

Guideline of the Commissioner for Public Sector Employment

Family and Domestic Violence

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**Government
of South Australia**

Office of the Commissioner
for Public Sector Employment

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ABOUT THIS GUIDELINE

Who is covered by this Guideline?

This Guideline is a whole-of-government policy for public sector agencies as defined by the *Public Sector Act 2009* and should be adopted and applied by individual agencies.

Support services

If at any stage the issues discussed in this Guideline raise concerns for you, please consider reaching out to your agency's Employee Assistance Program (EAP).

For information, support and counselling contact 1800RESPECT on 1800 737 732 or visit the [1800RESPECT website](http://www.1800respect.org.au) (www.1800respect.org.au).

Details of other support services are provided under Part 8 of this Guideline.

1. Overview

The South Australian public sector is committed to supporting employees who are experiencing or escaping family and domestic violence, through the provision of leave entitlements, flexible work arrangements, information about support services, and workplace personal safety planning.

2. Scope

The Commissioner for Public Sector Employment is empowered to issue Guidelines relating to public sector employment matters pursuant to section 14(d) of the *Public Sector Act 2009* (PS Act).

This Guideline is intended as a whole-of-government policy for public sector agencies as defined by the PS Act. This Guideline is the minimum standard required of any agency-specific policy about family and domestic violence, adjusted to consider the relative size and profile of a particular agency.

WHAT FORMS OF VIOLENCE / ABUSE ARE NOT COVERED BY THIS GUIDELINE?

An individual is not considered to be experiencing or escaping family and domestic violence if they have been subjected to violence by someone with whom they are not (or were not) in a relationship as defined in section 8(8) of the [Intervention Orders \(Prevention of Abuse\) Act 2009](#). For example, being a victim of crime by an unknown person, while distressing, is not considered family and domestic violence.

3. Introduction

Family and domestic violence can be experienced by any person irrespective of their gender, sexual orientation, age, or cultural background.

The South Australian public sector, as the state's largest employer, recognises the role it can play in supporting employees experiencing or escaping family and domestic violence. This Guideline describes the supports available including:

- up to 15 days special leave with pay in addition to other leave entitlements
- flexible working arrangements
- workplace personal safety plans
- confidentiality and protection from discrimination
- information about support services and
- what it means for an agency to be White Ribbon workplace accredited.

It also provides guidance on the responsibilities of managers, supervisors, and work colleagues where an employee is experiencing or escaping abuse, and how to respond where an employee is suspected or is proven to have perpetrated family or domestic violence.

4. Definitions

FAMILY AND DOMESTIC VIOLENCE

In this Guideline, 'family and domestic violence' has the same meaning as 'domestic abuse' as defined in the *Intervention Orders (Prevention of Abuse) Act 2009*. That is the definition used in the *Fair Work Act 1994* (FW Act) and *Equal Opportunity Act 1984* (EO Act).

In summary, the term 'family and domestic violence' covers acts of abuse by one person against another, who are or were formerly in a relationship. The meaning of 'relationship' is broad and includes marriages, intimate relationships, relationships between family members, carers, and other relationships as defined in section 8(8) of the *Intervention Orders (Prevention of Abuse) Act 2009*.

Abuse may take many forms including physical, sexual, emotional, verbal, psychological, or economic abuse. Acts of abuse are acts which result in or are intended to result in:

- physical injury
- emotional or psychological harm
- an unreasonable and non-consensual denial of financial, social or personal autonomy
- damage to property that is in the ownership or possession of the person or is used or otherwise enjoyed by the person.

Family and domestic violence may also occur through a pattern of behaviours used to establish and maintain control over another person, known as 'coercive control'. Coercive control can involve subtle or covert behaviours that might be perceived as innocuous to an external observer but would be experienced as abusive or controlling by the person experiencing the abuse. The effects of coercive control are pervasive and cumulative rather than incident specific.

ABORIGINAL¹ FAMILY VIOLENCE

Aboriginal definitions of family and domestic violence are broader than those used by non-Aboriginal people. The term 'Aboriginal family violence' includes violence perpetrated within intimate partner relationships; however, it also encompasses extended families, kinship networks and community relationships. While the term family and domestic violence is used throughout this policy, it is important to recognise that for Aboriginal people, the term family violence may be more appropriate.

