

# Gender Based Violence and the Workplace Policy

## 1. Purpose

The Gender Based Violence and the Workplace Policy clearly defines RedR Australia commitment to provide a safe, respectful and supportive workplace environment for all staff that experience gendered violence through appropriate support, referrals and flexible arrangements such as workplace leave provisions. It also reflects RedR Australia strong commitment to gender equality. Gender Based Violence, including domestic violence in all its forms, compromises the lives and safety of people worldwide. Gender Based Violence is a human rights violation which as well as having impacts on individuals can impact the workplace and compromise the safety of co-workers.

Gendered violence is an expression of power or control over individuals or groups because of their gender. Research shows that the majority of victims are women and the majority of perpetrators are men. Whilst acknowledging this as the case, RedR recognises that men can be victims of family and domestic violence, and it can occur in same sex relationships. Therefore, RedR prefers the term Gender Based Violence as it is a broader term than domestic violence encompassing family, sexual and intimate partner violence and in recognition of diverse relationships and intersectionality. We use the term Gendered Violence while recognising the terms Domestic, Family and Sexual Violence. The policy applies to all staff regardless of gender.

Forms of gendered violence can include emotional, physical, social, sexual, spiritual and financial abuse.

RedR is committed to gender equality and does not tolerate violence in or around the workplace and will not excuse gendered violence in any of its forms.

## 2. Scope

This policy applies to all permanent and casual employees of RedR Australia including staff on deployment. It applies to staff working in our Australia and overseas offices. The policy outlines the roles and responsibilities of staff and managers, support provisions available and reporting procedures. The policy should be read alongside RedR Australia Gender Equality Policy, Code of Conduct and Values, OH&S and Well Being Policies.

## 3. Why is it important to provide workplace support?

Data from the 2011 *National Domestic Violence and the Workplace Survey*, found that nearly half those who had experienced domestic violence reported that the violence affected their capacity to get to work and nearly one in five (19%) who experienced domestic violence in the previous 12 months reported that the violence continued at the workplace – mainly in the form of abusive phone calls or emails (12%) and the partner physically coming to their workplace (11%). Over one-third of all respondents who had experienced domestic violence reported the violence to the police. A quarter of all respondents who had experienced domestic violence had obtained a protection order but less than half (41%) included their workplace in the order<sup>1</sup>.

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<sup>1</sup> Conducted by the Centre for Gender Related Violence Studies (CGRVS) at the University of New South Wales, in conjunction with Micromex Research (over 3,600 respondents).

There are benefits to the individual, family, employer and broader community if those who are experiencing gendered violence can maintain employment and the workplace plays a critical role in supporting those experiencing gendered violence through offering flexible work arrangements. In Australia, between 15-17% of women will be affected by gendered violence at some point in their lives and over two-thirds of these women are in paid employment<sup>2</sup>.

#### 4. Terms and Definitions

**Deployee** A RedR roster member contracted to RedR Australia and deployed to a host organisation as part of a RedR managed program, for example, Australia Assists.

**Domestic violence** refers to violence, abuse and intimidation between people who are or have been in an intimate relationship. The perpetrator uses violence to control and dominate the other person. This causes fear, physical harm and/or psychological harm. Domestic violence is a violation of human rights and in Australia it can include:

- Emotional abuse
- Physical assault
- Sexual assault
- Verbal abuse
- Financial abuse
- Psychological abuse
- Isolating a person from their friends and family
- Preventing them from practising their religion

#### **Family violence:**

Some communities, including Aboriginal and Torres Strait Islander Communities, prefer the term 'family violence' to 'domestic violence.' Family violence refers to violence between family members (for example, children and parents) as well as intimate partner violence. For Aboriginal and Torres Strait Islander communities, the term 'family violence' better reflects their understanding and experience of violence<sup>3</sup>.

#### **Gendered Violence**

Gendered violence is an expression of power or control over individuals or groups because of their gender. Gendered violence includes domestic, family and sexual violence, sexual harassment and assault, stalking, intimate partner violence and violence amongst household members.

#### **Gender Equality**

Gender equality is about equal opportunities, rights and responsibilities for women and men, girls and boys. It does not mean that women and men are the same. Gender inequality is a result of unequal power distribution between women and men, exacerbated by ongoing discrimination, weaknesses in laws, policies and institutions, and social relations that normalise inequality.

