Domestic, family or sexual violence: How to get help, and how to support someone else

Leave · https://www.aeuact.org.au/Docs/domestic-family-or-sexual-violence-how-to-get-help-and-how-to-support-someone-else/

Domestic, family or sexual violence is never OK. If you're experiencing violence, or supporting someone who is, there is support available to you.

This guide is for:

- AEU members experiencing domestic, family or sexual violence
- AEU members who are supporting someone else who is experiencing violence
- AEU members who are managers of someone who is experiencing violence

In this guide we talk about taking leave and other forms of support, talking to your Manager, and confidentiality. We also give some guidance on how the AEU can help and some other support services available to you.

Leave entitlements

All ACTPS employees, including Casual employees, have access to up to **20 days or shifts of paid leave per calendar year** for family, domestic or sexual violence purposes.

You can use this leave for purposes including:

- Attending medical appointments
- Obtaining legal advice
- Attending counselling or psychological appointments
- Seeking assistance from any other relevant support service
- Attending court, attending prosecution appointments, attending police appointments
- Attending to protection order matters (such as Family Violence Orders, Personal Protection Orders, Workplace Protection Orders)
- Attending to issues arising through property damage
- Seeking veterinary assistance for injured pets

- Accessing alternative accommodation
- Accessing alternative childcare or schooling for children
- Any other reason relating to recovering from effects of experiencing family, domestic or sexual violence

The reasons listed above are not exhaustive – if there is another reason you need to access leave related to experiencing violence, then you can ask for leave.

You can be granted this leave for single days, more than one day, or part of a day.

You should include the time it takes you to travel to and from any appointment and the time you need to recover after an appointment. For example, if you have to go to court and it is distressing, it would be reasonable to apply for the rest of the day off to recover.

This leave is also available if you are supporting an Immediate family member who is experiencing violence. For example, if you attend an appointment with a family member as their support person, you can access this leave.

'Immediate family member' includes a Domestic partner, a child, parent, grandparent, grandchild, sibling, or someone related to you by Aboriginal or Torres Strait Islander kinship.

There is some discretion available here: for example, if you are supporting someone who does not have anyone else they could nominate as 'Immediate family', then you could make an application to be deemed their Immediate family for purposes of supporting them. Reach out to the AEU office for help in a situation like this.

How to apply for leave

You should have a conversation with either the Manager with whom you usually apply for leave, their Manager, or someone in HR.

You can bring a support person with you to have this conversation if you like.

If you don't feel comfortable talking to your Manager, or you don't know who to talk to, the AEU office can help.

Your Manager should keep all information about your leave application confidential. They should keep track of days taken in a confidential location. If they need to sight evidence, they should return it to you immediately and not save a copy.

All managers in the ACTPS have access to training on how to support employees experiencing domestic, family or sexual violence. Managers can also contact the EAP to get additional support and advice.

When it comes to processing the application, you should apply through the OneGov Service Centre portal. List the type of leave as "other" and "leave not provided for elsewhere". You do not need to include details of your situation in the form.

The policy on this leave states that your application for this leave must not appear on your payslip as a default (unless you request for it to). This is to protect your safety and confidentiality.

Evidence requirements

Your Manager may ask you for evidence to support your leave application. You can provide them with one of the following:

- A statutory declaration
- A document issued by the police or a court (such as a protection order)
- A written referral from your GP or other registered medical practitioner or registered nurse to a counsellor who provides support in domestic or family violence situations
- A document issued by a counsellor
- Written confirmation from a support service provider
- Written confirmation from an EAP provider

Basically, any service you access can provide this written documentation. It can be as simple as confirming that you are accessing the service for the purposes of having experienced violence. It does not need to have any more detail than this.

If you’re unsure of what kind of evidence is appropriate, contact HR or the AEU office for advice.

Confidentiality

If you are seeking leave or other support because you are experiencing violence, you should feel assured that your circumstances will be managed confidentially and sensitively.

The ACTPS has a policy that applies to every ACTPS workplace, which gives detailed instructions to managers on how to manage requests for leave. The policy is available here.

The policy contains guidance on record keeping. Your Manager should maintain a record of the approved leave in a secure location but it should be limited on detail – for example, it should just list your initials or AGS number rather than your full name.

