**Family and Domestic Violence Policy template for Queensland community clubs**

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**Clubs Queensland acknowledges the work and dedication of Challenge DV, who provided their expertise and assistance in the development of this policy.**

**Clubs Queensland** is the peak industry association and union of employers of registered and licensed community clubs in Queensland. This resource has been developed for use by member clubs only.

**Please note:** The template below is generic and advisory only. It is not exhaustive and requires clubs to tailor it to their individual circumstances. Clubs should document all processes and procedures so that their final Family and Domestic Violence Policy closely aligns with actual practices of the operation. A material difference between what the club says in its Family and Domestic Violence Policy and what the club does in practice may expose the club and its officers to non-compliance and liability.

**Disclaimer:** The template is not legal advice and clubs should conduct their own due diligence, including obtaining independent legal and professional advice. Clubs Queensland cannot be held liable for any omissions, errors, actions or decisions made on the basis of the information contained in this resource.

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**Family and Domestic Violence Policy of** **[insert club name]**

1. Purpose and Application
   1. [insert club name] (the Club) recognises that family and domestic violence (FDV) is serious and prevalent in the Australian community. The Club recognises that employees may be affected by FDV, which can have a significant impact on those impacted by, or using violence at home, and it may affect attendance or performance at work. It is important to note is that those impacted in some way by violence may not show obvious signs at work.
   2. The Club is committed to addressing FDV and providing a working environment that is safe and supportive of staff who may be affected by FDV.

Responsibilities for Work Health and Safety:

* 1. The responsibility for managing health and safety ultimately rests with directors and management of the Club. Employees also have important responsibilities for health and safety in the workplace.
  2. The purpose and aim of this policy is to:
     1. promote a respectful and safe work environment that does not tolerate or excuse FDV;
     2. support the retention, safety and well-being of staff affected by FDV; and
     3. detail the rights and responsibilities of employees impacted by FDV.

1. Scope
   1. This Policy applies to all employees of the Club, regardless of status, position or department.
   2. This policy will be made available via [INSERT: its website/available in the main office].
2. Definitions
   1. The Club recognises the *Domestic and Family Violence Protection Act 2012* (Qld).
   2. Impacted by FDV means, violent, threatening or other abusive behaviour by a family member of an employee that seeks to coerce or control the employee and causes them harm or fear.
   3. Affected by FDV means, you have a close relationship to the person in clause 3.2 or are in some other way affected by the abusive behaviour they are impacted by.
   4. A User of FDV refers to the person who is using the threatening or other abusive behaviour towards a family member, that seeks to coerce or control the person impacted by the violence and that causes them harm or to be fearful. The Club recognises that by supporting employees to develop more respectful relationships, we are working to prevent harm and create a society in which violence has no place.
   5. Relevant relationship means:
      1. an intimate personal relationship;
      2. a family relationship; or
      3. an informal care relationship.
   6. Intimate relationship means:
      1. people who are married or in a de facto relationship; or
      2. people who are engaged (including a betrothal under cultural or religious tradition); or
      3. people who have or had a relationship as a couple; or
      4. former spouses; or
      5. the parents of a child, even if the parents themselves were or are not in a relationship.
   7. Family relationship means:
      1. a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee; or
      2. a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the employee; or
      3. any two people who are related by blood or marriage or who are former relatives, including:
         1. a person related to the employee according to Aboriginal or Torres Strait Islander kinship rules; or
         2. people with particular religious beliefs or members of communities with non-English speaking backgrounds.
3. Immediate Danger
   1. If you are feeling unsafe in the workplace right now, call 000.
4. Confidentiality
   1. Any disclosure to the Club or request for support made by an employee who is impacted by FDV will be dealt with on a confidential basis. All personal information given in relation to situations of FDV will be kept confidential except to the extent that disclosure is required or permitted by law.
   2. No information will be kept on a personnel file without the employees’ express permission. Any information kept will be password protected.
   3. Employees must maintain appropriate confidentiality in regard to personal information. Discussions with management in the line of reporting or with human resources will be on a strictly need-to-know basis.
   4. Should an employee require domestic and family violence leave, the use of this leave will remain hidden on their payslip.
5. Roles and Responsibilities

Employees

* 1. Employees who wish to access any of the support available within the workplace can contact [insert contact/s] or discuss the issue with their immediate manager/supervisor.
  2. 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.
  3. Where a colleague is concerned about another employee’s health and safety, they should speak with their immediate manager/supervisor.
  4. Employees who have had information disclosed to them are encouraged to seek support for themselves within or outside the workplace, including through the Club’s Employee Assistance Program (EAP) *(delete* *if not applicable)* or an external support service. A note for clubs: It is recommended that you contact your EAP provider, if applicable, to determine if they have a specialised DFV service.

Managers

* 1. Managers are responsible for providing advice to employees about this policy.
  2. Managers are responsible for ensuring employees are aware of this policy, and providing support, consistent with this policy, to employees impacted by FDV. They may also be required to coordinate support with human resources for an employee impacted by FDV.
  3. 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, or at least ensuring they are aware of the support options available.
  4. Managers should facilitate support for an employee to the fullest extent possible in the workplace, keeping in mind consent and confidentiality.
  5. If a manager needs support as a result of an employee disclosing FDV to them, they can contact the EAP *(delete* *if not applicable)* or an external support service.

