

SA Health

# Policy

## Domestic, Family and Sexual Violence

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Government  
of South Australia

SA Health

## 1. Name of Policy

Domestic, Family and Sexual Violence

## 2. Policy statement

This policy provides the mandatory requirements for the safety and wellbeing of SA Health workers who are experiencing domestic and/or family and/or sexual violence (DFSV) by helping them to maintain their employment and stay safe in the workplace. This policy also considers risk mitigation in relation to workers perpetrating DFSV, and the safety and wellbeing of their colleagues.

## 3. Applicability

This policy applies to all employees and contracted staff of SA Health; that is all employees and contracted staff of the Department for Health and Wellbeing (DHW), Local Health Networks (LHNs) including statewide services aligned with those Networks, and SA Ambulance Service (SAAS).

DHW, LHNs including state-wide services aligned with those Networks and SAAS must ensure all non-employee workers, including temporary labour hire agency staff, contractors, volunteers, and students on clinical and/or work experience placement, are directed to comply with the requirements of this policy.

## 4. Policy principles

SA Health's approach to supporting workers who are experiencing DFVS, and assisting perpetrators to end violent behaviour, is underpinned by the following principles:

- > We will ensure the safety and wellbeing of those impacted is the priority of any response.
- > We will aim to reduce the occurrence of DFSV by providing perpetrators with opportunities to learn alternatives to violent behaviour through external professional support.
- > We will offer appropriate workplace assistance and safety measures to support all workers.

## 5. Policy requirements

- > DHW, LHNs including state-wide services aligned with those Networks and SAAS must:
  - Adhere to the [Commissioner's Guideline – Domestic and Family Violence](#).
  - Comply with the [Fair Work Act 1994, Schedule 3B, Commissioner's Determination 3.1](#) and [SA Health \(Health Care Act\) Human Resources Manual](#), by ensuring leave and flexible work arrangements are available to employees experiencing, or providing care to a family member experiencing DFSV.
  - Report incidents considered to be matters of work health safety and/or security, in the Safety Learning System (SLS). In the SLS:
    - Go to 'Subject of Incident/Event' and select 'Incident affecting Worker' from the drop down.
    - Go to 'Incident Type' and choose 'Incident – Injury' from the drop down.
    - Under 'Incident Questions' select 'Psychological Incident'.
    - Answering 'No' to the next question will limit access to the local Work Health Safety and Injury Management (WHSIM) Manager and a local nominated representative from Human Resources (HR).

SLS reporting must occur as soon as there is awareness of a worker/s experiencing DFSV, and upon an incident occurring. This is to ensure readiness by the workplace to respond to workers safety while maximising confidentiality.

- Immediately notify DHW Protective Security Services via email: [Health.SecurityIncidents@sa.gov.au](mailto:Health.SecurityIncidents@sa.gov.au) with the details of an individual who may pose a risk to a SA Health worker or workers.
- Not tolerate DFSV being perpetrated in the workplace.
- > All workers must:
  - Complete any DFSV training when mandated or directed to do so, including to achieve and maintain White Ribbon accreditation.
  - Support workers experiencing DFSV.
  - Maintain worker disclosures of DFSV as strictly confidential.
  - Confidentially seek advice from their line manager or next available delegate, executive, and/or local Human Resources / workforce unit with any concerns of DFSV.
  - Comply with the requirements for the mandatory notification of child abuse when dealing with disclosures of DFSV.
- > All line managers must:
  - Take immediate and appropriate action to mitigate risk associated with any reports of DFSV. For example, if a worker:
    - or member of the public, such as a partner or family member, is observed or suspected of threatening, harassing or abusing a worker who is a family or household member while at the workplace.
    - is reasonably suspected to have perpetrated DFSV in or from the workplace.
  - Respond in a manner consistent with the terms of an Intervention Order, where one exists and where relevant to the workplace of the protected person (the employee).
  - Seek and act on the confidential advice of the local Human Resource / workforce unit, and SA Health Agency Security Advisor / SA Health Deputy Agency Security Executive and / or SA Police. All parties must work together to ensure the safety of the worker or workers.
  - Report to SA Police immediately, and seek confidential advice from the SA Health Deputy Agency Security Executive / Agency Security Advisor:
    - Incidents of sexual and/or physical assault.
    - When a worker is reasonably suspected to have perpetrated DFSV in or from the workplace.
    - A known imminent threat to a worker, in which case SA Police attendance at the workplace must be requested.
  - Ensure a victim-survivor is not discriminated against or have adverse action taken against them because of their disclosure of experience/s, or perceived experience/s of, DFSV.
  - Aid a worker subject to DFSV to access an organisation/s specialising in DFSV support services with consideration of their specific circumstance.
  - Offer support and ensure the safety of any worker reporting incidents of DFSV in the workplace, protecting them from any negative consequences.
  - Afford natural justice to a worker suspected of perpetrating DFSV by ensuring they are not discriminated against or have adverse action taken against them while the accusations are unsubstantiated.
  - Aid a worker charged with / who disclose they are perpetrating DFSV to access an organisation/s dedicated to ending violence against partners and families.
- > Workers who are not SA Health employees must be:
  - Encouraged to discuss their circumstances and any available arrangements with their employing or supervising organisation.