More information about Aboriginal family violence is available from:

- [Our Watch](#)
- [Women's Safety Services](#)

5. Confidentiality

Information about an employee's experience of family and domestic violence must be kept strictly confidential and not recorded on the employee's personnel file.

The employee's manager or Human Resources (HR) contact should create a confidential working file for the purpose of storing any information related to the notification and ensure it is stored securely. Where an employee provides documentation or other evidence to support their application for leave for reasons relating to family and domestic violence, this should be returned to the employee once sighted. A copy should not be retained.

Schedule 3B of the FW Act contains confidentiality provisions which make it an offence to disclose information about an employee's experience of family and domestic violence except:

- with the consent of the employee, or
- for the purposes of referring the matter to a law enforcement agency, or a person or agency exercising official duties under an Act relating to the care or protection of a child, or
- if the disclosure is reasonably necessary for the protection of the lawful interests of the person disclosing the information.

¹ The term 'Aboriginal' is used within this Guideline as inclusive of Torres Strait Islander people.

The confidentiality provisions also prohibit employee payslips from including any information which indicates that an employee has taken, or been paid in respect of, family and domestic violence leave, or which reveals an employee's balance of such leave. The leave can be specified on a payslip in generic terms, for example as 'miscellaneous leave', 'special leave' or 'other leave'.

Consent from the person experiencing the family and domestic violence should be sought and obtained prior to any disclosure of that experience, including on GOVSafety (if applicable). HR advice should be sought if there is another defined exception which may permit disclosure.

The information should otherwise be dealt with in accordance with the [PC 012 Information Privacy Principles Instruction](#).

Employees who disclose their experience of family and domestic violence must be advised of these confidentiality requirements and protections on all employees.

6. Protection from discrimination

It is unlawful under the EO Act to discriminate against a person on the ground of being, or having been, subjected to domestic abuse, in all areas of public life, including at work. Domestic abuse under the EO Act has the same meaning as used in *Intervention Orders (Prevention of Abuse) Act 2009*.

The Commissioner for Equal Opportunity has the power to deal with complaints made on the ground of domestic abuse. The Commissioner may refer the complaint to the South Australian Civil and Administrative Tribunal in the circumstances described in the EO Act.

Further information about this type of discrimination is available on the [Equal Opportunity SA website](#).

7. Employee entitlements

Paid and unpaid leave options and flexible working arrangements may be available where an employee who is experiencing or escaping family and domestic violence needs time away from work.

LEAVE

Public sector employees are eligible to access 15 days of family and domestic violence leave from the beginning of each year of their employment. This entitlement is set by schedule 3B of the FW Act and further described in [Commissioner's Determination 3.1 – Employment Conditions – Hours of Work, Overtime and Leave](#). It applies equally to part-time and casual employees and is not pro-rated.

All public sector agencies are required to provide paid family and domestic violence leave in accordance with the FW Act. In summary:

- All employees are entitled to 15 days family and domestic violence leave from the beginning of each year of their employment
- Leave does not accrue
- Leave can be taken for a whole day or part of a day (in a block of one or more whole hours, part of an hour is considered a whole hour). One whole day of family and domestic violence leave is equal to the number of hours usually worked by the employee in a day (or shift).
- Leave is paid at the full rate of pay, inclusive of overtime, allowances, loadings or any other separately identifiable amount:
 - for casual employees, the amount payable for a period of leave is worked out as if the employee had worked their rostered hours, or hours they had agreed to work, over that period
 - for other employees, the amount payable for a period of leave is worked out as if the employee had not taken the leave
- An employee can take family and domestic violence leave for any of the following eligible purposes arising from or in relation to family and domestic violence experienced by the employee:
 - to attend medical appointments of any kind, including appointments relating to mental and emotional health
 - to seek and receive legal advice or assistance in relation to proceedings or potential proceedings of any kind
 - to attend or otherwise make arrangements for proceedings of any kind
 - to relocate residences or make other safety arrangements of any kind
 - for any other purpose relating to the employee dealing with the impact of family and domestic violence
 - for any other purpose prescribed by the regulations.