Your Manager should follow the instructions in the policy and contact the Office of Industrial Relations and Workforce Strategy Team (eba@act.gov.au) if they need advice.

If you contact the AEU office for support, we will take care around record keeping and confidentiality. We take notes on cases, but these are kept in a secure database. If you have concerns about your information, you can speak to our industrial team directly and we can work with you to meet your needs.

How your workplace can support your safety and wellbeing

If you're experiencing violence, you can request changes to your work to ensure your safety. These might include:

- A change of work location
- Flexible work arrangements (like changes to your working hours, work from home or a safe location, or a change in duties)
- A designated parking spot
- A change of email address or phone number, or the removal of your contact information from publicly accessible websites or school newsletters
- Something else that could help you feel safe.

You can talk to your Manager or HR about what might help you feel safe at work. The AEU office can also help you navigate these conversations.

Responding to a disclosure

If a colleague discloses to you that they are experiencing violence, they are putting a lot of trust in you. You can support them by listening, believing them, and not blaming them for what has happened. You can also support them by asking what they need from you, or if they'd like help accessing support.

Ensure that your colleague remains in control of any actions taken because of their disclosure – don't take action on their behalf without their explicit approval. It's important that someone making a disclosure is not pressured to take any particular action. You can talk about their

options, but remember: they are best placed to understand how to keep themselves safe.

If you're a Manager, you can also let them know about the paid leave and other supports available, and ask if they need any changes to their work environment to support their safety.

Respect the confidentiality of the person who discloses to you. You should not share information with others unless they want you to.

It can be stressful to receive a disclosure that someone is experiencing violence. You can access help for yourself through the EAP. Taking care of yourself is essential if you're trying to take care of others.

Support services

In an emergency, call police on 000.

ACT services:

- Police (non-emergency) (24/7): 131 444
- Domestic Violence Crisis Service (24/7): 02 6280 0900 | www.dvcs.org.au
- Canberra Rape Crisis Centre: 02 6247 2525 | www.crcc.org.au
- Victim Support ACT: 1800 822 272 | www.hrc.act.gov.au/victimsupport
- YWCA Domestic Violence Support Service: 02 6185 2000 | www.ywca-canberra.org.au
- Aboriginal Legal Service NSW/ACT: 1800 733 233 | www.alsnswact.org.au
- Legal Aid ACT – Family Violence and Personal Protection Unit: 1300 654 314 | www.legalaidact.org.au
- Women's Legal Centre: 02 6257 4377 | www.wlc.org.au

National services:

- 1800 RESPECT (24/7): 1800 737 732 | www.1800respect.org.au
- Lifeline (24/7): 13 11 14 | www.lifeline.org.au
- 13YARN (24/7): 13 92 76 | www.13yarn.org.au
- Kids Helpline (24/7): 1800 55 1800 | www.kidshelpline.com.au
- MensLine (24/7): 1300 789 978 | mensline.org.au

ACTPS supports:

- Employee Assistance Program – details available on the ACTPS Employment Portal

How the AEU can help

If you would like help navigating support, the AEU office can help.

For AEU members experiencing violence, we can:

- Talk you through the supports your workplace should make available
- Help you access those supports through practical advice, such as how to talk about an issue or how to make a request for help
- Facilitate confidential conversations with an appropriate Manager or with HR to ensure your safety at work and that you can access all relevant support
- Offer you a referral to legal assistance at Slater and Gordon if you need it

For AEU members supporting or managing someone experiencing violence, we can:

- Help you understand the support the ACTPS provides to you as a Manager or support person
- Talk you through things you could do to help advocate for your colleague and help them feel safe

Training

All ACTPS staff can access training about domestic, family and sexual violence. There is a foundational e-learn module on HRIMS, with an additional module for managers. Staff who are not comfortable completing the training can be exempted by emailing their Manager or HR area.

Further information

For more information, see the ACTPS Domestic, Family and Sexual Violence Toolkit.

You can contact your employer's HR area and request to speak with someone about a confidential matter.

Contact the AEU office at aeuact@aeuact.org.au or 6272 7900.