

	BUZZWORKS DOMESTIC AND FAMILY VIOLENCE POLICY	Doc Type:	Policy
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Policy Statement

Buzzworks is strongly committed to providing a healthy and safe working environment for all Workers. It is recognised that Workers sometimes face difficult situations in their work and personal life, such as domestic and family violence (DFV), that may affect their attendance, performance at work or safety.

DFV occurs when one person in a relationship uses violence or abuse to maintain power and control over the other person. This can include behaviour that is physically, sexually, emotionally, psychologically or economically abusive, threatening, coercive or aimed at controlling or dominating the other person through fear.

DFV can affect people of all cultures, religions, ages, genders, sexual orientations, educational backgrounds and income levels.

Buzzworks' leaders, managers, supervisors and all Workers are committed to making Buzzworks a great place to work. Buzzworks can make a significant difference to Workers affected by DFV by providing appropriate safety and support measures.

DFV is unacceptable in any setting, including the workplace. Any Buzzworks Worker who perpetrates violence and abuse from the workplace, including by telephone, fax, mail, email, internet or social media may be subject to disciplinary action.

All Workers have a responsibility to model Buzzworks' values, which includes behaving in a way that promotes a work environment free from any form of violence and supporting those who are affected by DFV.

Fostering a respectful, inclusive, gender equitable workplace culture, where Workers affected by DFV are supported in the workplace, contributes to a healthy and safe working environment for all.

Scope

This Policy applies to all Workers who are engaged by Buzzworks in any capacity or location during business hours or hours of work.

Workers includes managers and supervisors, full-time, part-time or casual, temporary or permanent employees, apprentices, a contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company assigned to work for Buzzworks, a work experience student or a volunteer.

Confidentiality and Disclosure

Buzzworks Workers have the right to choose whether, when and to whom they disclose information about being affected by DFV. This policy does not override any legal obligations to disclose information.

Information disclosed by a Worker in relation to DFV will be kept confidential, except to the extent that disclosure:

- is required or permitted by law, or
- is necessary to support the Worker in the workplace.

Awareness Raising and Capability Development

Buzzworks' management are responsible for ensuring the organisation:

- promotes Worker awareness of the DFV policy, support options and advice available
- makes available and promotes an online awareness raising program, *Recognise, Respond, Refer: Domestic Violence and the Workplace* (or equivalent). All Workers should be required to complete the program.
- develops and maintains organisational capability to respond supportively to Workers affected by DFV, such as face-to-face training for managers, HR staff and any designated DFV support staff.

Support Options Available to Workers

There are a number of support options available to assist Workers affected by DFV. These arrangements should be reviewed at regular intervals to ensure they are appropriate.



1.0 Documentation

When considering the support options outlined below:

- (a) Buzzworks acknowledges that Workers affected by DFV may not be in a position to provide supporting documentation. A Worker's access to leave and other support options should not be denied in the absence of supporting documentation, except where clause 1.3.4 applies.
- (b) any related communications must be conducted in a sensitive and non-judgmental manner. Any documentation sighted must be returned to the Worker unless the Worker requests otherwise.

2.0 Leave Entitlement

Subject to Clause 2.2, a Buzzworks Worker who is affected by DFV will have access to a minimum of 10 days per year of paid leave:

- (a) for the purposes of, but not limited to, attending medical, legal, police or counselling appointments; attending court and other legal proceedings; and organising alternative accommodation and care or education arrangements for the purposes of attending to matters arising from DFV or supporting the person affected by DFV.
- (b) where the chief executive is satisfied that the Worker requires leave because the Worker is affected by DFV. Leave should not be denied in the absence of supporting documents, except where Clause 2.2 applies.
- (c) without having to first use other leave entitlements. This leave can be taken as consecutive days, single days or a part of a day.
- (d) The Worker may also access further paid or unpaid leave, including special leave, sick leave, carers leave, recreation leave, long service leave or other accrued time to attend to matters arising from DFV—this will be in accordance with the directives relating to each type of leave.
- (e) noting the leave does not accrue annually and is not payable on separation.

