

# Family and Domestic Violence Procedure

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## Purpose

The purpose of this procedure is to provide guidance to University staff and students on the support mechanisms available at Federation University Australia for those impacted by family or domestic violence.

The procedure supports the associated policy which outlines the University's commitment to supporting staff and students who are targets of family or domestic violence. The procedure aims to provide processes, support structures and guidance to ensure a safe and supportive work and learning environment with zero tolerance of violence in any form and where:

- staff and students experiencing family or domestic violence are not disadvantaged or discriminated against for disclosing their situation;
- necessary reasonable adjustments are made to provide support in work and/or study for staff and students to feel safe and to remain employed or enrolled in study; and
- guidance and assistance is provided to all levels of management and employees on how to identify, respond and refer staff members or students experiencing family or domestic violence to the appropriate support networks either within or outside the University.

The policy also aims to provide guidance and support to transgressors of family or domestic violence.

## Scope

This procedure applies to all staff, students and other members of the University. Students of partner providers are encouraged to contact their institution about accessing support services.

## Legislative Context

- Family Violence Protection Act 2008 (Victoria)
- Fair Work Act 2009
- Prevention of Family Violence Act 2018 (Cth)
- Crimes (Domestic and Personal Violence) Act 2007 (NSW)
- Domestic and Family Violence Protection Act 2012 (QLD)
- Family Violence Protection Act 2008 (Vic)
- Domestic Violence Act 1994 (SA)

## Definitions

Term	Definition
<b>Casual/sessional staff</b>	A staff member who is engaged by the hour and paid on an hourly basis. Payment will include a loading related to specific benefits to which the staff member has no entitlements i.e. sick leave, annual leave etc.
<b>Domestic violence</b>	Refers to acts of violence that occur between people who have, or have had, an intimate relationship in domestic settings. These acts include physical, sexual, emotional and psychological abuse. A central element of domestic violence is that of an ongoing pattern of behaviour aimed at exercising power and control over one's partner/former partner through fear (for example, by using violent or threatening behaviour) and can be both criminal and non-criminal in nature.
<b>Family violence</b>	Refers to violence between family members, which can include violence between current or former intimate partners, as well as acts of violence between a parent and a child, between siblings, and more. Family violence encompasses extended family and kinship relationships in which violence may occur.
<b>Staff member</b>	A person who holds a contract of employment with the University.
<b>Student</b>	A person who is enrolled to study or research at the University
<b>Supervisor</b>	A staff member of the University who is responsible for the supervision of staff.
<b>Target</b>	The person or persons who is/are experiencing family violence towards them.
<b>Transgressor</b>	A person who exhibits behaviours of concern towards a target or targets that meet the definitions of family or domestic violence.
<b>Subject</b>	A person who exhibits behaviours of concern, For the purpose of this policy, the behaviours of concern include all types of family or domestic violence towards a target(s).

<b>Family and Domestic Violence Support Services:</b>	An agency or staff member of an agency that assists targets or subjects of family violence. Services may be provided by agencies external to the University.
<b>Program or Course Coordinator</b>	A staff member of the University who is responsible for the coordination of the preparation, delivery and assessment in a course.
<b>Violence Protection Plan</b>	A plan to identify personal safety strategies while working or studying.
<b>Treating health practitioner</b>	A person registered to practice in the medical profession in accordance with Australian laws and regulations.
<b>University support services</b>	Services offered to either staff members or students aimed at supporting their wellbeing and welfare while they are a member of the University community.

## Actions

Staff members and students experiencing family or domestic violence are encouraged to seek support from the University. Subjects of family or domestic violence are encouraged to seek advice and support.

The Federation University Australia is committed to promoting and supporting the health and safety of staff and students. The University recognises that staff and students will be among those affected by family and domestic violence and that the impact of such violence is not restricted to private life but can extend to the work or study environment.

The Family and Domestic Violence Policy and its associated procedure outlines the University's commitment to supporting staff and students who are affected by family or domestic violence.

The University commits to:

- Creating a safe and supportive work and study environment that has zero tolerance of violence in any form;
- Creating a work and study environment where staff and students experiencing family or domestic violence feel safe and supported and not disadvantaged or discriminated against for disclosing family and domestic violence;
- Providing the necessary reasonable adjustments to staff members and students who are experiencing family or domestic violence to support them in work and/or study to feel safe and to remain employed or enrolled in study;
- Educating all levels of management and employees on how to identify, respond and refer staff members or students who are experiencing family and violence to the appropriate support either within or outside the University; and
- Ensuring that a consistent approach, and levels of protection are made available to members of the University community who are affected by family or domestic violence.

