Functional Area: ORGANISATIONAL

POLICY: DOMESTIC AND FAMILY VIOLENCE SUPPORT

Purpose

Council recognises that domestic and family violence can affect an employee's health, safety, wellbeing, attendance, performance and ability to participate fully in work and community life. Domestic and family violence is a workplace issue as well as a community issue, and Council acknowledges its responsibility to provide support to employees affected by domestic and family violence.

Policy statement

Barcoo Shire Council is committed to creating a workplace where employees feel safe seeking support if they are experiencing domestic and family violence.

Council will take a person-centred approach focused on safety, confidentiality, wellbeing and practical support. Employees who disclose domestic and family violence will be treated with dignity, respect and compassion.

Council will, so far as is reasonably practicable, identify and manage workplace risks arising from domestic and family violence and provide appropriate workplace support, reasonable adjustments and access to leave entitlements.

No employee will be disadvantaged, victimised or treated adversely because they disclose domestic and family violence, seek support or access workplace assistance under this policy.

Scope

This policy applies to all Council employees, including permanent, temporary, casual, trainee and apprentice employees. Employment-related entitlements and support arrangements contained within this policy apply only to Council employees unless otherwise provided by law or Council resolution.

Councillors, contractors, volunteers and other persons performing work for or on behalf of Council are expected to comply with the behavioural, confidentiality and safety principles contained in this policy

Definitions

Domestic and family violence: Domestic and family violence means behaviour by a current or former intimate partner, family member, relative, carer or other person in a family-like relationship that is physically, sexually, emotionally, psychologically, financially, socially or coercively abusive, isolating, threatening, controlling or intimidating. It includes behaviour that causes fear for a person’s safety or wellbeing, whether in person or facilitated by technology, such as online or social media activity.

Employee affected by domestic and family violence: An employee who is experiencing domestic and family violence directly, or who is supporting an immediate family or household member affected by domestic and family violence.

Workplace adjustment: A temporary or ongoing adjustment to work arrangements intended to improve safety, wellbeing, support or continued employment. Examples may include: flexible hours; changes to contact details; changes to work location; changes to duties; and additional security arrangements.

Workplace Safety Plan: A documented plan developed between Council and an employee to identify and manage workplace risks associated with domestic and family violence.

Responsibilities

Chief Executive Officer: Provide executive leadership; ensure appropriate systems, resources and delegations; protect confidentiality; apply discretion to enable appropriate workplace adjustments; manage workplace health and safety risks; and comply with legal and industrial obligations.

Directors, Managers and Supervisors: Promote early support; respond respectfully; assess immediate workplace safety; take practical steps to identify and manage risks; maintain confidentiality; facilitate access to entitlements and adjustments; document agreed actions carefully; ensure records are stored securely.

Directors, managers and supervisors are encouraged to seek professional specialist, human resources, industrial relations, legal or work health and safety support and advice where required.

Directors, managers and supervisors must not:

- pressure employees to disclose personal information
- investigate personal circumstances unnecessarily
- make judgements regarding a person's experience
- disclose information without a legitimate and lawful reason
- engage in gossip or discussion regarding a person's circumstances.

All employees: Treat others with dignity and respect; contribute to a positive culture; maintain confidentiality; avoid gossip; follow reasonable directions and controls; and not judge or victimise any person. Creating a safe and supportive workplace is everyone's responsibility.

Employees experiencing domestic and family violence are encouraged to seek support when required and advise a supervisor, manager, director or the Chief Executive Officer where safety concerns may affect the workplace. Employees are encouraged to seek assistance as early as possible. Early intervention can improve safety outcomes and access to support.

Human Resources Manager: Provide guidance; triage concerns; facilitate access to appropriate support services, entitlements and workplace adjustments; facilitate workplace safety planning; maintain appropriate records; arrange external assistance where independence or expertise is required.

Work health and Safety function: Support hazard identification, risk assessment, consultation, control selection, incident response and workplace safety planning and measures.

Disclosure

Employees affected by domestic and family violence are encouraged to seek help early from their supervisor; manager, director or the Chief Executive Officer; the Human Resources Manager, Council’s Employee Assistance Program or an external specialist service. An employee may use an alternative pathway if the usual contact is unsafe, inappropriate or affected by a conflict of interest.

An employee is not required to provide unnecessary personal details. Council will ask only for information reasonably needed to understand workplace impacts, administer an entitlement, arrange support or manage a health and safety risk.

