

Family and Domestic Violence Disclosure and Support Policy

1. Introduction and Purpose

The Heart Foundation firmly upholds the belief that all forms of violence constitute a severe infringement of fundamental human rights.

The safety and wellbeing of all our people is paramount to our organisation. We are committed to cultivating a safe working environment which ensures the protection and well-being of our people and guarantees they face no disadvantage due to personal circumstances.

We are dedicated to supporting any person who may be experiencing domestic and family violence or difficult times with a sensitive and holistic approach.

This policy provides a framework to support individuals who may be experiencing family and domestic violence. Employees who are experiencing, or who are at risk of experiencing, family and domestic violence are encouraged to reach out for help.

2. Related and Supporting Internal Documents

- Leave Policy
- Flexibility Policy
- Heart Hub - Family & Domestic Violence Support

3. Definitions / Abbreviations

Family and Domestic Violence (Fair Work Act) The Fair Work Act 2009 defines family and domestic violence as 'violent, threatening or other abusive behaviour by a close relative of an employee that seeks to coerce or control the employee and that causes them harm or to be fearful'. A close relative may be a spouse or former spouse, de facto partner or former de facto partner, child, parent, grandparent, grandchild, sibling, or kin.

4. Scope

This Policy applies to all Heart Foundation Board Members, employees, volunteers, contractors and honoraries (together, Heart Foundation People)

5. Policy

Family and Domestic Violence can present in many ways. The National Heart Foundation is committed to providing a safe and welcoming environment for all employees to work and feel supported.

Disclosure of Family and Domestic Violence

Our people have the right to choose whether, when and to whom they disclose information about being affected by Family and Domestic Violence. Any person who discloses to their people leader, a colleague and/or People and Culture will be treated with respect and provided with information detailing counselling and support services available.

Employees are encouraged to refer a colleague who discloses family violence to contact the Employee & Family Assistance Program, their People Leader and/or People and Culture for support.

Confidentiality

The Heart Foundation operates with strict adherence to privacy legislation, ensuring the utmost confidentiality while simultaneously offering support to its employees. Our dedication to compliance underscores our genuine concern for the welfare and rights of our employees.

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Information about a family and domestic violence situation should be handled similarly to other sensitive information such as personal and health information.

Any information disclosed to an employee by an employee who is experiencing family violence must be kept confidential, except to the extent that disclosure is required or permitted by law, and/or is required to access leave entitlements or develop and implement a safety plan. Discussions involving people leaders or People and Culture will be on a strictly need to-know basis.

The Heart Foundation recognises the significance of information related to Domestic and Family Violence and is committed to preserving confidentiality. Conversations about these sensitive matters will not occur without the explicit consent of the affected employee, unless it is essential to provide critical support or to enable access to leave or other forms of assistance.

If an employee feels hesitant discussing the issue with their people leader, they are encouraged to seek guidance and support from the People and Culture team, a colleague, or the designated Employee Assistance Program (EAP) provider.

The privacy of the affected employee is paramount, all records related to Domestic and Family Violence will be kept strictly confidential in the individual's file, only with their expressed written consent. Access to this information will be limited to the employee, the People and Culture team. People leaders and other employees who have received disclosures must refrain from keeping separate records or information outside the personnel file.

Definition of responsibilities

Employees

People who need to access support available can contact:

- Their People Leader;
- The People & Culture team;
- A trusted colleague;
- Employee & Family Assistance Program;
- Other external support services. A list of services and their contact details can be found on our Family & Domestic Violence page on the Heart Hub.

People Leaders

People leaders should ensure employees are aware of support available under this policy, provide support, consistent with this policy to the affected employee and as required to coordinate support with People and Culture to ensure holistic support.

Colleagues

Employees experiencing family and domestic violence may choose to disclose their situation to a trusted colleague. Where the colleague is concerned about the employee's health and safety, they should speak to a People & Culture representative. Employees who have had information disclosed to them are encouraged to seek support for themselves within or outside the workplace.

People & Culture

People and Culture are available to provide advice to employees and people leaders about this policy. They are also available to support with identifying and coordinating additional workplace support. This may include but is not limited to:

- Developing a safety plan
- Advising and liaising with the employee's people leader, if consent has been provided.

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All people

All people at the Heart Foundation will participate in online Family & Domestic training on starting. This training will empower employees to handle disclosures and confidential information. If anyone requires support due to an employee's disclosure, they can also reach out to the Employee & Family Assistance Program or People & Culture.

Flexibility

People experiencing family & domestic violence may need additional flexibility to allow them to focus on family, health, wellbeing, or legal commitments. Under the National Employment Standards in the Fair Work Act 2009, an employee experiencing violence from a member of the employee's family has a right to request flexible working arrangements. These requests can only be refused on reasonable business grounds. Such requests could include:

- Change of hours to allow the employee to meet family, health, and wellbeing, medical or legal commitments.
- Changes to work location
- Change of contact details
- Relocation or reassignment to suitable alternative employment, where this can be identified.

Leave entitlements

Family & Domestic Violence Leave is available to all employees. We are committed to working individually with employees to support them to access leave and ensure support is available and tailored to the individual's needs and circumstances.

Employee can access 10 days of paid family and domestic violence leave in a 12-month period. Additionally, employees can access a further 5 days unpaid family and domestic violence leave. The entitlement to access this leave renews each year on the employee's work anniversary but does not accumulate if not used.

Leave may be used in the following circumstances:

- attending health and wellbeing, medical or counselling appointments
- moving into emergency accommodation and seeking more permanent safe housing
- attending court hearings
- attending police appointments
- accessing legal advice
- organising alternative care or educational arrangements for their children
- reasonable recovery periods.
- Personal/carer's leave entitlements can also be used for:
 - illness or injury affecting the employee resulting from family and domestic violence.
 - to provide care or support to a family or household member who is ill or injured because of family and domestic violence.
 - to provide care or support to a family or household member who is affected by an emergency because of family or domestic violence.
 - Attending court hearings
 - Accessing police and support services
 - Attending counselling
 - Attending appointments with medical, financial, and legal professionals
 - Making safety arrangements

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Full-time and part-time employees can access paid family violence leave at their full pay rate for the hours they would have worked if they were not on leave.

Casual employees will be paid at their full pay rate for the hours they were rostered to work in the period they took leave.

Payroll record keeping and payslips

To facilitate appropriate support and accommodations, the People and Culture team will liaise confidentially with Payroll to discuss the application of leave and other relevant arrangements, considering each unique circumstance on a case-by-case basis.

External family and domestic violence support services

Employees are encouraged to seek support and advice if they are experiencing family and domestic violence. The family violence support system is made up of multiple services who work together to support victims and their family. Services include but are not limited to;

- General practitioners
- Specialist family violence services, including refuges
- Housing services
- Community legal services
- Police
- Magistrates' Court and Family Courts
- Child and Family Services
- Child Protection
- Men's referral services and men's behaviour change programs
- Corrections services
- Lifeline
- 1800 Respect

Questions

This policy may not encompass every conceivable scenario, and there may arise situations where determining the appropriate course of action or providing support becomes challenging. During such instances, we ask you to exercise prudence, utilise common sense, and adhere to the fundamental principles that underpin this policy. Should you have any inquiries or uncertainties regarding this policy, kindly direct them to the People and Culture team.

6. Review and Document Control

The document is to be reviewed every two years or as determined by the Function Owner.

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Function Owner	People and Culture	Version Number	1.0
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7. Attachments

N/A