2.1 For the purpose of Clause 2.0 above and noting the complexity of DFV situations, additional paid leave in excess of 10 paid days leave per year may be approved at the discretion of the chief executive or delegate having regard to the circumstances of individual Workers.

This additional leave may be provided where there are extenuating circumstances, for example, where travel for court appearances may require several days in regional areas; or where safety risks for a family and children requires time to organise accommodation or care arrangements.

Discussion about support and leave options should be compassionate, sensitive and maintain confidentiality.

2.2 A Worker applying for leave related to their use, alleged or potential use, of DFV is not entitled to leave under Clause 2.0 unless the following are satisfied:

- (a) the leave is required to attend a behavioural change program approved under Section 75 of the *Domestic and Family Violence Protection Act 2012* by the chief executive of the department administering the Act, delivered by a provider approved under that section;
- (b) the Worker provides written evidence of their enrolment and attendance in the program referred to in Clause (a); and
- (c) the Worker has exhausted all other paid recreation or long service leave entitlements and accrued time.

NOTE: Clause 2.2 applies only to leave related to a Worker's use, potential or alleged use of DFV.

If an Worker is affected by DFV (for example is both the aggrieved and a respondent in the same court hearing for a DFV order application) then entitlements in Clauses 2.0 and 2.1 continue to apply in relation to their experience of DFV, rather than the use, alleged or potential use of DFV.

A Worker should not have their entitlements reduced because they are a respondent in a counter claim.

3.0 Flexible Working Arrangements

Buzzworks will provide Workers affected by DFV (other than those who use or may use DFV) with access to flexible working arrangements. Workers who use or may use DFV may request flexible working arrangements under the *Industrial Relations Act 2016*, in the same way as other Workers. Workers are encouraged to discuss their request for flexible working arrangements with their managers in the first instance.



4.0 Counselling Support Services

- (a) Buzzworks will offer the Employee Assistance Provider (EAP) or similar, to all Workers and their immediate family members. The EAP offers free and confidential support services through face-to-face, telephone and online counselling.
- (b) The EAP should also provide specific advice to managers to support Workers affected by DFV.

5.0 Support for Work Performance and Attendance

- (a) Work performance or attendance may be influenced by factors not connected with work. Workers will be supported and encouraged to raise concerns about their personal circumstances, including whether DFV is a contributing factor to work performance and attendance.
- (b) It may also be necessary to include additional support and provide reasonable workplace and role adjustments for a period of time. Regular reviews, a return-to-work plan and a performance improvement process may still be required.

6.0 Other Workplace Support and Role Adjustments

Buzzworks will also, where appropriate:

- (a) conduct risk assessments and implement workplace safety needs and arrangements such as increased security measures to protect affected Workers and colleagues
- (b) support Workers to have the workplace included in a Domestic Violence Order issued by the courts
- (c) consider providing other temporary or permanent support and reasonable adjustments in the workplace, such as:
 - job redesign or changes to duties
 - changes to working hours or patterns of work
 - alternative suitable employment in other teams, offices and locations
 - changes to email address and telephone numbers
 - secure parking.

Safety in the Workplace

Of paramount consideration is the safety and wellbeing of all Buzzworks Workers in the workplace. Fostering a workplace culture where Workers affected by DFV are supported contributes to a healthy and safe working environment for all.

In situations where a Worker affected by DFV is concerned for their safety or that of their colleagues, it is recommended that the Worker and their manager and/or supervisor and/or human resources officer jointly develop a workplace safety plan agreement.

A DFV risk assessment checklist should be completed by the supervisor/manager and/or human resources officer in consultation with the Worker affected by DFV, prior to completing a workplace safety plan agreement. The agreement should include details of any necessary support and reasonable adjustments.

