

Family and domestic violence policy

POL-G-057

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1. Title

Family and domestic violence policy

2. Introduction

The National Museum of Australia (the Museum) is a major cultural institution charged with researching, collecting, preserving and exhibiting historical material of the Australian nation. The Museum focuses on the three interrelated areas of First Nations history and culture, Australia's history and society since European settlement in 1788 and the interaction of people with the environment.

Established in 1980, the Museum is a publicly funded institution governed as a statutory authority in the Commonwealth Arts portfolio. The Museum's building on Acton Peninsula, Canberra opened in March 2001.

3. Scope

The Museum's policy provides guidance for managers to support employees experiencing or affected by family and domestic violence.

3.1. Description

This policy provides a framework to support employees who experience domestic and family violence. Employees who are experiencing, or who are at risk of experiencing, domestic and family violence are encouraged to seek support from the workplace to continue working and to access support.

3.2. Purpose

- 3.2.1. The Museum is committed to supporting employees affected by family and domestic violence. A sensitive and holistic approach to supporting employees allows them to continue to participate in the workplace during a difficult time.
- 3.2.2. This policy applies to all Museum employees and volunteers. Where contractors or secondees may not be covered by the provisions of this policy, appropriate supports may be considered and agreed under the terms of the *National Museum of Australia Enterprise Agreement 2017–2020*.
- 3.2.3. This policy provides a framework to support employees who experience family and domestic violence. Employees who are experiencing, or who are at risk of experiencing, family and domestic violence are encouraged to seek support from the workplace and wider support services.
- 3.2.4. This policy also acts as a guide for managers and colleagues to support employees whose work life is affected by family and domestic violence. Support is available within and outside the workplace for individuals, their managers and their colleagues.

4. Principles or guidelines

4.1. Definition

The *Fair Work Act 2009* defines family and domestic violence as 'violent, threatening or other abusive behaviour by a close relative of an employee that seeks to coerce or control the employee and that causes them harm or to be fearful'.

Anyone can be affected by family and domestic violence, but care should be taken to understand how family and domestic violence can affect people from different backgrounds including people from cultural and linguistically diverse backgrounds, First Nations peoples, LGBTIQ+ communities, or people living with a disability.

- 4.1.1. All employees reporting or disclosing family and domestic violence will be treated with respect and offered support. Employee needs will be considered on an individual basis.
- 4.1.2. Employees may sometimes experience situations of violence or abuse in their personal life which may affect their attendance or performance at work.
- 4.1.3. The Museum recognises the impact that family and domestic violence can have on the lives of those who experience it, including their capacity to work and their financial security.
- 4.1.4. The Museum is committed to supporting employees who experience family and domestic violence and providing a workplace environment that promotes flexibility in times of need.

4.2. Confidentiality

Information about a family and domestic violence situation should be handled similarly to other sensitive information such as personal and health information.

Employees and managers must maintain appropriate confidentiality in regard to personal information. Discussions with managers in the line of reporting or with People and Culture will be on a strictly need-to-know basis.

Any sharing of employee circumstances will only occur with employee consent, unless in very rare circumstances for duty of care or where required by law. Discussion and communications in the workplace should not include personal information without obtaining prior consent from the employee. However, the Australian Privacy Principles permit the use and disclosure of personal information in certain circumstances including lessening or preventing a serious threat to life, health or safety, or taking appropriate action in relation to suspected unlawful activity or serious misconduct.

5. Definition of terms

5.1. Employee

Any person employed by the Museum under the *Public Service Act 1999* or a Museum volunteer who has completed an induction for their role with the Museum.

5.2. Domestic or family violence

Lifeline describes domestic and family violence as a pattern of abusive behaviour in an intimate relationship that over time puts one person in a position of power over another and causes fear. It is often referred to as a pattern of coercion and control. Statistically, domestic and family violence is most likely to be committed against women, however it can also affect men.