#### **LGBTIQ**

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<sup>2</sup> Australian Human Rights Commission Special Rapporteur on violence against women, country visit to Australia – 20 January 2017

<sup>3</sup> Phillips, J & Vandenbroek, P (2014) *Domestic, family and sexual violence in Australia: an overview of the issues*. Department of Parliamentary Services, Canberra

This includes those who identify as lesbian, gay, bisexual, transgender or intersex (LGBTI) or those who have questions about their sexual orientation and/or sexual identity (Q).

### **Staff/ Employee**

For the purposes of this policy, the terms staff and employee are used interchangeably and refer to those on an employment contract with RedR Australia that is, both permanent and casual staff including those on deployment.

## **5. Violence perpetrated in or from the workplace**

RedR does not tolerate violence being perpetrated in or from the workplace. RedR prohibits the use of workplace resources or time as a means to threaten or abuse a partner, family or other household members. Any individual who uses threatening behaviour including harassment, abuse, stalking, use of weapons, inappropriate text messages, emails or acts of violence against a family, household member or any other individual from the workplace is in breach of this policy.

If an employee is observed breaching this policy, RedR will undertake an immediate investigation and if found to be the case, proceed to disciplinary action. RedR respects the laws of natural justice and if an employee is accused or suspected as a perpetrator these laws will apply. RedR will take an approach of procedural fairness while the matter is being investigated and the staff person is entitled to access annual leave during the period in which the matter is being addressed. They will not however, be entitled to access the special leave provisions available under this policy.

## **6. Confidentiality**

RedR is committed to maintaining confidentiality and rights of the person involved. A person who discloses they are experiencing family violence to their manager should be assured their information will be kept strictly confidential, recorded on their personnel file and used only for the purposes for which it was collected, except as otherwise required or permitted by law. This information can only be kept on an employee's personnel file with their written permission.

There may be times, however, when there is a safety risk to either the affected employee or other employees (for example, if there is a risk that a perpetrator may attempt to enter the workplace or where there have been threats or a history of violence). In these instances, disclosure of the situation will be kept to a minimum and on a 'needs-to-know' for the purpose of maintaining safety in the workplace.

All information provided to the employer under this policy will be treated in accordance with the [Privacy and Data Protection Act 2014](#) (Vic) and the [Health Records Act 2001](#) (Vic).

## **7. Roles and Responsibilities:**

### **Employee/Volunteer**

- Employees who are experiencing gendered or family violence are encouraged to raise the issue with their Manager, a colleague or with People & Culture, if they feel comfortable to do so and work in collaboration to identify external support needed.

### **Manager**

- To respond immediately to an Employee advising of gendered or family violence matter, and take action as per the policy and procedure

- To act and respond with sensitivity and empathy
- To maintain confidentiality
- To support and enable the employee to meet work commitments whilst taking into account the experience that violence can have on work performance and attendance
- To raise the matter with People & Culture
- To support changes to performance plans as necessary
- To develop a workplace safety plan in consultation with People & Culture and the individual concerned
- To facilitate leave and/or altered work arrangements if requested and in consultation with People & Culture (if required)

### **People & Culture**

- To respond immediately to an Employee or People Manager, advising of a gendered violence incident/s and act in line with the policy and procedures
- To ensure the employee and Manager receive the necessary support and guidance to enact the policy
- To act as a trusted advisor and support person to the individuals as required
- To follow up and report immediately to the People Manager and CEO on any breaches of this policy
- To ensure RedR Australia processes align and comply with policy
- To liaise with other staff as appropriate regarding entry and safety procedures to align to the Gendered Violence and the Workplace Policy
- To liaise with Directors or the CEO as appropriate
- To undertake family or domestic violence training and to remain current with contemporary management practices and response (in the workplace)
- To act as a resource providing family violence briefings to all staff
- To liaise with RedR Australia Employee Assistance Program' (EAP) or Mandala Staff Support provider to ensure they are able to provide the appropriately support to RedR Australia staff as required

## **8. Leave and Flexible Workplace Options**

**8.1 Leave:** An employee (other than a casual staff person) experiencing violence may access up to 5 days of paid urgent personal leave. In addition, an employee can access existing personal leave, annual leave and may apply for leave without pay. An employee who is assisting a family member or a member of the employee's household experiencing violence may access existing career's leave to provide support to that person.

