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RELATED DOCUMENTS:	Legislation: Occupational Health & Safety Act 2004 Equality & Fairness Act 2013 Family Violence Protection Act 2008 (Vic) Child Safe Standards 2022 Gender Equality Act 2020 (Vic) Gender Impact Assessment, Date completed:
	Documents: PPP008 Occupational Health & Safety Policy PPP012 Child Safety & Wellbeing Guidelines PPP036 Child Safety & Wellbeing Policy PPP264 Family Violence/Abuse Support Procedure (Team Members) PPP261 Family Violence/Abuse Support Student Guidelines

1. Introduction

The Australian Government notes that family violence is a major national health and welfare issue that can have lifelong impacts for victim survivors. This Policy outlines South West TAFE's (SWTAFE or the 'Organisation') commitment to supporting team members and students who may be experiencing the effects of family violence.

SWTAFE recognises that it has a responsibility, both legally and ethically, to respond to disclosures of family violence using best-practice principles. SWTAFE will fulfill this by:

- ensuring that victim survivors are aware of how to seek support at SWTAFE or via external services;
- fostering an environment where victim survivors feel comfortable and safe to seek and request support;
- working collaboratively with victim survivors to ensure they are safe while working or studying at SWTAFE and;
- ensuring victim survivors are not disadvantaged in their work or study as a result of experiencing family violence.

SWTAFE also recognises that it has an important role to play in *preventing* family violence by promoting gender equality, diversity and inclusion. This is addressed in the Organisation's *PPP013 Inclusion and Diversity Policy* and Gender Equality Action Plan.

The Organisation's Family Violence Support Procedures are discussed in detail in the *PPP264 Family Violence/Abuse Support Procedure (Team Members)* and the *PPP261 Family Violence/Abuse Support Student Guidelines (draft)*.

Where the individual disclosing their experience of family violence is under 18 years of age, this Policy should be read in conjunction with SWTAFE's Child Safety & Wellbeing Policy (PPP036) to ensure responses are compliant with mandatory reporting requirements, Duty of Care of Students (PPP052) and the Child Safe Standards 2022.

2. Scope

This Policy applies to all team members and students of SWTAFE.

3. Definitions

Family Violence/Abuse

For the purposes of SWTAFE's Family Violence/Abuse Policy, associated procedures and other related documentation the Organisation will use the term family violence, in the understanding that there are a number of behaviours which fall under this term (as outlined below) not all of which constitute a 'violent' act.

Family violence is any violent, threatening, coercive or controlling behaviour that occurs in current or past family, domestic or intimate relationships.

The Family Violence Protection Act 2008 (Vic) defines family violence as behaviour towards a family member where the behaviour is physically or sexually abusive, emotionally or psychologically abusive, economically abusive, threatening or coercive, or in any way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of themselves or another person.

Family violence also includes any behavior by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, the behavior described above.

Family violence can occur in various relationship contexts, including but not limited to:

- an adult towards a young person;
- adults in heterosexual, same-sex or gender diverse relationships (current or former);
- an adult towards an older person;
- a young person towards parents, siblings or a carer (person providing care)

It is recognised that anyone, regardless of gender, can experience family violence.

Domestic Violence

Domestic violence refers to the behaviours listed above but is between current or former intimate partners. As family violence is a broader term that refers to violence between family members including intimate partners, SWTAFE will refer to family violence for the purposes of this policy, associated procedures and other related documentation.

Victim Survivor

The term 'victim survivor' describes those who live with or have escaped family violence. Using both 'victim' and 'survivor' shows that while an individual may have been subjected to family violence by a family member, therefore becoming a victim, the person has also drawn on their inner resources, community supports and other personal skills and knowledge to cope with the situation. Using both words acknowledges the person is also a survivor of the abusive behaviour and treatment directed towards them.

4. Policy

4.1 Organisational Support

The Organisation recognises that team members and students sometimes experience situations of family violence in their personal life, that may affect the workplace or the learning environment. As such, SWTAFE will assist team members and students experiencing family violence with the aim of ensuring their safety whilst on campus, their continued participation in work or learning, and that they are not disadvantaged due to their experience of family violence so far as reasonably practicable. SWTAFE's Occupational Health & Safety Policy (PPP008) outlines our commitment to provide a safe and healthy working and educational environment.

Where disclosures of family violence occur, SWTAFE team members will respond in accordance with the Family Violence/Abuse Support Procedure (Team Members) and the Family Violence/Abuse Support Procedure (Students). This may include: coordinating existing services, the flexible application of work or study arrangements; cooperation with legal orders and the protection of health and safety, including the establishment of extra security measures.

SWTAFE will provide appropriate support and training to team members to whom another team member or student may disclose that they are experiencing the effects of family violence to ensure appropriate responses to disclosures, including a victim/survivor-centric approach is taken.

4.2 Confidentiality and non-victimisation

4.2.1 Confidentiality

Any disclosure or request for support made by team members or students who are experiencing family violence will be managed confidentially.

Personal information provided by team members or students concerning issues of family violence will be used solely for the purpose of assessing the victim survivor's needs and determining and applying the appropriate support mechanisms, as agreed with the victim survivor, except as otherwise required or permitted by law if it is believed there is an immediate risk of harm (e.g. Police or WorkSafe).

There may be times, when there is a risk to the victim-survivor on campus (for example when the person committing family violence attends or enters the victim-survivor's work or learning environment) or to other team members or students. In these instances, disclosure of the situation will be kept to a minimum and 'need-to-know' basis for the purpose of maintaining safety in the work and learning environment.

No information will be kept on an employee's file without their express written permission.

4.2.2 Non-victimisation

The Organisation will not victimise or otherwise subject a team member or student to detrimental action as a consequence of that person raising, providing information about, or otherwise being involved in the support for an individual experiencing family violence.

Victimisation may include amongst other things, negative consequences for a team member or student if their attendance or performance suffers as a result of experiencing family violence.

4.3 Communication and Engagement

SWTAFE will ensure team members and students are aware of the Organisation's approach to disclosures of family violence, through a variety of methods including:

- ensuring key documentation is regularly communicated and understood;
- making it clear that no-one will be disadvantaged because they are being subjected to family violence and;
- treating all disclosures seriously and in accordance with the Family Violence/Abuse Support Procedure (Team Members) and the Family Violence/Abuse Student Guidelines.

5. Diversity, Equity & Inclusion

SWTAFE is committed to making diversity, equity and inclusion part of everything we do, including in the implementation of this policy/procedure/guideline. This document was the subject of a comprehensive access and equity assessment (also known as a Gender Impact Assessment), as per the requirements of the Gender Equality Act 2020 (Vic). For more information, please visit the 'Our Values' page on our website [external] website [external] [website](#) & Inclusion Homepage on ECHO [internal]. Diversity, Equity & Inclusion (DEI) [Diversity, Equity & Inclusion \(DEI\)](#)

6. Statement of Commitment to Child Safety

South West TAFE is committed to the protection of all children from all forms of child abuse and demonstrates this commitment through the implementation of a Child Safe Program designed to keep children safe within our organisation. For Child Safe key documents, resources, contact officer details please go to: [Child Safe Commitment](#)