Immediate threats, violence, medical emergencies or serious safety risks must be escalated through emergency services and Council’s incident response arrangements

Workplace support measures

Council recognises that every person's circumstances are different and support arrangements will be considered on a case-by-case basis.

Support measures may include:

- flexible working arrangements
- changes to work schedules or rosters
- temporary changes to work location
- temporary reassignment of duties where appropriate
- altered contact details or communication methods
- temporary adjustments to attendance requirements
- access to leave entitlements
- workplace safety planning
- referral to specialist support services.

Leave entitlements

Employees affected by domestic and family violence may access leave entitlements in accordance with the *Fair Work Act* 2009 and the Barcoo Shire Council Certified Agreement.

Paid family and domestic violence leave may be used when an employee needs to do something to deal with the impact of family and domestic violence and it is impractical to do that outside the employee's work hours. This may include arranging safety, attending court, police, counselling, medical, legal or financial appointments, or relocating.

Subject to eligibility requirements, employees may access:

- Paid Family and Domestic Violence Leave
- personal leave
- annual leave
- long service leave
- accrued time arrangements
- leave without pay where appropriate.

Reasonable evidence (such as a police report, doctor's certificate or statutory declaration) may be requested where required by legislation or industrial instruments.

Workplace health and safety

Council recognises that domestic and family violence may create physical and psychosocial risks at work. Council will, so far as is reasonably practicable, identify, assess and minimise risks through effective controls, consultation and review. Risks may include unwanted workplace attendance, stalking, threatening communications, technology-facilitated abuse, fatigue, distress, risks to colleagues or the public, and risks connected with remote work, travel, accommodation or field-based duties.

Where appropriate, Council may develop a confidential workplace safety plan with the affected employee. The plan may address emergency contacts, communication protocols, security alerts, access to Council premises, work location, travel, accommodation, contact information, technology, parking, remote work and agreed review arrangements. Controls will be practical and proportionate. In our remote and small-community context, arrangements will consider limited local services, overlapping community relationships and the difficulty of maintaining privacy.

Confidentiality and privacy

Council recognises that confidentiality is critical in supporting employees affected by domestic and family violence.

Information about domestic and family violence will be treated sensitively and shared only with the employee's consent, where required by law, or where reasonably necessary to administer an entitlement, provide procedural fairness, obtain advice, implement support or manage a serious health and safety risk.

Records will be factual, secure, access-controlled and managed in accordance with Council's privacy, payroll and records requirements. Information will not be placed on a general personnel file unless there is a lawful and legitimate business need.

Employees alleged to be using violence

Council expects all workers to comply with the law, Council's Code of Conduct and reasonable workplace safety directions. Council will not automatically treat a private allegation as established misconduct. Council may review and manage alleged behaviour under its work health and safety, conduct, disciplinary or risk management processes where the behaviour creates a workplace risk, involves Council resources, occurs in connection with work, or may constitute misconduct.

Any response will be lawful, proportionate and procedurally fair. Safety information about an affected person will not be disclosed unnecessarily to the person alleged to be using violence.

Breaches and consequences

A breach of this policy, including victimisation, gossip, inappropriate disclosure of confidential information, misuse of Council systems or failure to follow a reasonable safety direction, may result in risk controls, management action, counselling, training, disciplinary action, termination of employment or engagement, or referral to an external authority. Any action will be lawful, proportionate and procedurally fair.

Support services

Internal support

- Chief Executive Officer
- Directors, managers and supervisors
- Human Resources Manager
- Employee Assistance Program (EAP)

External support

- 1800RESPECT
- DVConnect Womensline
- DVConnect Mensline
- Queensland Police Service
- Legal Aid Queensland
- Queensland Health services
- Domestic and family violence support agencies

Governing legislation, regulations and references

Fair Work Act 2009 (Cth)
Work Health and Safety Act 2011 (Qld)
Work Health and Safety Regulation 2011 (Qld)
Domestic and Family Violence Protection Act 2012 (Qld)
Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024 (Qld)
Anti-Discrimination Act 1991 (Qld)
Human Rights Act 2019 (Qld)
Industrial Relations Act 2016 (Qld)

Barcoo Shire Council Certified Agreement 2024

Policy owner:	Chief Executive Officer – People and Culture
Policy reference no.:	BSC-068
Related policies:	BSC-010 Workplace Health and Safety Policy BSC-012 Employee Code of Conduct BSC-045 Workplace Discrimination and Psychosocial Health Policy BSC-060 Risk Management
Related forms:	
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