.2 Types of support

It is recognised that staff experiencing domestic violence may require a range of support including flexible work arrangements, additional safety arrangements and time away from the work place to care for family members, attend doctor's appointments, attend court, make arrangements for children, seek alternative accommodation, counselling or other appointments. How to access this support is outlined below.

2.2.1 Leave

All staff have access to a range of leave as outlined in the Enterprise Agreements. In circumstances where a staff member is experiencing domestic violence, staff may access compassionate leave, carer's leave and sick leave for reasons of domestic violence.

A summary of leave entitlements, the process for applying for leave and record keeping requirements is contained in Attachment A.

2.2.2 Other types of leave

In addition to compassionate leave, carer's leave and sick leave, staff may also utilise annual leave and long service leave as appropriate. If all paid leave has been exhausted staff may also apply for leave without pay or where this is not possible apply to the Director Human Resources for additional leave.

2.2.3 Flexible working arrangements

Staff may request flexible work arrangements including part-time employment and flexible start/finish times. Professional Staff may also use flex-time in accordance with Clause 23.2 of the Professional Staff Enterprise Agreement and their work unit flexitime policy.

Flexible working arrangements will vary dependent on the circumstances of the staff member. Generally they will be for a defined period and regularly reviewed. The supervisor or Human Resources Manager should keep records of agreed flexible working arrangements (see Attachment A).

3.0 Implementing Safety plans and other contingencies

When a staff member requests support, the staff member's supervisor and Human Resources Manager should discuss with them whether a safety plan should be developed to assist the staff member to perform their duties safely and productively.

In developing a safety plan the following should be considered:

- the plan must have the staff member's agreement and consent
- it should be reviewed with the staff member on a regular basis.
- the staff member's emergency contact details must be kept up to date.
- all reasonable attempts should be made to ensure staff maintain their normal working hours and working conditions (including contacts) to minimise the impact on individuals.
- co-operation with legal orders (e.g. Apprehended Violence Orders) may be required
- the plan may require consultation with other areas within the University such as UNSW Security and IT - this will be coordinated by the HR Manager on confidential basis.
- Action to be taken if the staff member does not arrive at work

A template guide to developing safety plan can be found at Attachment B.

4.0 Confidentiality

All staff involved in supporting a staff member experiencing domestic violence situation will treat the matter as confidential and should not discuss the matter with other staff or people outside the University unless they have a legal obligation to do so, or as agreed with the staff member for the purposes of safety and security.

5.0 Recordkeeping

The supervisor or Human Resources Manager should keep notes of all meetings, discussions and actions proposed or taken. These must be stored on a confidential basis within the local area. Documentation will not be placed on the HR file unless requested by the staff member.

6.0 Appeal Process

If a staff member believes that they have reason to appeal a decision that has been taken under this policy or procedure they should raise these concerns by forwarding any concerns directly to the Director of Human Resources.

7.0 Related Resources and Information

External

NSW

1800 RESPECT (1800 737 732) The National Sexual Assault, Family & Domestic Violence Counselling Line. This is a free telephone and online confidential service for any Australian experiencing or who has experienced domestic or family violence and/or sexual assault. It is available 24 hours a day, 7 days a week.

Telephone support: Domestic Violence Line: 1800 656 463 (toll free) or TTY 1800 671 442 (24hr telephone support), Note: TTY is for callers with a hearing impairment.

Violence Against Women, Australian Says No: 1800 200 526 (Specialises in Domestic Violence and Sexual Assault counselling and referrals)

ACT

Domestic Violence Crisis Service (24hr telephone counselling, referral)
Ph: (02) 6280 0900 OR (02) 6228 1852 (TTY)

Australian Domestic & Family Violence Clearing House:

<http://www.austdvclearinghouse.unsw.edu.au>

Internal

EAP providing support for staff and families (fixed term and continuing):

Davidson Trahaire Corpsych: <http://www.hr.unsw.edu.au/employee/eap.html>

EAP Manager Assist

Davidson Trahaire Corpsych: <http://www.hr.unsw.edu.au/employee/eap.html>

UNSW Human Resources website: <http://www.hr.unsw.edu.au/>

UNSW Security Services: <http://www.facilities.unsw.edu.au/security-safety/about-unsw-security-services>

Map of help points:

http://www.facilities.unsw.edu.au/Maps/pdf/Kensington_Help_Points.pdf

UNSW Personal Safety handbook: <http://www.facilities.unsw.edu.au/forms/security-and-emergency-management#handbooks>

8.0 Review

This procedure should be reviewed in December 2013.

9.0 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.

Research and support materials from a range of organisations were reviewed as part of the development of this clause. 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	Vice-President, University Services	16 April 2013	1 January 2013 to 3 November 2016	These are new procedures.