Domestic and family violence can include, but is not limited to:

- physical assault
- sexual assault or other sexually abusive behaviour
- emotional or psychological abuse
- verbal abuse
- spiritual or cultural abuse
- economic or financial abuse.

Employees may sometimes experience situations of violence or abuse in their personal life, which may affect their attendance or performance at work.

The Museum recognises the potentially devastating impact that domestic and family violence can have on the lives of those who experience it, including their capacity to work and their financial

security. The Museum is committed to supporting employees who experience domestic and family violence and providing a workplace environment that enables flexibility in times of need.

6. Definition of responsibilities

6.1. Employees

Employees who need to access the support available within the workplace can contact any of the following people:

- their immediate manager
- a more senior manager, or
- Head of People and Culture.

Employees can also seek assistance from an external service. A list of services, including 24-hour support services, and their contact details can be found at the end of this document.

6.2. Colleagues

Important!

It is important to remember that even in a situation where a colleague is confiding in you – you are not a trained professional and can seek help elsewhere. It is OK if you don't feel like you can provide assistance.

6.2.1. Employees experiencing family and domestic violence may choose to disclose their situation to a trusted colleague. Where such information is disclosed, the colleague should provide support to the employee by:

- listening without judgement and respecting their decisions
- maintaining appropriate confidentiality
- encouraging them to seek help from a domestic and family violence support organisation
- referring them to this policy, 1800RESPECT, the Employee Assistance Program, or any of the external support services listed at the end of this document.

6.2.2. Where the colleague is concerned about the employee's health and safety, they should speak to Head of People and Culture or WHS Manager.

6.2.3. Employees who have had information disclosed to them are encouraged to seek support for themselves within or outside the workplace. A list of services, including 24-hour support services, and their contact details can be found at the end of this document.

6.3. Managers

Managers are responsible for ensuring employees are aware of this policy, and providing support, consistent with this policy, to employees affected by family and domestic violence. They may also be required to coordinate support with People and Culture for an employee experiencing domestic and family violence.

Managers are able to access relevant training upon request to ensure they feel confident dealing with disclosures and handling confidential information related to family and domestic violence. Managers interested in undergoing training should contact People and Culture or their manager.

Where a manager is concerned about the wellbeing of an employee, they should discuss their concerns with the employee, encouraging them to use the assistance available if needed, and/or consult with People and Culture.

Managers should consider their obligations under WHS legislation. Where appropriate, managers should discuss their obligations with WHS Manager, having regard to balance confidentiality with the safety of affected employees.

Managers should facilitate support for an employee to the fullest extent practicable.

If a manager needs support as a result of an employee disclosing family and domestic violence to them, they can also contact the Employee Assistance Program or one of the external support services listed at the end of this document.

6.4. People and Culture

People and Culture is responsible for providing advice to employees and managers about this policy. They can also provide information on the enterprise agreement and any other relevant policies and procedures.

Employees affected by family and domestic violence can seek assistance from People and Culture for coordinating workplace support. This may include:

- developing a safety plan with the employee
- coordinating personal security through the Museum's Security Advisor or ICT assistance
- advising and liaising with the employee's line manager, if consent has been provided.

The family and domestic violence contact officer in People and Culture is the **Head of People and Culture** on **02 6208 5166**. Employees are also welcome to seek this assistance from a colleague they trust.

6.5. Support

Employees experiencing family and domestic violence may require a range of support. Managers, or People and Culture if more appropriate, will discuss available supports with employees, which may include:

6.5.1. Flexible working arrangements — under the National Employment Standards in the *Fair Work Act 2009*, an employee experiencing violence from a member of the employee's family has a right to request flexible working arrangements. These requests can only be refused on reasonable business grounds. Such requests could include:

- a change of hours to allow the employee to meet family, health and wellbeing, medical or legal commitments.
- changes to work location
- relocation or reassignment to suitable alternative employment, where this can be identified.