1. Support
   1. Employees impacted by FDV can access a range of support from the Club, which may include:
      1. Flexible working arrangements. These requests can only be refused on reasonable business grounds. Such requests for flexible working arrangements may include:
         1. A change to working hours or patterns of work.
         2. Relocation to suitable alternative employment where this is able to be identified.
         3. Change of the employee’s duties.
      2. Secure parking and other security measures where possible and as required.
      3. Change of phone number and email address to limit unwanted contact at the club, or screening and blocking calls and emails.
      4. Contact with the police on the employee’s behalf where appropriate.
      5. Flexibility in performance management. FDV should be acknowledged as a potential mitigating factor if performance has been affected. Managers should:
         1. Continue to have regular, sensitive conversations with the employee about the job requirements, performance expectations, and development opportunities of that performance cycle,
         2. Offer to develop workload strategies for work to be managed and performance assessed having regard to the employee’s circumstances, and
         3. Consider if it is necessary to provide other reasonable workplace adjustments for a period of time.
      6. Offer to refer to external support through the [insert EAP details] should they consent to this.
      7. Access to FDV leave as set out in the *Registered and Licenced Clubs Award 2020*.
      8. Offer to support the employee to access safe accommodation through [insert local or national accommodation support service], acknowledging that homelessness is a risk of DFV.
      9. [If possible] Offer financial support by way of advancement of pay or linking the employee with Services Australia, or [insert local financial support service].
      10. Any other measures or changes to normal arrangements that are considered appropriate by the Club.
2. Leave Entitlement
   1. Each year, an employee experiencing domestic and family violence (including full-time, part-time and casual employees) is entitled to 10 days paid leave to deal with the impacts of FDV.
   2. The entitlement to 10 days paid leave is available in full at the start of each 12-month period of the employee’s employment and the leave does not accumulate from year to year.
   3. In circumstances where the employee requires more than 10 days paid leave, the employer and employee may agree that the employee may take additional unpaid leave to deal with FDV.
   4. This leave can be taken as consecutive days, single days or a fraction of a day.
   5. Examples of a reason for which an employee may take such leave includes making arrangements for their safety or safety of a family member, attending court hearings, accessing police services, organising alternative accommodation or care, or attending medical, legal, police or counselling appointments relating to the FDV.
   6. Paid FDV leave doesn’t break an employee’s period of continuous service. It also counts as service when calculating accumulated entitlements, such as paid annual or personal/carer’s leave.
   7. This paid leave will also count towards an employee’s hours worked in that week for the purposes of calculating overtime.

Taking Unpaid Family and Domestic Violence Leave:

* 1. An employee may take unpaid leave to deal with FDV if the employee:
     1. is impacted by FDV or is using FDV; and
     2. needs to do something to deal with the impact of the FDV and it is impractical for the employee to do that thing outside of their ordinary hours of work.

Other Leave Options

* 1. An employee can access personal / carer’s leave if they have a personal illness or injury, or need to provide care or support to a member of their immediate family or household who is affected by an unexpected emergency, illness or injury, including where this is caused by FDV.
  2. An employee may also agree with the Club to use their accrued annual leave or take unpaid leave.

Notice and Evidentiary Requirements

* 1. In certain circumstances, an employee may be asked to provide evidence that would satisfy a reasonable person that any leave taken is for the purpose of FDV. Such evidence may include:

### a document issued by the police service such as a DVO;

### a document provided by the court or family violence support service;

### evidence of attendance at a behaviour change program or counselling session; or

### a statutory declaration.

* 1. Employees impacted by FDV may not be in a position to provide supporting documentation. An employee’s access to leave and other support options should not be unreasonably denied in the absence of supporting documentation.
  2. Any related communications must be conducted in a sensitive and non-judgemental manner. Any documentation sighted must be returned to the employee unless the employee request otherwise.

1. Safety planning (delete if not applicable)
   1. It is recommended that each club incorporate a Challenge DV Safety Plan Template into this policy. Challenge DV offer specialist training in recognising, responding and referring employees impacted by domestic and family violence. Part of this training includes the use of a safety plan. Please contact Challenge DV to arrange this training: [team@challengedv.org](mailto:team@challengedv.org)
2. Further Assistance
   1. For any queries regarding the operation of this policy please contact [insert details].
   2. If you or someone you know is impacted by FDV, the following external services are available to provide information and assistance:

|  |  |  |
| --- | --- | --- |
| [name of EAP provider] | [services available through EAP provider] | [contact details] |
| 1800Respect | National sexual assault, domestic family violence counselling service | 1800 737 732 |
| Lifeline | 24-hour crisis support | 13 11 14 |
| Relationships Australia | Counselling, family dispute resolution and a range of family and community support | 1300 364 277 |
| MensLine AustraliaQlifeAboriginal FV legal services | Telephone and online counselling service for men with family and relationship concernsQlifeLGBTIQA+ supportSupport for First Nations People | 1300 789 9781800 184 5271800 309 912 |

### **Policy date**: