

Support for Victims of Domestic Violence Policy and Procedure

1. Purpose

The purpose of this policy and procedure is to:

- support staff who are victims of domestic violence and help them maintain stable employment, whilst they are employed by the Institute;
- support students who are victims of domestic violence and help them to maintain their studies, whilst they are enrolled with the Institute;
- outline how the Institute will provide support; and
- create a culture supportive of those suffering from domestic violence.

2. Scope

This policy and procedure applies to all Institute staff and students.

3. Definitions

Term	Definition
De facto partner	A person who lives with the employee in a relationship as a couple on a genuine domestic basis but isn't married to the employee. The person can be: of the same sex or different sex to the employee, or a current or former de facto partner of the employee.
Domestic Violence	Means acts of violence between people who have, or who have had, an intimate relationship and can include physical abuse, verbal abuse, sexual abuse, psychological and emotional abuse, social abuse, economic abuse and other violence. Domestic violence can also be used as a tactic by one person to establish and maintain power and control over a person with whom they are in a relevant relationship (a person with whom the individual shared a current or former intimate personal relationship, a family member or an informal care relationship).
Economic abuse	Controlling money and controlling access to money.
EAP	Means the Institute Employee Assistance Program.
Family and domestic violence	Family and domestic violence means violent, threatening or other abusive behaviour by certain individuals known to an employee that both: <ul style="list-style-type: none"> • seeks to coerce or control the employee

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Term	Definition
	<ul style="list-style-type: none"> causes them harm or fear.
Other Violence	<ul style="list-style-type: none"> Threatening a person with the death or injury of the person, a child of the person, family members, friends, or someone else. Threatening to commit suicide or self-harm so as to torment, intimidate or frighten the person to whom the behaviour is directed. Causing or threatening to cause the death of or injury to, an animal, whether or not the animal belongs to the person to whom the behaviour is directed, so as to control, dominate or coerce the person. Unauthorised surveillance of a person. Any other behaviour which controls or dominates and causes the target to fear for their safety or wellbeing (physical or mental), or that of someone else.
Physical abuse	Causing personal injury to a person or threatening to do so, for example pushing, punching, kicking, slapping, damage to property and intimidation.
Psychological and emotional abuse	Behaviour by a person towards another person that torments, intimidates, harasses or is offensive to the other person.
Social abuse	Depriving a person of the person's liberty or threatening to do so, control over freedom and choice, isolation and restrictions on contact with friends and family, monitoring phone calls or emails and stalking.
Staff(employee)	Means all fixed term and continuing staff, sessional and casual staff, trainees, interns and work experience staff; and includes the Chief Executive Officer (CEO) and members of the Institute's Executive Management Team and external Board and Committee members.
student	Means a student enrolled with the Institute.
Support checklist	Means the checklist, annexed to this policy and procedure, that is intended to assist staff to identify the individual needs of a staff member experiencing domestic violence.
Verbal abuse	Name-calling, shouting, swearing and insults and threats.

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4. Policy Statement

- 4.1. Domestic violence in any form is unacceptable. The Institute however recognises that staff and students may face situations of domestic violence that may affect their attendance and performance at work, or with their studies, and it is therefore committed to providing support and assistance to staff and students who experience domestic violence.
- 4.2. The Institute acknowledges that domestic violence issues have the potential to impact staff whilst in the workplace and students in their learning environment.
- 4.3. This may take the form of harassment through email, by phone or unwelcome entry onto Institute premises.
- 4.4. The following principles outline how the Institute will respond to all matters surrounding domestic violence:

- **Confidentiality**

Information concerning matters of domestic violence will be treated confidentially. The Institute will maintain the confidentiality of an individual's disclosure of domestic violence unless to do so would compromise safety at the Institute or elsewhere or result in a breach of legal obligations.

If information needs to be shared, the Institute will discuss this with the individual in advance and only provide this information as required by law to those who 'need to know' in order to maintain safety in the workplace or elsewhere and meet other legislative obligations.

- **Anti-discrimination**

Staff or students who disclose that they are currently experiencing or have previously experienced domestic violence will not be treated unfairly in terms of their employment or career development, or studies (as the case may be) as a result of that disclosure.

- **Proof**

Proof of domestic violence may be required to support the request for flexible work or leave arrangements by staff or the request for support with studies by students. Proof may be required in the form of documents issued by the police, lawyers, courts, medical/health professionals, and domestic violence support services or similar. Examples of documents include medical certificates, statutory declarations, court documentation and support meeting attendance forms.

- **Training and Awareness**

The Institute will provide training for managers, supervisors and Heads of School to assist in the implementation of this policy and procedure, which details the actions to be taken in the event that an employee or student discloses domestic

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violence. Training and awareness will be ongoing, as deemed suitable by the Institute.

