



You are not alone

Respond, Refer and Record

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1. Respond

If employees disclose that they are experiencing domestic/intimate partner violence, there are a number of items to consider when responding:

Believe, reassure and support. It can be extremely difficult to disclose domestic/intimate partner violence. Believe the employee and do not ask for proof.

Disclosure of unlawful activity/serious offence. If you believe there is reasonable cause to suspect a person has committed a serious offence, then you should report this to the appropriate authorities. Protection for children and vulnerable adults – someone who may be in need of community care services by reasons of mental health, disability, age or other illness that renders them vulnerable to harm or exploitation.

Risk assessment. Following the disclosure of domestic/intimate partner violence, you should undertake a workplace risk assessment to ensure any potential risk to the employee and work colleagues are addressed and minimized.

Perceived risk to colleagues. If there is a perceived safety risk to work colleagues, you may consider it necessary to inform other employees so that they can take appropriate precautions. If this is the case, then you should advise the employee and agree on the best way to approach this. Ensure that the information shared is on a need-to-know basis and remind colleagues about the importance of confidentiality.

Safety planning. Work with the organization specialists (i.e. EAP, Security, Human Resources) and the employee to create and implement a workplace safety plan.

Internal and external sources of support. The workplace may be the only place where an abuser is unable to closely monitor their partner, unless both parties are employed by the same workplace, making it a good place for the abused person to access information and advice. Provide the employee with resources for support. **NOTE: A referral to any form of "couples" or "joint family" counselling is inappropriate and unsafe when domestic/intimate partner violence is a risk.**

Internal support. Explore leave options (while maintaining contact) and flexible work hours for the employee if the employee requires time off to sort out practical and legal issues such as counselling, visits to police/solicitor/court/support agency/housing/childcare, etc. If a leave option is selected, ensure you plan the employee's return to work with them. Adjust

performance targets and workloads. Where appropriate, arrange for wages to be paid in cash, into a different bank account, etc.

What if employees withdraw and refuse support?

While this may be frustrating, remember that it is their choice – they have the right to refuse or reject support and assistance. Do not become angry with an employee or show "disapproval." Be clear that the organization is concerned about the employee's safety and that they can still approach anyone in the organization for support and assistance if they change their mind. Give the employee information about who they can contact, now and in the future.

Responding to perpetrators

In the event that the perpetrator also works in the organization, this needs to be addressed.

Responding to perpetrators and showing your workforce that you will do so sends an important message. It is also an important and positive message to impart to those who are abused as it lets them know that others will take action about domestic/intimate partner violence.

Engaging with perpetrators of abuse in a positive, respectful way does not mean excusing the abuse. Employers have a duty of care towards their employees. This includes perpetrators of domestic/intimate partner violence, who, through their actions, are damaging their own lives as well as the lives of others.

Remember, if you feel unsafe starting a conversation with someone perpetrating violence, contact a professional for help. Safety is your primary concern and you should not put yourself or anyone else in your organization in a situation that seems unsafe.

Some items to consider when responding include:

Minimization and denial. Some perpetrators – even when they have sought help voluntarily – are unlikely to disclose the seriousness or extent of their abuse. They may try to "explain" or blame it on other people or external factors. Other factors may also present problems, such as alcohol, stress or depression, and the perpetrator may not refer directly to the abuse as the problem.

The nature of the conduct and the nature of the employee's work. Where appropriate, you may need to take action to minimize the potential for perpetrators to use their position or work resources to find out details about the whereabouts of his/her partner. This may include a change of duties or withdrawing access to certain computer programs.

Risk to other employees and the general public. You may believe there is a conflict between the offence and the job that the employee is employed to do. In some cases, the fact that an employee is a perpetrator may make certain duties inappropriate and justify redeployment/disciplinary action. For example, it would be inappropriate for a perpetrator of domestic violence to be providing advice to vulnerable women and children and/or the public.

2. Refer

Domestic/intimate partner violence has complex impacts on the abused person. It is important to remember that your approach to domestic violence should be a supervisory/managerial commitment through which you suggest solutions within the sphere of your control and expertise. It is vital that additional specialists within the organization, such as Employee Assistance Program, are brought in and that employees disclosing domestic/intimate partner violence are made aware of additional internal and external sources of support.

3. Record

It is advisable to make comprehensive notes to retain detailed records if an employee discloses domestic/intimate partner violence. Any discussions about domestic/intimate partner violence and any actions agreed upon should be documented to provide as full a picture as possible.

It should be made clear that recording domestic/intimate partner violence will have no adverse impact on the employee's employment record. You should record all absences in accordance with normal procedures, but if they relate to domestic/intimate partner violence, then they can be placed in a sealed envelope within the employee's file marked "for manager and employee's access only."

Remember that you have a duty to maintain a safe workplace and this necessitates monitoring and recording all incidents of violence or threatening behaviour in the workplace. These may also include persistent telephone calls, emails, visits to the workplace by the perpetrator, etc.

This information can be used if the employee elects to press charges, or applies for an injunction or a court order. The organization could assist the employee to apply for an injunction if the actions of an alleged perpetrator affect the health and safety of the employee. Witnesses to such incidents should also be recorded.

Source:

1. Refuge and Respect. Domestic violence resource manual for employers, 2nd Edition. 2010.