Schedule 3B of the FW Act provides that casual employees can apply to take family and domestic violence leave for periods they have not yet been rostered or agreed to work. In practice, this would make the employee unavailable to be rostered or offered work during that period. However, if a casual

employee chooses to apply for leave in these circumstances, they will not be paid for that period of leave and the leave will be deducted from the available 15 days.

Casual employees are not, however, required to apply for family and domestic violence leave to cover a period they are not rostered and have not otherwise agreed to work. They may instead simply explain that they are not available to be rostered or accept work for a particular period without any deduction from the available 15 paid days.

Employees may also access existing leave entitlements and any applicable flexible working arrangements.

As per Determination 3.1, employees must, at the request of their agency, provide evidence that would satisfy a reasonable person that the leave is for one of the eligible purposes, as described above. Care and sensitivity should be taken by agencies, however, in requesting evidence to support an application for family and domestic violence leave, as requesting evidence may create risks to the wellbeing of the employee. It is also noted that an employee experiencing family and domestic violence might not have access to documents that might directly support an application.

If agencies intend to request that an employee provide evidence to support an application for family and domestic violence leave, they should take a broad approach to the type of evidence that would be satisfactory.

As discussed in Part 5 Confidentiality, where an employee provides documentation or other evidence to support their application for leave for reasons relating to family and domestic violence, this should be returned to the employee once sighted. A copy should not be retained.

Agencies must not request information relating to the details, nature or extent of the family and domestic violence experienced by the employee. Employees are also not required to provide this information. For example, it is sufficient for an employee to request leave to obtain legal advice about a situation involving family and domestic violence, the employee is not required to detail what the specific advice is about, or the nature of the family and domestic violence.

Employees should refer to Determination 3.1 – Section F for more detail about applying for leave.

If employees are not comfortable discussing domestic and family violence with their manager or supervisor, they can speak to a human resources contact within their agency, or other contact officer(s), designated by the agency such as a peer support officer.

FLEXIBLE WORK ARRANGEMENTS

Employees who are experiencing or escaping family and domestic violence may also require changes to their normal working hours to deal with health, legal or financial matters, attend court, care for children, or other matters. Flexible work arrangements are designed to facilitate this need.

The flexible working arrangements should be agreed upon by an employee and their manager/supervisor together, to ensure each feels confident with the arrangement and to assist in balancing organisational requirements with the individual needs of the employee. Approval of the arrangements is ultimately at the discretion of the chief executive/agency head or delegate.

Types of flexible work include:

- Flexi-time
- Compressed weeks
- Part-time/job share
- Working from home / remote working.

Other changes, such as adjusted work starting and finishing times and varying roster arrangements may also be considered.

Other eligible employees who provide support for a person experiencing or escaping family and domestic violence can request flexible working arrangements. However, they cannot access the 15 days of family and domestic violence leave.

WORKPLACE FAMILY AND DOMESTIC VIOLENCE PERSONAL SAFETY PLAN

Family and domestic violence is a risk to work health and safety.

If an employee's safety in the workplace or that of their co-workers is identified to be at risk due to family and domestic violence, a workplace family and domestic violence personal safety plan should be developed. This is done in partnership between the employee and their manager or supervisor.

Please refer to Appendix 1 for advice on developing a workplace family and domestic violence personal safety plan.

8. Family and domestic violence support services

If in immediate danger, call 000 for Police, Ambulance and/or Fire

Support services available to an employee experiencing family and domestic violence include:

- **An agency's Employee Assistance Program (EAP)**
- **1800RESPECT**
A 24-hour national sexual assault, family and domestic violence counselling line for any Australian who has experienced, or is at risk of, family and domestic violence and/or sexual assault.
Telephone: 1800 737 732
Web: <https://1800respect.org.au/>
- **Domestic Violence Crisis Line**
A South Australian based 24-hour hotline for crisis counselling, support, and referral to safe accommodation.
Telephone: 1800 800 098
- **South Australia Police – Domestic Violence Disclosure Scheme**
Provides an avenue for a person who may be at risk of domestic violence to get information about their partner or former partner, to help make decisions about their safety and the future of the relationship.