- Afforded safety and wellbeing considerations primarily through their supervising or employing organisation in conjunction with the SA Health workplace.

### Domestic, Family and Sexual Violence (DfSV) Safety and Security Plan

- > Workers must consider, when a risk to their or other workers safety at work, is identified, developing a workplace DfSV Safety and Security Plan (Plan) with support from their line manager, Human Resource / workforce unit and Protective Security Services.
- > Managers must, put a confidential Plan in place (using the Plan template), when they become aware that a worker alleges that they are or is known to be experiencing domestic violence, to ensure risks to that worker, other workers and the workplace are minimised. This is regardless of the worker wishes to participate but they should be encouraged to do so.
- > A Plan will be specific to the worker experiencing DfSV and considerations for workplace safety and security and will be reviewed regularly.
- > When developing a Plan, risks associated with the working arrangements must be discussed, assessed, and changes to improve safety identified and implemented. Working from home, for example, may mean there is greater risk to the worker.
- > The SA Health Deputy Agency Security Executive / Agency Security Advisor must be confidentially consulted during the development of the plan to discuss safety considerations such as changes to a worker's work telephone numbers, screening incoming calls, risk to other co-located workers, and the need to discuss matters with the SA Police.
- > If a need arises out of normal business hours, the After-Hours Hospital Coordinator (or another role nominated by an LHN including state-wide services aligned with those Networks, SAAS, or DHW) must work with a worker to develop a preliminary plan, and that the worker later meet with their line manager or give consent for the After-Hours Hospital Coordinator or other nominated role, to provide any necessary information to the line manager.
- > Where a person experiencing DfSV is co-located within the same agency as the worker perpetrating violence, workplace responses must be determined in consultation with the person subjected to violence to minimise disruption to their duties/tasks, ensure safety in the workplace of all workers, and to minimise unintended negative consequences of any action taken.
- > If the DfSV perpetrator is not a SA Health worker, the likelihood of contact while a worker is undertaking duties/tasks must be examined and, where risk is identified, safety measures must be established.
- > Consult with the local Human Resources / workforce unit and Digital Health SA should a digital security breach be suspected.

### Support

- > Those involved in managing, or witnessing, issues arising from DfSV matters must have access to the Peer Offering Peer Support program (POPS) and/or Employee Assistance Program (SA Health employees, their immediate families, and volunteers only).

### Records management and confidentiality

Information obtained about a DfSV situation is strictly confidential and must:

- > Be maintained in accordance with the [Premier and Cabinet Circular 12 - Information Privacy Principles \(IPPS\) Instruction \(PC 012\)](#) and [Fair Work Act 1994, Schedule 3B](#), including circumstances when confidentiality may be limited and disclosure of personal information may be required.
- > Not be retained on Human Resource systems or other record management systems where there is no need to do so.
- > Be held in a confidential, securely stored file (not personnel file) created for the purpose of holding information, provided by a worker experiencing DFVS, deemed necessary for the management of safety, security, and wellbeing matters. Where possible, to minimise the retention of highly sensitive, confidential information, managers must sight documents only and return them to the worker.

## 6. Mandatory related documents

The following documents must be complied with under this policy, to the extent that they are relevant:

- > [Children and Young People \(Safety\) Act 2017](#)
- > [Code of Ethics for the South Australian Public Sector](#)
- > [Commissioner's Determination 3.1: Employment Conditions - Hours of Work, Overtime and Leave](#)
- > [Commissioner's Guideline – Domestic and Family Violence](#)
- > [Corporate Records Management Policy](#)
- > [Domestic, Family and Sexual Violence Safety and Security Plan](#)
- > [Fair Work Act 1994, Schedule 3B](#)
- > [Family Safety Framework Policy](#)
- > [Flexible Workplaces Policy](#)
- > [Intervention Orders \(Prevention of Abuse\) Act 2009](#)
- > [Mandatory Training Policy](#)
- > [SA \(Health Care Act\) Human Resources Manual](#)
- > [Premier and Cabinet Circular 12 - Information Privacy Principles \(IPPS\)](#)
- > [Preventing and Responding to Challenging Behaviour Policy](#)
- > [Preventing and responding to challenging behaviour by a person who is NOT a current consumer patient](#)
- > [Protective Security Policy](#) (SA Health Intranet Only)
- > [Public Sector Act 2009](#)
- > [Public Interest Disclosure Policy](#)
- > [Public Sector Regulations 2010](#)
- > [1800RESPECT](#)
- > [Respectful Behaviour \(including management of bullying and harassment\) Policy](#)
- > [Responding to Suspected or Alleged Offences Against a Child or Young Person Occurring at an SA Health Facility or Service Policy](#)
- > [Sex Discrimination Act 1984](#)
- > [South Australian Protective Security Framework](#)
- > [Work Health Safety Act 2012](#)
- > [Work Health and Safety Regulations 2012](#)