The workplace safety plan agreement should outline the specific workplace safety needs and arrangements to support the Worker, such as:

- (a) any changes in relation to any work patterns, practices or work location
- (b) any precautionary plans to be undertaken pre or post-work or during remote working arrangements (e.g. travel arrangements, secure carpark etc.) to support the safety of the Worker
- (c) any workplace changes and/or security measures (including for remote working arrangements) to protect the Worker and their colleagues where necessary
- (d) updated emergency contacts and/or next of kin details and agreed communication methods to notify of heightened risk (e.g. during remote working arrangements).

Arrangements should be reviewed at pre-determined intervals to ensure currency and to ascertain ongoing appropriateness.



Responsibilities

Leaders/managers/supervisors will:

- (a) model the public service (or Insert agency) values, including behaviour in a way that promotes a work environment free from any form of violence
- (b) actively participate in DFV workplace learning and development activities to effectively communicate with and to provide support to Workers affected by DFV
- (c) ensure Workers actively participate in required DFV workplace learning and development activities
- (d) sensitively communicate with Workers affected by DFV and maintain confidentiality subject to legal disclosure obligations
- (e) take prompt and appropriate action to support Workers affected by DFV, including risk management and safety planning
- (f) ensure appropriate levels of support are provided to Workers affected by DFV
- (g) ensure Workers are aware of available support options, including nominated officers to seek support from as appropriate
- (h) ensure appropriate management of work performance and monitoring of attendance issues, while being mindful of the potential impacts of DFV.

Workers will:

- (a) model the public service values (or Insert agency) including behaving in a way that promotes a work environment free from any form of violence and abuse
- (b) actively participate in DFV related learning and development activities such as online DFV awareness raising programs (except where it may negatively impact their wellbeing)
- (c) sensitively communicate with colleagues affected by DFV, maintain confidentiality and encourage them to seek assistance
- (d) familiarise themselves with available workplace support options and specialist referral services.

Definitions

Unless otherwise defined, the terms in this directive have the meaning set out in the *Public Service Act 2008*.

DFV has the same meaning as domestic violence as defined in the *Domestic and Family Violence Protection Act 2012*. The most current version of the Act can be located at: <https://www.legislation.qld.gov.au/browse/inforce#/act/title/d>

A Worker who uses or may use DFV is a Worker:

- (a) who has voluntarily identified as a person who uses or may be at risk of using DFV; or
- (b) who has been named as a respondent to an existing application for a DFV order or police protection notice; or
- (c) to whom a current DFV order or police protection notice applies; or;
- (d) who has been charged with a DFV offence by a law enforcement agency and charges remain pending; or
- (e) who has been found to be using DFV by a court.

Related Information

- *Domestic and Family Violence Protection Act 2012*
- *Work Health and Safety Act 2011*
- *Public Service Act 2008*
- *Industrial Relations Act 2016*
- *Human Rights Act 2019*
- Code of Conduct for the Queensland Public Service
- Directive relating to supporting Workers affected by domestic and family violence



- Directive relating to special leave
- Directive relating to sick leave
- Directive relating to recreation and long service leave
- Directive relating to leave and travel concessions – isolated centres
- Directive relating to leave without salary credited as service

Help is Available

If you need assistance please contact one of the following people in Buzzworks who have been nominated to assist:

Name: Shane Sarlin

Position: Director

Location: Brisbane

Contact: 0413 417 446 or shane@buzzworks.net.au

Name: Nathalie Sarlin

Position: Director

Location: Brisbane

Contact: 0410 477 242 or nat@buzzworks.net.au

Other ways to get assistance:

- DVConnect 24-hour Domestic Violence Helpline Call 1800 811 81
- 1800 RESPECT (1800 737 732)

Policy Updates

This Policy may change from time to time and is available on our website <https://buzzworks.net.au/policies>.

Policy Complaints and Enquiries

Buzzworks is committed to providing an environment which is safe for all Workers. You will not be disadvantaged in your employment conditions or opportunities as a result of lodging a complaint.

If you have any queries or complaints about our Domestic and Family Violence Policy please contact us at:

Buzzworks

Enquiries: info@buzzworks.net.au

Complaints: complaints@buzzworks.net.au

Telephone: +61 7 3366 5080