A request for information can be made by either:

- the person who is feeling unsafe in their relationship
- a person concerned about the welfare of someone they know.

Web: <https://www.police.sa.gov.au/your-safety/dvds>

- **Women's Information Service**
A hotline for referrals to domestic violence services and for safety information.
Telephone: 08 8303 0590
Web: <https://officeforwomen.sa.gov.au/womens-information-service/find-information-online>

- **QLife**
 A free telephone and webchat counselling service available from 3pm to midnight for lesbian, gay, bisexual, trans, queer, intersex and asexual (LGBTQIA+) people, families, and friends, delivered by trained LGBTQIA+ community members.
 Telephone: 1800 184 527
 Web: <https://qlife.org.au/>
- **13YARN**
 A 24-hour, 7 day a week confidential crisis support line for Aboriginal and Torres Strait Islander people, run by Aboriginal and Torres Strait Islander people.
 Telephone: 13 92 76
 Web: <https://www.13yarn.org.au/>
- **Lifeline**
 Provides all Australians experiencing emotional distress with access to 24-hour crisis support and suicide prevention services.
 Telephone: 13 11 14
 Web: <https://www.lifeline.org.au/>
- **KWY Aboriginal and Torres Strait Islander Family Services**
 Provides group services and support in domestic and family violence, child protection, youth work, kinship care, disability, mentoring, Aboriginal education outcomes and perpetrator intervention.
 Telephone: 08 8377 7822
 Web: <https://www.kwy.org.au/>
- **Nunga Mi Minar**
 Provides support for Aboriginal and Torres Strait Islander women and their children escaping family violence by providing immediate safety response, accommodation and material assistance, advice, information and advocacy.
 Telephone: 1800 003 038
- **Women's Safety Services SA**
 Supports women and their children who are experiencing domestic and family violence by helping people find safety and support during and after experiencing abuse.
 Telephone: 1800 800 098 (24-hour Domestic Violence Crisis Line)
 Web: <https://womenssafetyservices.com.au/>
- **Consumer and Business Services - Residential tenancy protection**
 Information about your rights and options if you are currently renting accommodation and experiencing family and domestic violence.
 Web: www.sa.gov.au/tenancy/renters

- **Safe Pets Safe Families**

Provides support through programs and services to pet owners in the South Australian community facing disadvantage or crisis, such as domestic violence, homelessness, mental illness or a medical emergency.

Crisis Intake: 0490 818 879

Web: <https://safepetssafefamilies.org.au/>

Other support services may also be available and referred to.

RESPONSIBILITIES OF AGENCIES

The role of managers, supervisors, human resources representatives and other contacts that may be designated by an agency (such as a peer support officer) is to:

- provide sensitive, and non-judgmental support to employees by having a culturally respectful and person-centred approach to their support
- ensure confidentiality of information is maintained and information is dealt with in accordance with Schedule 3B of the FW Act and the PC012 Information Privacy Principles Instruction
- acknowledge that an employee has a right to include a third party in discussions such as, but not limited to, a colleague, human resources consultant, professional counsellor, or other support person
- recognise that an employee may need some time to decide what to do and may try many different options
- consider and discuss measures to provide a safe workplace in so far as is reasonably practicable
- be aware of what support is potentially available to employees experiencing family and domestic violence and explore these options with employees
- ensure that all actions, measures and decisions are made through consultation with the employee experiencing or escaping family and domestic violence
- recognise if the disclosure places their own health and wellbeing at risk. If so, they should, through consultation with the employee, refer them to another appropriate person
- not to counsel employees or directly intervene but to listen and offer information on the supports available. For example:
 - provide information on the employee's entitlements
 - suggest they contact a support provider such as the agency's Employee Assistance Program or a support service, such as one listed above
 - follow up the conversation/s, checking in on their wellbeing and safety.