## 7. Supporting information

- > [Addressing disrespectful behaviour \(including bullying and harassment\) Guideline](#)
- > [Domestic, Family and Sexual Violence Safety and Security Plan Template](#)
- > [Domestic and family violence and sexual assault support services](#)
- > [Fact sheet: Domestic and family violence - a workplace issue, a discrimination issue](#)
- > [Flexible Workplaces Guideline](#)

- > [Office for Women: Women's Information Service](#)
- > [Reporting and Investigating WHS Hazards and Incidents Procedure](#) (SA Health Intranet Only)
- > [Safe Work SA Family and domestic violence in the workplace](#)
- > [The National Plan to End Violence against Women and Children 2022-2032](#)
- > [White Ribbon Workplace Accreditation](#) (DHW intranet)
- > [Women's Safety Services SA](#)

## 8. Definitions

- > **Agency Security** means the roles and responsibilities of Accountable Authorities and the management structures and responsibilities for security matters as outlined here: [GOVSEC1 Security governance](#) and [security.sa.gov.au](#).
- > **Domestic, family and sexual violence (DFSVM)** means a pattern of abusive behaviours by one person against another, within an intimate relationship such as marriage, domestic partnerships, cohabitation, dating or within a family, including across generations. DFSVM takes many forms including physical, sexual, emotional, financial, and psychological abuse, threatening or coercive behaviour. The behaviour is aimed at power over, and control of, the other person through fear.
  - o Domestic violence (also known as 'intimate partner violence') usually refers to instances where this kind of behaviour occurs between two people who have a current or have had a previous intimate relationship.
  - o Family violence is usually a broader term that includes, intimate partner violence, abusive behaviour toward relatives, guardians, and family groups, elders, and includes carers, support workers and co-habitants.

The term 'DFSVM' is used throughout this policy for ease of reference. It is recognised that for Aboriginal workers the term 'Aboriginal Family Violence' may be the preferred term to describe violence perpetrated against Aboriginal families and communities.

More extensive and refined definitions are included in [The National Plan to End Violence against Women and Children 2022-2032](#)

- > **Evidence for special leave** means providing documentation which satisfies a reasonable person that the leave is for, but not limited to attending medical appointments, legal proceedings or seeking legal assistance, court appearances, counselling, or relocating to a safe place, making of safety arrangements or other activities associated with domestic and/or family violence. Managers must not request information relating to the details, nature, or extent of the DFSVM to which the worker is subjected. Workers are not obliged to provide this information and approval of the special leave will be at the discretion of the delegate. It should be noted however that the SA Health Deputy Agency Security Executive can formally request supporting evidence of DFSVM if there is risk to the worker or to other workers and the business.
- > **Perpetrator** means a person who commits an illegal or criminal act or has acted in a way that causes harm to others. It is acknowledged however that a perpetrator may not have been identified in the legal system and therefore no offence has been recorded.
- > **Statewide services** means Statewide Clinical Support Services, Prison Health, SA Dental Service, BreastScreen SA and any other state-wide services that fall under the governance of the Local Health Networks.
- > **Workplace resources** includes but is not limited to telephones, email, social media, or government vehicles.

## 9. Compliance

This policy is binding on those to whom it applies or relates. Implementation at a local level may be subject to audit/assessment. The Domain Custodian must work towards the establishment of systems, which demonstrate compliance with this policy, in accordance with the requirements of the [Risk Management, Integrated Compliance and Internal Audit Policy](#).

Any instance of non-compliance with this policy must be reported to the Domain Custodian for the Employment, Work Health and Safety Policy Domain and the Domain Custodian for the Risk, Compliance and Audit Policy Domain.

## 10. Document ownership

Policy owner: Domain Custodian for the Employment, Work Health and Safety Policy Domain

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Contact for enquiries: [health.workforceservicespolicy@sa.gov.au](mailto:health.workforceservicespolicy@sa.gov.au).

## 11. Document history

Version	Date approved	Approved by	Amendment notes
4.0	19/12/2024	Chief Executive, DHW	<ul style="list-style-type: none"> <li>Updated to align with Policy Framework</li> <li>Updated to include new SLWP provisions in accordance with Fair Work Act and Commissioners Determination 3.1</li> <li>Inclusion of Safety and Security Plan</li> <li>White Ribbon accreditation requirements removed - mandatory training is in place</li> </ul>
3.0	22/06/2020	Deputy Chief Executive, Corporate & System Support Services	Reviewed to include White Ribbon accreditation requirements and responsibilities post devolution of the LHNs and SAAS
2.0	27/02/2019	Portfolio Executive	Updated version
1.0	04/03/2014	Portfolio Executive	Original version

## 12. Appendices

Nil