

Family and Domestic Violence Policy of Marcoola Surf Club

1. Purpose and Application

- 1.1 Marcoola Surf Club ('the Club') recognises that family and domestic violence is serious and prevalent in the Australian community. The Club recognises that employees may be affected by family and domestic violence, which can have a significant impact on those experiencing it and it may affect attendance or performance at work.
- 1.2 The Club is committed to addressing family and domestic violence and providing a working environment that is safe and supportive of staff who may be experiencing the effects of family and domestic violence.
- 1.3 Responsibilities for Work Health and Safety
- 1.4 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.
- 1.5 The purposes and aims of this policy are to:
 - (a) Promote a respectful and safe work environment that does not tolerate or excuse family and domestic violence;
 - (b) Support the retention, safety and well-being of staff affected by family and domestic violence; and
 - (c) Detail the rights and responsibilities of employees experiencing family and domestic violence.

2. Scope

- 2.1 This Policy applies to all employees of the Club, regardless of status, position or department.
- 2.2 This policy will be made available via <https://www.marcoolasurfclub.com.au/staff-portal/>.

3. Definitions

- 3.1 Family and domestic violence means violent, threatening or other abusive behaviour by a family member of an employee that seeks to coerce or control the employee and that causes them harm or to be fearful.
- 3.2 **Family member** means:
 - (a) A spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee; or
 - (b) A child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the employee; or

- 3.3 A person related to the employee according to Aboriginal or Torres Strait Islander kinship rules.

4. Immediate Danger

- 4.1 **If you are feeling unsafe in the workplace right now, call 000.**

5. Confidentiality

- 5.1 Any disclosure to the Club or request for support made by a staff member who is experiencing family and domestic violence will be dealt with on a confidential basis. All personal information given in relation to situations of family and domestic violence will be kept confidential except to the extent that disclosure is required or permitted by law.
- 5.2 No information will be kept on a personnel file without the staff members express permission.
- 5.3 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.

6. Roles and Responsibilities

6.1 Employees:

- 6.2 Employees who wish to access any of the support available within the workplace can contact the Club Manager or discuss the issue with their immediate manager.
- 6.3 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.
- 6.4 Where a colleague is concerned about another employee's health and safety, they should speak with their immediate manager.
- 6.5 Employees who have had information disclosed to them are encouraged to seek support for themselves within or outside the workplace, or an external support service.

6.6 Managers:

- 6.7 Managers are responsible for providing advice to employees about this policy.
- 6.8 Managers are responsible for ensuring employees are aware of this policy, and providing support, consistent with this policy, to employees affected by family and domestic violence.

They may also be required to coordinate support with Human Resources for an employee experiencing family and domestic violence.

- 6.9 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.
- 6.10 Managers should facilitate support for an employee to the fullest extent possible in the workplace.
- 6.11 If a manager needs support as a result of an employee disclosing family and domestic violence to them, they can contact an external support service.

7. Support

- 7.1 Employees experiencing family and domestic violence can access a range of support from the Club, which may include:
- 7.2 Flexible working arrangements. These requests can only be refused on reasonable business grounds. Such requests for flexible working arrangements may include:
 - (a) A change to working hours or patterns of work.
 - (b) Relocation to suitable alternative employment where this is able to be identified.
 - (c) Change of the employee's duties.
- 7.3 Secure parking and other security measures where possible and as required,
- 7.4 Change of phone number and email address to limit unwanted contact at the club, or screening and blocking calls and emails,
- 7.5 Contact with the police on the employee's behalf where appropriate.
- 7.6 Flexibility in performance management. Family and domestic violence should be acknowledged as a potential mitigating factor if performance has been affected. Managers should:
 - (a) Continue to have regular, sensitive conversations with the employee about the job requirements, performance expectations, and development opportunities of that performance cycle
 - (b) Offer to develop workload strategies for work to be managed and performance assessed having regard to the employee's circumstances, and
 - (c) Consider if it is necessary to provide other reasonable workplace adjustments for a period of time.

- 7.7 Access to family and domestic violence leave as set out in the *Registered and Licenced Clubs Award 2020* (see clause 7 of this policy for more detail), and
- 7.8 Any other measures or changes to normal arrangements that are considered appropriate by the club.

8. Leave

- 8.1 Each year, an employee (including full-time, part-time and casual) is entitled to **five (5) days' unpaid** leave to deal with family and domestic violence.
- 8.2 The entitlement to **five (5) days' unpaid** 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.
- 8.3 In circumstances where the employee requires more than five **(5) days' unpaid** leave, the employer and employee may agree that the employee may take additional unpaid leave to deal with family and domestic violence.
- 8.4 This leave can be taken as consecutive days, single days or a fraction of a day.
- 8.5 Taking Family and Domestic Violence Leave:**
- 8.6 An employee may take unpaid leave to deal with family and domestic violence if the employee:
- (a) Is experiencing family and domestic violence; and
 - (b) Needs to do something to deal with the impact of the family and domestic violence and it is impractical for the employee to do that thing outside of their ordinary hours of work.
- 8.7 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 family and domestic violence.
- 8.8 Please note that the time an employee is on unpaid leave to deal with family and domestic violence does not count as service, however it does not break the employee's continuity of service.
- 8.9 Notice and evidentiary requirements**
- 8.10 If requested by the club, an employee must provide evidence that would satisfy a reasonable person that the leave is taken for the purpose of family and domestic violence. Such evidence may include:
- (a) A document issued by the police service;
 - (b) A document provided by the court or family violence support service; or
 - (c) A statutory declaration.

- 8.11 Employees affected by family and domestic violence may not be in a position to provide supporting documentation. An employee's access to leave and other support options should not be denied in the absence of supporting documentation.
- 8.12 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.

9. Further Assistance

- 9.1 For any queries regarding the operation of this policy please contact the General Manager or Club Manager.
- 9.2 If you or someone you know is experiencing family and domestic violence, the following external services are available to provide information and assistance:

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 Australia	Telephone and online counselling service for men with family and relationship concerns	1300 789 978

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