If a manager, supervisor, human resources representative or other agency designated contact identifies that they cannot, for any reason, provide this level of support to an employee who has disclosed an experience of family and domestic violence, they should seek advice regarding referring the employee to another support option.

Chief executives, agency heads and delegates should also ensure:

- managers, supervisors, human resources representatives and agency designated contacts have access to training and support to fulfill their responsibilities
- there are other staff within their agency who are trained and educated to assist employees experiencing or escaping family and domestic violence as appropriate
- information on professional counselling services is available for employees.

WORK COLLEAGUES AND OTHER EMPLOYEES

If a work colleague discloses their experience of family and domestic violence to you, as a guide:

- Provide them with information about the support services available and the options for support, outlined in this Guideline
- Ask their permission to discuss this with a manager or HR contact to escalate support and to ensure appropriate steps can be taken to ensure their safety and the safety of others in the workplace
- Do not act as a counsellor or directly intervene but refer them to appropriate professional supports, such as those described in this Guideline.

Managers or employees who require personal support or counselling following a staff disclosure of their experience of family or domestic violence should contact their Employee Assistance Program provider.

WHITE RIBBON WORKPLACE ACCREDITED AGENCIES

White Ribbon workplace accreditation supports workplaces to determine how well employees understand the issues of family and domestic violence, affirm practices that nurture a culture of respect, safety and equality and create a continuous commitment to providing a safe environment for all employees.

Many South Australian public sector agencies have committed to the White Ribbon workplace accreditation program. To achieve and maintain accreditation, agencies must establish and implement practices, policies and procedures to create a healthy and safe workplace culture.

These include:

- domestic violence policies that outline the rights and obligations of employees, managers, supervisors, and the wider agency. These policies should be consistent with the information contained in this Guideline
- access to professional counselling services, such as an agency's Employee Assistance Program, and 1800 RESPECT. These services should be available 24 hours, seven days a week
- procedures for dealing with perpetrators of family and domestic violence who are public sector employees in the agency, whether they are committing family and domestic violence towards another employee or another person
- procedures for dealing with non-employee perpetrators who are seeking to commit family and domestic violence against an employee while that employee is at work
- access to people leader and key incident response contacts (such as human resources representatives, peer support officers and/or other contacts designated by the agency)

- training in the key facts concerning gender-based violence in Australia, and specifically why violence against women is an issue relevant to workplaces
- referral procedures, disclosure and safety plan processes
- a range of leave and flexible work arrangements, some of which are outlined in this Guideline.

White Ribbon workplace accreditation information may be available through the agency's intranet, website or by contacting your agency's human resources team.

9. Employees who perpetrate family and domestic violence

Employee perpetration of family and domestic violence is incompatible with the values, interests, and reputation of the South Australian public sector, is a risk to work health and safety, and may constitute a breach of the *Code of Ethics for the South Australian Public Sector*.

Under the *Work Health and Safety Act 2012* (WHS Act), employers and employees (and other workers under the WHS Act) have a responsibility to protect themselves and others against harm to their health and safety through the elimination or minimisation of risks arising from their work.

RESPONDING TO SUSPECTED OR PROVEN EMPLOYEE-PERPETRATED FAMILY AND DOMESTIC VIOLENCE

Employees who perpetrate family and domestic violence are responsible for their behaviour and may be subject to disciplinary action (up to and including termination of employment) for proven misconduct.

A disciplinary process may be conducted in response to suspected misconduct, including where an employee is suspected to have committed acts of family and domestic violence:

- within or from the workplace (for example using workplace resources such as phone, email, or vehicle), or
- outside of the workplace (if there is a sufficient connection to the employee's employment).

Refer to the [Commissioner's Guideline on Management of Misconduct](#) for further information.

The safety and wellbeing of the person subjected to violence must be prioritised when responding to employee perpetration of family and domestic violence. Where possible and appropriate, public sector agencies should consult the person subjected to violence in determining workplace responses to employees who perpetrate family and domestic violence, to avoid unintended negative consequences (and for their children, if applicable). Responses should also be consistent with the terms of any Intervention Order, where applicable.