6.5.2. Secure parking and other security measures where possible and as required.

6.5.3. Change of phone number and email address to limit unwanted contact, or screening or blocking calls and emails.

6.5.4. Contact with police or other support services on the employee's behalf where appropriate.

6.5.5. Flexibility in performance management — family and domestic violence should be acknowledged as a potential mitigating factor if performance has been affected.

Managers should:

- continue to have regular, sensitive conversations with the employee about the job requirements, performance expectations, and development opportunities of that performance cycle
- with assistance from People and Culture, offer to develop strategies for work to be managed and performance assessed having regard to the employee's circumstances.

6.5.6. Referral to external support services.

6.5.7. Access to leave entitlements in accordance with the National Museum of Australia Enterprise Agreement.

6.5.8. Any other measures or changes to normal arrangements that are considered appropriate by the agency.

6.6. Leave

Leave is provided in accordance with the National Museum of Australia Enterprise Agreement.

The National Museum of Australia Enterprise Agreement contains leave entitlements designed to assist employees and allow them flexibility to deal with personal crises, such as being affected by family and domestic violence.

The Museum is committed to supporting employees experiencing family and domestic violence. A flexible and supportive approach will be taken to management of leave for employees affected by family and domestic violence.

Employees affected by family and domestic violence may be granted access to personal/carers or miscellaneous leave in line with National Museum of Australia Enterprise Agreement and National Employment Standards (NES) up to 10 days paid leave per year.

Employees who are affected by family or domestic violence may be granted leave for reasons including:

- attending health and wellbeing, medical or counselling appointments
- moving into emergency accommodation and seeking more permanent safe housing
- attending court hearings
- attending police appointments
- accessing legal advice
- organising alternative care or educational arrangements for their children
- reasonable recovery periods.

Personal/carer's leave entitlements can also be used:

- for illness or injury affecting the employee resulting from family and domestic violence.
- to provide care or support to a family or household member who is ill or injured because of family and domestic violence.
- to provide care or support to a family or household member who is affected by an emergency as a result of family or domestic violence.

Under the National Employment Standards in the *Fair Work Act 2009*, employees affected by family and domestic violence are eligible for 10 days paid family and domestic violence leave per year. This is also available to casual employees.

Employees may be given flexibility in work hours and may be allowed to make up time where leave cannot be used.

The Museum is aware of privacy issues and sensitivities around evidence requirements for matters related to family and domestic violence. Where evidence is required, the delegate will discuss this with the employee and the National Museum of Australia will ensure this information is stored securely.

6.7. Recording absences

Agencies will prioritise the safety of employees when recording absences related to family and domestic violence.

All records are to be kept securely and confidentially according to the National Museum of Australia Privacy policy and Records management policy.

6.8. Perpetrators of family and domestic violence

The Museum understands that the workplace may include not only employees who are victims of, or affected by, family and domestic violence, but also perpetrators — and that this must also be handled appropriately and sensitively.

Employee perpetrators of family and domestic violence seeking support or assistance from the Museum will be managed on a case-by-case basis.

An employee suspected of perpetrating violence may also be referred to the relevant support services. Family and domestic violence is a criminal offence and is subject to the relevant state or territory laws.

The police should be notified of any incidents of family and domestic violence that occur in the workplace.

The APS Code of Conduct applies to all APS employees. The Museum will need to consider if the conduct of alleged perpetrators (who are APS employees) may also be a breach of the Code of Conduct.

Where a court order is in place, such as an apprehended violence order, the Museum will make all reasonable efforts to ensure the conditions of the order are followed.

6.9. Further assistance

For any queries regarding the operation of this policy please contact People and Culture via the Head of People and Culture.

The support provided should consider the identity dimensions of employees including gender, Aboriginal and Torres Strait Islander heritage, age, cultural and linguistic background, disability and sexuality. This is important to recognise as family and domestic violence situations may be compounded by these factors. An example of specific support would include use of interpreters and culturally sensitive services.