Associated Documents

Internal Documents/Resources

UNSW Professional Staff Enterprise Agreement, 2010

http://www.hr.unsw.edu.au/services/indrel/UNSW_Academic_Staff_Enterprise_Agreement_2011.pdf

UNSW Academic staff Enterprise Agreement, 2011

http://www.hr.unsw.edu.au/services/indrel/UNSW_Professional_Staff_Enterprise_Agreement_2010.pdf

Code of Conduct

<http://www.gs.unsw.edu.au/policy/documents/codeofconduct.pdf>

Emergency Procedures

<http://www.facilities.unsw.edu.au/forms/security-and-emergency-management#guidelines>

Privacy

<http://www.hr.unsw.edu.au/employee/privacy.html>

Recordkeeping

<http://www.gs.unsw.edu.au/policy/documents/recordkeeping.pdf>

Security

<http://www.facilities.unsw.edu.au/safety-security/security-services/unibeat-escort-services/>

External Documents/Resources

Employee Assistance Program

<http://www.hr.unsw.edu.au/employee/eap.html>

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ATTACHMENT A – LEAVE & FLEXIBLE WORKING ARRANGEMENTS

The requirement for documentation for the leave will be discussed with the staff member at the time of approval. This may be in the form of an agreed document provided by a police officer, court, doctor, domestic violence support service or lawyer or a counselling professional.

Leave type	Entitlement	Process	Record keeping	Link to policies/EA Clause
Compassionate Leave	Professional and Technical staff: 3 days per occasion. Academic staff: 3 days per occasion.	Leave application via myUNSW For the purposes of myUNSW, on the apply for leave screen, the relationship should be indicated as immediate family.	Leave approver to maintain records of documentation and discussions held within local unit.	Professional and Technical staff: Clause 39.3 Academic staff: Clause 33.3
Sick leave	Professional and Technical staff: 10 days: year 1 15 days: year 2 30 days: year >2 <u>Alternatively</u> 10 days per year less any sick leave taken UNSW Canberra 15 working days per accrual year. Academic staff 22 days on full pay & 22 days on half pay. <u>Alternatively</u> 5 days per year less any sick leave taken	Leave application via myUNSW	Leave approver to maintain records of discussions held and any documentation within the local unit.	Professional and Technical staff: Clause 39.1 UNSW Canberra Clause 39.1 Academic staff: Clause 33.1

Carer's leave	No medical certificate: 3 days per year With a medical certificate: 10 days - year 1 12 days – year >1	Leave application via myUNSW On the “apply for” leave screen, the relationship should be indicated as child or cohabiting relative.	Leave approver to maintain records of discussions held and any documentation within the local unit.	Professional and Technical staff: Clause 39.2 Academic staff: Clause 33.2
Special leave	Professional and Technical staff and Academic staff: up to three (3) days per year for special circumstances or emergencies (refer to EA for details)	Leave application for special leave via myUNSW	Leave approver to maintain records of discussions held and any documentation within the local unit..	Professional and Technical staff: Clause 40 Professional and Technical staff: Clause 34
Annual leave	Professional and Technical staff: 20 days per leave accrual year Academic staff: 20 days per year between 16 February and 15 Feb the following year	Leave application for annual leave via myUNSW	Leave approver to maintain records of discussions held and any documentation within the local unit if annual leave is taken as other leave has been exhausted.	Professional and Technical staff: Clause 37 Academic staff: Clause 31
Long service leave	Professional and Technical staff: See entitlement Clause 38.1 Academic staff: See entitlement Clause 32.1	Long service leave application for Long service leave on full pay or half pay via myUNSW	Leave approver to maintain records of discussions held/documentation if long service leave is taken as other leave has been exhausted.	Professional and Technical staff: Clause 38 Academic staff: Clause 32

Leave without pay	Professional and Technical and Academic staff: Staff can apply for a period of up to 4 weeks unpaid leave if all other leave has been exhausted and there is a need for the staff member to be away from the workplace. Staff requiring unpaid leave beyond 4 weeks may require Dean/Faculty General Manager approval.	Leave application via myUNSW Unpaid leave beyond 4 weeks will be managed by the Human Resources Manager.	Leave approver to maintain records of discussions held/documentation if leave without pay is taken as other leave has been exhausted.	Professional and Technical staff: Clause 38.6 Academic staff: Clause 32.6
Flexible Working Arrangements	Entitlement	Process	Record keeping	Link to policies/EA Clause
	Professional and Technical staff: (a) flexible work arrangements, e.g. part-time employment, subject to the requirements of the work unit. (b) flexible start and finish times and/or work more than the number of ordinary hours of work to accumulate flex-time hours which may then be taken as time off work at a later time mutually agreed between the employee and the	As agreed with Supervisor As agreed with Supervisor	Recorded as per usual process Recorded as per usual process	Professional and Technical staff: Clause 23.2(a) Professional and Technical staff: Clause 23.2 (b) and local work unit policy.

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ATTACHMENT B – SAFETY PLAN CHECKLIST

Below is a table of possible actions that may be taken to assist staff to continue to perform their duties safely and productively. This is not exhaustive list and plans will vary. Any safety plan should be agreed and reviewed with the staff member on a regular basis.

All reasonable attempts should be made to ensure that staff maintain their normal working hours and working conditions (including contacts) to minimise the impact on individuals.

Review of work environment Consider if any of the following are required	Action	Coordination & Contact details
➤ Change to workspace location and access		
➤ Change to start and finish times		
Discussion with IT in regards to ➤ telephony and email security, ➤ additional equipment, ➤ changes to contact details, ➤ reporting unwelcome phone calls & emails		
➤ Discussion with UNSW Security in regards to personal safety on campus, travel to and from car parks or public transport.		
➤ Advise UNSW Security of Apprehended Violence Orders (if the workplace is included in an order)		
➤ Update of emergency contacts at the work unit and in HR system and personnel file		
Other contingencies		
Discuss the following resources		
Map of help points		
UNSW Personal Safety Handbook		
Resources and information page of this procedure		
Safety Plan review date		