Where a person experiencing family and domestic violence is co-located within the same agency as the employee perpetrating violence, workplace responses should be determined in consultation with the person subjected to violence to minimise disruption to their employment and safety in the workplace.

REPORTING REQUIREMENTS

The Professional Conduct Standards of the Code of Ethics relevantly require public sector employees to:

- at the earliest possible opportunity advise their manager (or if their manager is not available, some other person in management in the agency in which they are employed or working) if they are charged with a criminal offence and, if admitted or proven, there would be a connection between the offending conduct and the employee's public sector duties/ role or position and/or status.
- report to an appropriate authority workplace behaviour that a reasonable person would suspect violates any law, is a danger to public health or safety or to the environment, or amounts to misconduct.

In considering these requirements, under the Code of Ethics, note:

- offences related to family and domestic violence, including offences giving rise to an Intervention Order, fall within the definition of a criminal offence that may need to be reported
- where an employee behaves (or discloses that they have behaved) in a manner that may be criminal and/or where the safety of another person is at risk, it may also be appropriate for agencies to make a report to South Australia Police
- where a public sector employee reasonably suspects that another public sector employee may be perpetrating family and domestic violence, they should notify their agency's human resources area so appropriate action can be determined
- where a public sector employee is suspected of perpetrating or experiencing family and domestic violence, and a child may be at risk due to experiencing or witnessing the violence, employees mandated under the *Children and Young People (Safety) Act 2017* may be legally obliged to make a report via the Child Abuse Report Line (131 478).

If a public sector employee has an Intervention Order made against them, and compliance with that order would affect their capacity to lawfully and satisfactorily perform their duties (for example, due to terms restricting proximity to another person), the employee must notify their manager, who may seek HR advice.

Refer to the [Commissioner's Guideline: Extent of obligation on employees to report they have been charged with a criminal offence](#) for further information.

SUPPORT SERVICES FOR PERPETRATORS OF FAMILY AND DOMESTIC VIOLENCE

An employee who discloses they have perpetrated family and domestic violence and seeks support to change their behaviour should be referred to the agency's Employee Assistance Program and/or a specialised support service. Managers, supervisors and human resources representatives should not act as counsellors for employees who have perpetrated family and domestic violence.

Specialised support for perpetrators is available through:

- ***Relationships Australia***
Provides counselling, support, and courses to reduce violence and increase safety in families. They have specialised programs for aggressors, of any gender or sex, who want to change their behaviour.
Telephone: 1300 364 277
Web: <https://www.rasa.org.au/>
- ***Men's Referral Service***
Available seven days per week, this service provides support, counselling and referral pathways for men seeking support for their behaviour.
Telephone: 1300 766 491
Web: <https://ntv.org.au/get-help/>
- ***MensLine Australia***
A 24-hour telephone and online support and information service for men with relationship concerns including family and domestic violence.
Telephone: 1300 789 978
Web: <http://mensline.org.au/>
- ***Don't Become That Man***
Encourages and facilitates early intervention and prevention programs for men who have concerns about their current controlling behaviour, and about how that behaviour might escalate to violence.
Telephone: 1300 24 34 13
Web: <https://www.dontbecomethatman.org.au/>

Other support services may also be available and referred to.

Employees who perpetrate family and domestic violence are not eligible for family and domestic violence leave to address their use of violence. Employees may apply for other types of leave for this purpose, subject to the approval of the agency's delegate.

Managers or employees who require personal support or counselling following a staff disclosure of their experience of family or domestic violence should contact their Employee Assistance Program provider.