ARE YOU IN IMMEDIATE DANGER? If you are feeling unsafe in the workplace right now, contact the Museum's security control room on 02 6208 5023 or call 000.

If you or someone you know is experiencing family and domestic violence, or you simply want to find out more, support services and information resources listed in the attachments below are available to provide information and assistance. [Note: this is not an exhaustive list].

7. References

- [APSC Workplace Relations](#)
- *National Museum of Australia Enterprise Agreement 2017–2020*
- [Paid family and domestic violence leave, Fair Work Ombudsman](#)

8. Implementation

The Head of People and Culture is responsible for ensuring this policy is implemented across the Museum.

8.1. Coverage

This policy is applicable to all ongoing and non-ongoing Museum employees and volunteers.

8.2. Other related policies

POL-G-001 Record keeping policy
POL-G-044 Telecommunications policy
POL-G-052 Guidelines for preventing bullying and harassment
POL-G-053 Privacy policy
POL-C-055 Protective security policy
IT Acceptable use conditions
Code of conduct guidelines

8.3. Exclusions

There are no exclusions applicable to this policy.

8.4. Superseded policies

None

8.5. Monitoring

This policy will be monitored by the Head of People and Culture and will be reviewed in 2024.

9. Attachment A – Support services

Support service	Description
<p>1800RESPECT, the National domestic, family and sexual violence counselling, information and support service</p> <p>24/7 phone: 1800 737 732</p> <p>Website: www.1800RESPECT.org.au</p>	<p>1800RESPECT is a confidential and interactive online and telephone counselling service, available 24 hours a day, 7 days a week. If you have experienced domestic, family or sexual violence it's important to know that support is available.</p> <p>The kinds of services available include:</p> <ul style="list-style-type: none"> • Domestic and family violence support services • Sexual assault and violence support services • Advocates for older people and people with disability • Support services for particular groups
<p>Domestic Violence Crisis Service</p> <p>24/7 phone: 02 6280 0900</p> <p>Website: www.dvcs.org.au</p> <p>(ACT only)</p>	<p>Domestic Violence Crisis Service (DVCS) began providing services in the Canberra community in 1988. DVCS is a not-for-profit specialist domestic and family violence service providing crisis and long-term support services to help break the cycle of violence.</p>
<p>NSW Domestic Violence Line</p> <p>24/7 phone: 1800 656 463</p> <p>Website: https://dcj.nsw.gov.au/children-and-families/family-domestic-and-sexual-violence/domestic--family-and-sexual-violence-support-contacts/nsw-domestic-violence-line.html</p> <p>(NSW only)</p>	<p>The NSW Domestic Violence Line provides counselling and referrals to women experiencing domestic and family violence.</p>
<p>National Museum of Australia's Employee Assistance Program</p>	<p>Access EAP 1800 818 728 or Online Booking Portal</p>
<p>Beyond Blue</p> <p>24/7 phone: 1300 224 636</p> <p>Website: www.beyondblue.org.au</p>	<p>Beyond Blue is focused on supporting people affected by anxiety, depression and suicide.</p>
<p>Family Violence Law Help</p> <p>Website: www.familyviolencelaw.gov.au</p>	<p>An Australian Government website providing information about domestic and family violence and the law in Australia.</p>
<p>Kids Helpline</p> <p>24/7 phone: 1800 551 800</p> <p>Website: www.kidshelp.com.au</p>	<p>Counsellors are available to talk to children confidentially about any issue that is affecting or worrying them. Email or web counselling is also available from the Kids Helpline website.</p>
<p>Lifeline</p> <p>24/7 phone: 13 11 14</p> <p>Website: www.lifeline.org.au</p>	<p>Information on domestic abuse and family violence and 24-hour crisis support and suicide prevention services.</p>
<p>MensLine Australia</p> <p>24/7 phone: 1300 789 978</p> <p>Website: www.mensline.org.au</p>	<p>MensLine Australia offers free professional 24/7 telephone counselling support for men with concerns about mental health, anger management, family violence (using and experiencing), addiction, relationship, stress and wellbeing.</p>