The University also commits to provide guidance and support to subjects of family or domestic violence.

The Federation University Security Policy and [Security Procedure](#) place responsibility on the University Manager, Health, Safety and Wellbeing to provide advice regarding personal safety and security, the assessment of security risks, to implement and ensure that appropriate security management processes are put in place and regularly reviewed. Staff members or students who become aware that a member of the University community is at risk of violence whilst working, studying or residing at the University should contact the Manager, Health, Safety and Wellbeing for further advice regarding measures that can be considered to ensure personal safety.

## Requesting Support

## 1. Requesting Support - Staff Members (including targets and perpetrators)

	ACTIVITY	RESPONSIBILITY	ACTIONS
A.	Disclosing family and domestic violence situations and requesting support.	Staff member	<p>Staff members may choose to disclose the details of their situation and request support and guidance from:</p> <ul style="list-style-type: none"> <li>• a family violence support service;</li> <li>• their supervisor;</li> <li>• People and Culture;</li> <li>• Federation University Head, Health, Safety and Wellbeing;</li> <li>• Senior Consultant Diversity and Inclusion;</li> <li>• A treating health practitioner;</li> <li>• the Diversity and Inclusion Partner;</li> <li>• a health and safety representative;</li> <li>• the University's Employee Assistance Program; or</li> <li>• a colleague.</li> </ul> <p>If a staff member chooses to disclose their family or domestic violence situation to a colleague, the colleague can accompany and assist the staff member to report or notify a more appropriate source but must not attempt to resolve the matter.</p> <p>Staff members experiencing family or domestic violence should also be made aware of the supports available from the University's Head, Health, Safety and Wellbeing. A Violence Protection Plan may be developed in consultation with the Head, Health, Safety and Wellbeing to eliminate or minimise risks.</p> <p>Staff members who disclose they are subjects in their family or domestic violence situation should be made aware of</p>

			available external support agencies and programs.
	Confidentiality and Privacy	Staff member and Supervisor	All Information disclosed by a staff member must be kept 'strictly confidential' with the staff member's privacy respected except to the extent that disclosure is required or permitted by law pursuant to the University's Information Privacy Policy.
B.	Accessing Domestic Violence Leave	Staff member and supervisor	<p>Staff members experiencing family or domestic violence should be made aware of the specific domestic violence leave provisions in the Federation University Union Collective Agreement including flexible work arrangement options and other relevant leave entitlements available to them in order to address and manage their situation.</p> <p>Staff members covered by the Victorian TAFE Teaching Staff Multi-Business Agreement 2009 may access the Special Leave provisions subject to the provision of appropriate documentation.</p> <p>Casual staff who are experiencing family or domestic violence may be entitled to paid leave to attend to medical appointments, legal proceedings, to seek safe housing and other activities linked to dealing with family or domestic violence. Paid leave for casual staff would be up to the equivalent paid leave that provided to continuing and fixed-term staff.</p> <p>Casual staff may request to be paid for time they have been unable to attend a rostered day of work because of the requirement to attend to family or domestic violence matters. Supervisors should discuss</p>

			<p>requests for paid leave from casual staff with the Director, People and Culture. Approval for the payment of family and domestic violence leave to a casual staff member will be at the discretion of the Director, People and Culture.</p> <p>Some of the leave options chosen may require the staff member to provide relevant documentary evidence which may include but are not limited to a document issued by the police or a court, a medical practitioner, a district or maternal and child health care nurse, a family violence support service, a lawyer or be required to provide a statutory declaration.</p>
C.	Restraint orders and Convictions for Family Violence offences	Staff member and Supervisor	Should a staff member be convicted of a family or domestic violence matter, or be the subject of a restraining order and where this may have an impact on their employment they are required to notify People and Culture within five days of the conviction occurring.