A casual employee may utilise leave without pay to accommodate absences due to family violence.

**8.2 Flexible work arrangements:** Employees who are experiencing family violence may require time off during normal working hours that they wouldn't otherwise require. This could include time off for appointments for health, legal or financial matters, to attend court, or to care for children.

Flexible work arrangements are designed to accommodate employee's personal commitments. Flexible work arrangements are designed in partnership with, and require approval by, your

manager. This allows for both the staff member and manager to feel confident in the arrangement.

Flexible work arrangements at RedR include:

- Access to flexible hours
- Working from home
- Graduated return to work
- Compressed or reduced hours

### **8.3 Applying for leave and flexible work**

Managers will need to discuss leave and/or flexible work arrangements with employees.

An employee, or their manager on their behalf, can access urgent personal leave by requesting the leave and providing the date/s or hours required via People & Culture. The leave will be processed by payroll and recorded as 'special leave' to ensure individual privacy. If for any reason an employee is uncomfortable speaking to their manager about their reasons for applying for leave, they can seek advice and assistance directly from People & Culture.

## **9. Workplace Safety**

Where an employee is experiencing violence, the employer will also approve any reasonable request for:

- a temporary or ongoing change to the employee's span of hours or pattern of hours
- a temporary or ongoing job redesign or changes to duties if required
- any other appropriate measure.

These measures will be reviewed at agreed intervals.

### **9.1 Workplace Safety Plan**

Where an employee has indicated they are experiencing violence and concerned for their safety in the workplace, the manager is able to assist them to develop a Workplace Safety Plan in consultation with People & Culture.

The plan should reflect the specific needs of the employee and take into account the nature of their role and the workplace environment. A Workplace Safety Plan may include:

- programming mobile phones with emergency and contact numbers
- screening incoming calls to the employee
- changing work phone numbers and email addresses and ensuring the employee works in a security restricted area/location.

The manager is able to arrange for changes to an employee's work phone number, email address, working hours and nature of work can be discussed and agreed on either a temporary or permanent basis to support the safety of the employee. Any reasonable requests by an employee experiencing violence in relation to their working arrangements will be considered.

## **10. Returning to Work**

When returning to work after leave due to violence related issues, employees are encouraged to talk to their manager regarding any ongoing safety concerns they may have. If necessary, a workplace safety plan should be developed if one has not been done previously.

## **11. Employee Assistance Program/ Counselling and Support**

RedR provides employee access to an Employment Assistance Program (EAP). The EAP provides confidential counselling and assistance to any employee or their immediate family members who may need help with a particular problem affecting their wellbeing. RedR Australia EAP provides staff with up to three free counselling sessions per year and referral to other services if other types of assistance is required.

In addition, other Australian providers include:

**National 1800 RESPECT line: 1800 737 732**

Provides national 24-hour free advice and counselling for those experiencing family violence and for those supporting someone experiencing violence.

**Safe Steps 1800 015 188 / (03) 9928 9600**

A family violence response service for women and children providing information on family violence support services, legal rights and accommodation options. (24 hours)

**Sexual Assault Crisis Line 1800 806 292**

The Sexual Assault Crisis Line Victoria (SACL) is a state-wide, after-hours, confidential, telephone crisis counselling service for victim/survivors of sexual assault.

**Victorian Legal Aid 1300 792 387**

Victorian Legal Aid can assist with legal advice about family violence intervention orders.

**Men's referral Service 1300 766 491**

An anonymous and confidential telephone counselling, information and referrals service to help men involved in family violence matters

**Fiji Women's Crisis Centre: 331 3300 or 92 09470**

A 24 hour counselling and emergency assistance support service for women experiencing domestic violence.

## 12. Related References

This policy should be read in conjunction with:

- RedR Code of Conduct and Values
- Equal Opportunity – Anti-Discrimination, Anti-Harassment and Bullying Policy
- Sex Discrimination Act 1984 (Federal)
- Equal Opportunity Act 2010 (Victoria)
- Gender Strategy and Disability Inclusion Strategy

## 13. Document control

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