Support service	Description
<p>EveryMan Phone: 02 6230 6999 weekdays Website: https://www.everyman.org.au/ (ACT only)</p>	<p>Supporting men who are at risk of homelessness, living with mental health issues like depression or anxiety, living with disabilities, men who are perpetrators or survivors of violence, men who are ex-prisoners, socially isolated, or having relationship or parenting difficulties.</p>
<p>QLife Phone: 1800 184 527 Website: www qlife.org.au</p>	<p>QLife provides anonymous and free LGBTI peer support and referral for people in Australia wanting to talk about sexuality, identity, gender, bodies, feelings or relationships.</p>
<p>Another Closet (LGBTIQ Domestic Violence Interagency) (24/7 phone: 1800 65 64 63 Website: http://ssdv.acon.org.au/</p>	<p>LGBTIQ Domestic Violence Interagency (formally the Same Sex Domestic Violence Interagency) was formed in 2001 in Sydney, Australia, as the result of a number of non-Government and Government agencies coming together with the aim of creating a collaborative response to the issues surrounding same sex domestic violence.</p>
<p>Relationships Australia Phone: 1300 364 277 Website: www.relationships.org.au</p>	<p>Relationships Australia is a leading provider of relationship support services for individuals, families and communities to achieve positive and respectful relationships.</p>
<p>No to Violence Phone: 1300 766 491 Website: https://ntv.org.au/</p>	<p>No to Violence are a support service who work with men who use family and domestic violence, and the sector that supports them to change abusive behaviour.</p>

10.Attachment B – Information resources

Resource	Description
<p>Our Watch Website: www.ourwatch.org.au</p>	<p>Our Watch is a national leader in the primary prevention of violence against women and their children in Australia. Working to embed gender equality and prevent violence where Australians live, learn, work and socialise.</p>
<p>Services Australia Family and domestic violence services Website: Family and domestic violence</p>	<p>Supporting people affected by family and domestic violence by providing information, resources and referrals. They also hold the Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children 2010-2022.</p>
<p>Department of Social Services Family Safety Pack Website: Family Safety Pack</p>	<p>Supporting people coming to Australia. It includes information on Australia’s laws regarding domestic and family violence, sexual assault and forced marriage, and a woman’s right to be safe. The pack also includes a low literacy storyboard.</p>
<p>ReachOut Website: https://au.reachout.com/articles/domestic-violence-support</p>	<p>Online mental health service for young people and their parents in Australia</p>
<p>Australian Public Service Commission Website: www.apsc.gov.au</p>	<p>Responsible for Realising the benefits for all: Australian Public Service Gender Equality Strategy 2021-26 and the APS Family and Domestic Violence Policy Framework template (Word docx 351KB). APSC also houses the Public Sector Interim Workplace Arrangements 2022.</p>
<p>Australian Indigenous HealthInfoNet Website: https://healthinonet.ecu.edu.au/</p>	<p>Australian Indigenous HealthInfoNet provides support to those working in the Aboriginal and Torres Strait Islander health sector by making research and other knowledge readily accessible. In this way, it contributes to closing the gap in health between Aboriginal and Torres Strait Islander people and other Australians.</p>
<p>Australian Human Rights Commission Phone: 1300 656 419 or 02 9284 9888 Website: www.humanrights.gov.au</p>	<p>The Australian Human Rights Commission is an independent statutory organisation, established by an act of Federal Parliament. They investigate complaints about discrimination and human rights breaches.</p>
<p>Fair Work Ombudsman Website: www.fairwork.gov.au</p>	<p>The Fair Work Ombudsman provides education, assistance, and advice on compliance with the Fair Work Act 2009, related legislation, awards and registered agreements.</p>
<p>Office for Women Website: www.pmc.gov.au/office-women</p>	<p>The Office for Women works across Government to deliver policies and programmes to advance gender equality and improve the lives of Australian women.</p>
<p>Workplace Gender Equality Agency Website: www.wgea.gov.au</p>	<p>The Workplace Gender Equality Agency is an Australian Government statutory agency created by the Workplace Gender Equality Act 2012. The Agency is charged with promoting and improving gender equality in Australian workplaces.</p>

Resource	Description
National Disability Insurance Scheme (NDIS) Website: https://www.ndis.gov.au/	Supporting a better life for hundreds of thousands of Australians with a significant and permanent disability and their families and carers.

11. Attachment C – Your safety plan checklist

If you are planning to leave an abusive relationship it is important to plan ahead as this can make leaving easier and safer. A person who uses violence and abuse may become more controlling, abusive and dangerous when they believe the person subjected to violence is planning to leave, as this threatens their sense of power and control.

If you have made the decision to leave the relationship, we encourage you to make a safety plan. You can do this by yourself or by contacting a crisis worker at the Domestic Violence Crisis Service available 24 hours every day on 02 6280 0900 to discuss further.

Before you leave:

- Decide how you will leave — by foot, car or if you will call a friend.
- Decide where you will go — friend or family, hotel, neighbour or police.
- Decide where you will stay — friend or family, hotel or refuge and how long are you able to stay there.
- What will you take — consider packing an overnight bag and leave it in your car or give it to your friend.
- Pack your important documents — such as your birth certificate and passport or email copies to your family or friend.
- Purchase a mobile phone and make sure your mobile phone is charged and has credit — if you do need to call the police, you don't have to speak, saying nothing will put them into action.
- Consider varying your route to work or family and changing your regular activities, such as going to the gym.
- Have you discussed what you are doing with a trusted friend, family member or work colleague and do you need to create a safe word — do not write down your safe word.
- Do you have access to money — consider giving some to your family or friend to mind. Are you able to open a new bank account and select the statements be emailed to a secure email address. If so, do you need to arrange for your pay to be diverted to the new account?
- If you are staying at home, do you need to change the locks on windows and doors or should you have deadbolts installed.

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- Should you install sensor lights, window bars, additional locks, an electronic alarm and a chain on your front door.
 - Ensure you have working fire alarms installed and a fire extinguisher.
 - Put wood dowel in windows to stop them being slid open.
 - Place padlocks and chains on gates.
 - Place sliding bolts on manholes so that they can't be accessed by the roof.
 - Get an answering machine and voicemail and screen your calls. This also allows you to record abusive messages.
 - Teach your children how to use the telephone and call the police and identify a code word that can be used when they feel unsafe.
 - Talk to all the people who care for your children about who has permission to collect the children.
 - Do you need to make arrangements for pets?
 - Ensure the webcam on your computer is turned off, even better, use tape to cover the lens when you aren't using it.
 - Set up a secure email address that you can give to police, lawyers, community services etc to use — but maintain the email address the person using violence is aware of.
 - Change all your passwords and login details, including social media, iTunes, Google Play etc, using strong passwords that are not words, children's or family names or any of their or your birthdates, and try to have a different password for different accounts.
 - Ensure your mobile phone is set to auto lock after a short period of time and a pin code is required to unlock it.
 - Turn off the location function on your phone.
 - Turn off your bluetooth and set your phone to 'hidden'.
 - Program emergency numbers into your phone, using code names if necessary.
 - Ensure you have engaged all the privacy settings on social media accounts and on each device.
 - Don't allow other people to tag you in photos or locations on social media accounts.
 - Consider using a non-identifying profile and cover photo, such as a flower or landscape on your social media accounts.
 - Consider using a different city as your location and not including your place of work or education history on social media accounts.