## 2. Requesting Support - Students (including targets and transgressors)

	ACTIVITY	RESPONSIBILITY	ACTIONS
A.	Disclosing family and domestic violence situations and requesting support.	Students	<p>Students may choose to disclose the details of their situation and request support, guidance and assistance from</p> <ul style="list-style-type: none"> <li>• a family violence support service;</li> <li>• their course coordinator/ program coordinator/research supervisor;</li> <li>• University student counsellor or Student Advocacy Service;</li> <li>• a fellow student;</li> <li>• a treating medical practitioner;</li> </ul>

			<ul style="list-style-type: none"> <li>the Federation University Head, Health, Safety and Wellbeing;</li> <li>the Student Equity and Inclusion Office; or</li> <li>a health and safety representative.</li> </ul> <p>If a student chooses to disclose their family or domestic violence situation to a fellow student, the fellow student can accompany and assist the student to report or notify a more appropriate source but must not attempt to resolve the matter.</p>
B.	Confidentiality and Privacy	Staff who interface with Students	<p>All Information disclosed by a student must be kept 'strictly confidential' with the student's privacy respected except to the extent that disclosure is required or permitted by law pursuant to the University's Information Privacy Policy.</p>
C.	Accessing study and other supports	Students and Course or Program coordinators/Research Supervisors/Student Counsellors/ Student Advocacy Service/ Head, Health, Safety and Wellbeing/ Student Equity and Inclusion/a Health and safety representative.	<p>Students experiencing family violence should be made aware of available study support and flexibility options provided by the University to assist them to continue with their studies.</p> <p>To access the study support and/or other flexible options, students may be required to provide relevant documentary evidence which may include but are not limited to document/s issued by police, a court, a medical practitioner, a district or maternal and child health care nurse, a family violence support service, a lawyer or be required to provide a statutory declaration.</p> <p>Students should also be made aware of the supports available from the University's Head, Health, Safety and Wellbeing. A Violence Protection Plan may be developed in consultation with the Head, Health, Safety and Wellbeing to eliminate or minimise risks. Subjects who disclose their</p>

			family or domestic violence situation should be made aware of available external support agencies and programs.
D.	Convictions for Family Violence offences	Students, Head, Health Safety and Wellbeing, and Course/ Program Coordinators/  Research Supervisors	<p>Should a student be convicted of a family or domestic violence matter, or be the subject of any type of restraining order and where this may have an impact on their studies they are required to notify their Course or Program Coordinator/Research Supervisor within five days of the conviction occurring.</p> <p>Course or Program Coordinator/ Research Supervisors are required to take appropriate steps, in accordance with relevant University regulations, policies and procedures.</p>

## Providing Support

### 1. Providing Support - Staff Members (including targets and perpetrators)

	ACTIVITY	RESPONSIBILITY	ACTIONS
A.	Requests for support	Schools/Directorates and Supervisors	<p><b>Schools/Directorates</b></p> <p>Schools and Directorate staff who have received a report or a request for assistance in a family or domestic violence matter must ensure they act promptly, with sensitivity and respect for the privacy of the affected staff member or student and refer the matter to the most appropriate person with the agreement of the affected staff member or student.</p> <p><b>Supervisors</b></p> <p>If a supervisor has been made aware of a family or domestic violence matter they must act promptly with sensitivity and respect for the privacy of the</p>



			<p>affected staff member (either target or perpetrator).</p> <p>The supervisor is to first seek advice from People and Culture on how to best support the staff member when an issue of family violence has been raised. Once advice has been provided, the supervisor can action the advice and implement internal or external support in consultation with the staff member.</p> <p>The supervisor is expected to:</p> <ul style="list-style-type: none"> <li>• follow the advice and recommendations provided by People and Culture and/or the University Head, Health, Safety and Wellbeing;</li> <li>• provide information and recommend the affected staff member to the University's Employee Assistance Program EAP;</li> <li>• offer a referral to the Head, Health, Safety and Wellbeing to develop a Violence Protection Plan (for targets);</li> <li>• outline the specific domestic violence leave provisions in the Union Collective Agreement (in the case of Academic and General staff) and relevant flexible workarrangement options and leave entitlements available to the affected staff member (for targets) or other leave provisions if the staff member is a TAFE Teacher; and</li> <li>• approve or seek further approvals for relevant leave applications;</li> <li>• maintain confidentiality as much as practicable so that it is limited only to persons and agencies directly involved in assisting or supporting the affected staff member.</li> </ul> <p>With the staff member's permission, a supervisor can</p>
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			<p>offer to make contact with the EAP on behalf of the affected staff member to arrange an initial appointment.</p> <p>All Information disclosed by an affected staff member must be kept 'strictly confidential' with the staff member's privacy respected except to the extent that disclosure is required or permitted by law pursuant to the University's Information Privacy Policy.</p> <p>All supervisors will be expected to participate in information or training sessions conducted by the University on dealing with family or domestic violence.</p>
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## 2. Providing Support - Students (including targets and Perpetrators)