- **Management Commitment**

The Institute management acknowledges that it is important to make staff and students aware that as an organisation it recognises domestic violence as a serious issue that can affect the wellbeing and safety of individuals and their families. As such the Institute is committed to ensuring staff and students are briefed about this policy and procedure and that information about the signs of domestic violence and where to obtain help is displayed throughout the Institute.

5. Procedure

5.1. Staff

- 5.1.1. A staff member experiencing domestic violence, or caring for a person experiencing domestic violence, may raise the issue with their direct manager, supervisor or local Human Resources representative who will complete the Support Checklist and forward it to the Group General Manager (or nominee) for determination. A direct manager or supervisor may seek advice from the Human Resources department at any time.
- 5.1.2. The staff member experiencing domestic violence may also request a designated officer (selected by the Group General Manager (or nominee)) liaise directly with the staff member's manager to assist with identification of the most appropriate form of support to provide.
- 5.1.3. Staff support may include:

- **Leave**

The Institute will grant up to 10 days leave per annum (non-accumulative) minimum leave entitlement to all Institute employees including part-time and casual/sessional staff who are victims of domestic violence and require time off work for medical reasons, legal assistance, court appearances, counselling, and relocation or to make other safety arrangements. The amount of leave provided will be determined by the individual's situation through consultation between the individual staff member, their direct manager and the Human Resources Director.

At the absolute discretion of the Institute this leave will be in addition to existing leave entitlements and may be taken as consecutive or single days.

- A staff member who supports an individual experiencing domestic violence may take paid domestic violence leave where the individual is:
 - an employee's close relative
 - a member of an employee's household, or

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- a current or former intimate partner of an employee.
- A staff member who supports an individual experiencing domestic violence may take unpaid domestic violence leave where the individual is a close relative.

A close relative is:

- an employee's: spouse or former spouse, de facto partner or former de facto, partner, child, parent, grandparent, grandchild, sibling
 - an employee's current or former spouse or de facto partner's child, parent, grandparent, grandchild or sibling, or
 - a person related to the employee according to Aboriginal or Torres Strait Islander kinship rules.
- **Flexible Working Arrangements**

All staff (including sessional and casual staff) that are experiencing domestic violence or are caring for a person experiencing domestic violence may make a request for flexible work arrangements.

Requests for flexible working arrangements should be made in writing on the Support checklist and may include a request for a change to his or her hours or patterns of work. Temporary changes to IT and telephone security may also be requested where appropriate.

Flexible work arrangements to assist staff in cases of domestic violence will be on a short term or temporary basis, as deemed appropriate by the Institute.

- **Further Assistance**

Staff experiencing domestic violence will be referred to the Counsellor and/or EAP where appropriate.

- **Responses to Staff Concerned about Colleagues**

All staff are encouraged to challenge inappropriate behaviour and report their concerns about co-workers experiencing or perpetrating domestic violence to a designated person within the Institute, including their direct manager or member of the Human Resources Department or any member of the Senior Leadership Team. Staff that make such reports will not be disadvantaged for reporting their concerns.

5.2. Students

Students who are experiencing domestic violence or are caring for a person experiencing domestic violence may make a request to their Head of School for support with their studies.

Students experiencing domestic violence will be referred to the Counsellor where appropriate.

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6. Initiatives

6.1. The Institute will endeavour to:

- promote respectful relationships and gender equality and demonstrating a culture of zero tolerance of domestic violence;
- assist staff and students to develop their own knowledge and understanding of the domestic violence and the work of White Ribbon Australia in the prevention of violence against women.

6.2. The Group General Manager, MIT Melbourne and the Campus Director, MIT Sydney are responsible for:

- overall compliance to the policy and procedure; and
- acting as the central point of contact.

6.3. The Counsellor is responsible for:

- Individual counselling;
- referral to outside support groups.

6.4. All staff will endeavour to:

- comply with the terms and conditions of the policy and procedure; and
- ensure that they do not condone any behaviour by staff or visitors to the Institute that threatens the safety of an individual.

7. Implementation and communication

This policy and procedure will be implemented and communicated through the Institute via:

Announcement on the Institute's webpage; and
Internal circulation to staff; and
Included in staff professional development; and
Student orientation programs.

Supporting documents and References

Australian Government Social Services Domestic and Family Violence Policy

www.whiteribbon.org.au

MIT Equity and Diversity Statement

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Annex: Support for Victims of Domestic Violence Policy and Procedure

Request for Support Checklist for Staff experiencing domestic violence

Employee name/date	
Does the staff directory need to be updated to remove contact details?	
Are changes to work hours/patterns required?	
Is leave required? Specify the purpose and details.	
Is there a return to work plan required?	
Is counselling and/or EAP required?	
Other support or assistance	

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Signed by employee

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