Family and Domestic Violence Leave and Support Procedures

1. STRATEGIC PLAN THEME AND COMPLIANCE OBLIGATION SUPPORTED

*Fair Work Amendment (Family and Domestic Violence Leave) Act 2018 (Cth)*

Relevant Enterprise Agreement

Strategic Plan Theme: People and Culture

2. PROCEDURAL DETAILS

2.1 A staff member who is experiencing, or has experienced, family and domestic violence will be provided with access to a range of types of leave and other broad support in the workplace to maintain their wellbeing and participation in the workforce.

2.2 Line managers will act professionally with respect, consideration and sensitivity to a staff member's request for leave, leave without pay or support due to family and domestic violence.

2.3 Leave

2.3.1 A staff member will be permitted up to 5 days leave without pay each year, non-accumulating, to deal with matters arising from or as a result of experiencing the effects of family and domestic violence (including to provide care or support for a member of their immediate family or household experiencing the effects of family and domestic violence).

2.3.2 A staff member may also access personal, annual, carers, compassionate and long service leave for this purpose.

2.3.3 Leave without pay beyond 5 days may be requested by the staff member and may be approved at the discretion of the line manager.

2.3.4 When taking leave, the staff member will inform their line manager as soon as possible about the leave including how long they expect the leave to last.

2.4 Evidence requirements

2.4.1 A staff member may be asked for evidence that shows they took the leave to deal with family and domestic violence. Types of evidence can include, but are not limited to:

- documents issued by the police service
- documents issued by a court
- family violence support service documents, or
- a statutory declaration.

2.5 Other support

2.5.1 Other support, either permanent or temporary, may be provided to a staff member experiencing the effects of family and domestic violence, in the form of:

(a) changes to hours of work
(b) changes to the location of work
(c) changes to work phone numbers or email addresses
(d) return to work considerations
(e) flexible working arrangements.

2.5.2 A staff member who discloses to People and Culture or their line manager that they are experiencing family and domestic violence will be connected with appropriate University counselling and support services.

2.6 Privacy

2.6.1 Line Managers will comply with the *Disclosure of Personal Information Procedures* and ensure the privacy of staff personal information.
3. SCOPE OF PROCEDURES
These procedures apply to all staff employed by the University.

4. DEFINITIONS
(Note: Commonly defined terms are located in the Curtin Common Definitions. Any defined terms below are specific to this document.)

Agreement
Means:
- Curtin University Academic, Professional and General Staff Agreement 2017 - 2021 or any subsequent or replacement agreement.
- Curtin University Academic, Professional and General Staff Enterprise Agreement 2012 – 2016.
- Curtin University Early Childhood Centre Enterprise Agreement 2018 – 2021 or any subsequent or replacement agreement.

Family and domestic violence
Family and domestic violence is considered to be behaviour which results in physical, sexual and/or psychological damage, forced social isolation, economic deprivation, or behaviour which causes the victim to live in fear.

The term is usually used where abuse and violence take place in intimate partner relationships including same sex relationships, between siblings, from adolescents to parents or from family carers to a relative or a relative with a disability. A key characteristic of family and domestic violence is the use of violence or other forms of abuse to control someone with whom the perpetrator has an intimate or family relationship.

The term ‘domestic violence’ usually refers to abuse against an intimate partner, while family violence is a broader expression encompassing domestic violence and the abuse of children, the elderly and other family members.

Aboriginal and Torres Strait Islander people generally prefer to use the term ‘family violence’. This concept describes a matrix of harmful, violent and aggressive behaviours and is considered to be more reflective of an Aboriginal world view of community and family healing. However, the use of this term should not obscure the fact that Aboriginal women and children bear the brunt of family violence.

Leave
Means annual, carers, compassionate, long service and personal leave as provided for in the relevant agreements

Leave without pay
Means leave as provided under ‘Leave Without Pay (LWOP)’ in the relevant agreements.

Staff personal information
Means any personal information that relates to any person employed or previously employed by the University.

5. RELATED DOCUMENTS/LINKS/FORMS
  Code of Conduct
  Relevant Enterprise Agreement
  Disclosure of Personal Information Procedures
  Values and Signature Behaviours
  Fair Work website: Family & domestic violence leave
REVISION HISTORY

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