	ACTIVITY	RESPONSIBILITY	ACTIONS
A.	Requests for support	Staff who interface with Students	<p>University staff who interface with students and have been made aware of a family or domestic violence matter (either target or subject) affecting a student must ensure they act promptly with sensitivity and respect for the privacy of the affected student.</p> <p>The staff member is to first seek advice from the Student Health and Wellbeing Service on how to best support the affected student. Once advice has been provided, the staff member can action the advice implementing internal or external support in consultation with the student.</p> <p>The staff member is expected to:</p> <ul style="list-style-type: none"> <li>• follow the advice and recommendations provided by the Student Health and Wellbeing Service;</li> <li>• implement available University support mechanisms in</li> </ul>

			<p>consultation with the student and the Student Health and Wellbeing Service;</p> <ul style="list-style-type: none"> <li>• offer a referral the Head, Health, Safety and Wellbeing to develop a Violence Protection Plan (for targets);</li> <li>• provide advice on support mechanisms available from the University including study support and flexibility options; and</li> <li>• maintain confidentiality as much as practicable so that it is limited only to persons and agencies directly involved in assisting or supporting the affected student.</li> </ul> <p>All Information disclosed by an affected student must be kept 'strictly confidential' with the student's privacy respected except to the extent that disclosure is required or permitted by law pursuant to the University's Information Privacy Policy or other relevant legislation.</p> <p>All staff required to interface with students will be expected to participate in information or training sessions conducted by the University on dealing with family or domestic violence.</p>
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## Emergency accommodation

The University recognises that, in some circumstances staff members or students who are experiencing family or domestic violence may need to find safe, alternative accommodation. Where available, the University may be able to provide short-term accommodation while the staff member or student engages with external support agencies to find more suitable and longer-term accommodation.

## Training

To ensure that University staff who may be when supporting a staff member or student who is dealing with a family or domestic violence situation has the necessary knowledge, the University will require student-facing staff and supervisors of staff to participate in training on family and domestic violence and appropriate support.

## Supporting Documents

- [People and Culture Policy](#)
- [Students and Support for Students Policy](#)
- Federation University Australia Union Enterprise Agreement 2019-2021
- [Information Privacy Procedure](#)
- [Security Procedure](#)
- [Study Adjustment and Course Flexibility Guidelines ST2092](#)
- [Higher Education Special Consideration Procedure](#)
- Federation University Australia Statute 2021 Part 6 Division 3 Para. 31 Assessment
- Federation University Australia Academic Regulations 2022 Part 3 Para 14 Assessment and Schedule 6 Assessment
- Federation University (Students) Regulations 2022 Part 3 Division 5 Assessment Para 31 (2)

## Forms

- Refer parent policies/procedures with regard to special consideration etc.
- All staff leave bookings and approvals are completed via the Employee Self Service system.

## Responsibility

- The Chief Operating Officer (*as the Approval Authority*) as nominee of the Vice-Chancellor has overall responsibility for the implementation and review of this Policy.
- The Director, People and Culture (for staff and other members of the University) and the Director, Student Connect (for students) is responsible for monitoring the implementation, outcomes and scheduled review of this policy and its accompanying procedure/s.
- The White Ribbon Steering Committee is responsible for administering and maintaining the content of this policy as delegated by the Vice-Chancellor.

## Promulgation

The [Family and Domestic Violence Procedure](#) will be communicated throughout the University community in the form of:

1. An Announcement Notice via FedNews and on the FedUni Policy Central's Policy Library 'Recently Approved Documents' page to alert the University-wide community of the approved Policy;
2. Distribution of e-mails to DVC's/PVC's/Deans/Directors/University staff; and/or
3. Documentation distribution, eg. posters, brochures
4. Notification to Schools and Directorates
5. Federation University Australia Staff website <http://federation.edu.au/staff/working-at-feduni>

## Implementation

The [Family and Domestic Violence Procedure](#) will be implemented throughout the University via:

1. an Announcement Notice via FedNews and on the FedUni Policy Central's Policy Library 'Recently Approved Documents' page to alert the University-wide community of the approved Policy;

2. Staff induction sessions
3. Training sessions
4. University events and activities.

## Records Management

Document Title	Location	Responsible Officer	Minimum Retention Period
Staff leave requests	People and Culture Employee Self-Service System	People and Culture	50 years.
Special consideration requests from Students	Student HQ	Student HQ	7 Year
Violence Protection Plans	Security Office (and People and Culture for staff members)	Head - Health, Safety and Wellbeing	7 Years