10. Further information

[Australian Institute of Health and Welfare](#)

[Code of Ethics for the South Australian Public Sector](#)

[Commissioner's Determination 3.1 Hours of Work, Overtime and Leave](#)

[Commissioner's Guideline: Extent of Obligation on employees to report they have been charged with a criminal offence](#)

[Commissioner's Guideline: Management of Misconduct](#)

[Equal Opportunity Act 1984](#)

[Fact sheet: Domestic and family violence - a workplace issue, a discrimination issue \(Australian Human Rights Commission\)](#)

[Fair Work Act 1994](#)

[Intervention Orders \(Prevention of Abuse\) Act 2009](#)

[Office for Women](#)

[Premier and Cabinet Circular – PC 012 – Information Privacy Principles \(IPPS\) Instruction](#)

[Public Sector Act 2009](#)

[Public Sector Regulations 2010](#)

[South Australian Public Sector Enterprise Agreement: Salaried 2021](#)

[South Australian Public Sector Wages Parity Enterprise Agreement: Weekly Paid 2022](#)

[SAPOL Domestic Violence Disclosure Scheme](#)

[Work Health and Safety Act 2012](#)

Appendix

DEVELOPING A WORKPLACE FAMILY AND DOMESTIC VIOLENCE PERSONAL SAFETY PLAN

A workplace family and domestic violence personal safety plan is a document developed in partnership between an employee and a manager/supervisor when it has been identified the employee's safety or that of their co-workers is at risk in the workplace.

It is the prerogative of an employee to disclose as much of their personal circumstances as they feel comfortable, noting responsibilities to maintain a safe workplace, and the need to provide sufficient information for a decision maker to approve leave, where required.

When developing a personal safety plan, risks associated with the current working arrangements should be discussed and changes to improve safety identified and implemented. Advice may be sought from others, such as human resources representatives, with the express consent of the employee.

Employees should consider informing their manager/supervisor if the perpetrator of family and domestic violence is also an employee in the agency in which they are employed or working, or an employee in or working in another public sector agency. They should also consider if the perpetrator is a person who is not an employee in the agency or the South Australian public sector, whether it is someone they may come into contact with, regularly or irregularly, as part of the performance of their duties or while working.

Other matters that may be considered when forming a personal safety plan include:

- whether the perpetrator has threatened the employee at the workplace, whether in person, over the phone, post, email, online, artificial intelligence, other electronic or virtual platform, or any other method or threatened to attend the workplace, or if the employee is concerned this may occur
- if the employee has experienced stalking by the perpetrator
- whether the employee has obtained, or might consider obtaining, an Intervention Order via the South Australia Police and/or Magistrates Court and seek to have such an order include the workplace as a location the perpetrator is prevented from attending or approaching.
Intervention Orders are legally binding orders made by a magistrate to protect the safety of the victim. They include conditions that prevent the perpetrator contacting the victim or attending or approaching places the victim is likely to be.
 - Applications for an Intervention Order can be made through the South Australia Police or directly to the Magistrates Court.
 - If an intervention order has been filed that includes the workplace, it is recommended a copy be provided to management and security personnel.
 - Maintain records of any threatening or intimidating emails, letters, text messages, voicemail messages or the like from the perpetrator and provide copies to the police or courts.
- if the employee believes another employee may be specifically under threat from the perpetrator
- if the employee believes other employees may be generally under threat from the perpetrator
- if possible, have the employee's phone calls screened via voicemail

- if possible, have the employee's phone number and email changed
- remove the employee's phone number from any internal or whole of government directories and arrange for the number to be a private number
- in respect of social media or other online interactions,
 - if the employee can be located via social media or online, or through colleagues to promote professional or social events
 - whether the employee is connected to colleagues through social media, who may be identified by the perpetrator and places them under threat
 - if their workplace is identified on any of the employee's social media accounts.
- whether the place, or places from which the employee performs their duties, should be relocated for better security
- whether it is possible for working hours to be temporarily adjusted
- whether car parking/travelling to work arrangements can be altered to increase safety, including ensuring that car parks are located in well-lit spaces, and whether security is available to escort employees to their transport when required
- informing personnel in the security service of the work location/s
- if their agency does not provide a security service at the employee's work location/s, whether it is possible to procure temporary security
- if the employee is temporarily residing in a confidential location, ensure that appropriate employees in the agency they are employed or working at have their current emergency contact information on record
- identify an emergency contact person/s the employee can be contacted through in the case of an emergency
- timeframes for checking in on the effectiveness of the plan and reviews for changing circumstances
- how the safety arrangements will be communicated with colleagues.

**Office of the Commissioner
for Public Sector Employment**

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