ADVICE NOTE:

Family violence and working from home arrangements

This advice note is intended to support employers managing staff who are working from home as a result of the COVID 19 pandemic. It provides guidance on identifying potential signs that an employee might be experiencing family violence, and practical advice on supporting them.

Key points:

- The frequency and severity of violence against women in the home is increasing during and into the aftermath of the COVID 19 pandemic.
- Some employees may experience heightened risk of violence due to working from home arrangements.
- Family violence in the work-from-home environment is a workplace OH&S issue.
- There are things employers can do to recognise and respond to family violence.

Background

A significant issue related to the COVID-19 pandemic is the rise in the frequency and severity of violence against women in the home[1]. With more workers doing their jobs from home, as well as additional financial, health and family stresses, the risks of family violence are significantly increased. Local data shows that not only is family violence increasing in the region during the pandemic, but the proportion of new cases in which there had not been previous reports of family violence is also increasing, which can be partly attributed to more employees working from home[2].

Everyone has the right to be safe at work and at home – and all employers must take reasonable steps to protect their employees from the risk of harm while at work, even in the home office environment[3]. Flexible working arrangements are of benefit to employers and employees and are very important for achieving gender equality, but there are additional considerations when working from home arrangements are required for all staff.

Potential signs of family violence

For many employees experiencing family violence, work can be a place of safety and escape. In the work-from-home environment, this safe place no longer exists. It can be more challenging to recognise potential signs of family violence when employees work remotely, but there are warning signs which managers, Human Resources teams and colleagues can look for to keep employees safe at home. These include:

- Employee displays signs of physical injury, e.g. bruises, broken bones, lacerations
- Employee may be hesitant to use the video function in videoconferencing
- Employee consistently wears unseasonable clothing which could conceal an injury (e.g. a scarf or gloves indoors)
- Employee may become visibly anxious or attempt to end a videoconference when their partner enters the room
- Employee's partner appears particularly attentive and often appears by their side in videoconferencing
- Employee's job performance is affected, including a decline in quality of work and missing important meetings or deadlines
- Employee frequently cancels meetings at the last minute
- Employee's demeanour changes; they appear more tired, anxious, nervous, evasive, depressed, scared or overwhelmed
- Employee describes their partner using phrases such as 'loses it', 'controlling', 'anger management issues'

Steps you can take

If you suspect an employee is experiencing family violence, there are important things you can do to support them:

Communication

- Maintain regular communication with employees, and check in about how things are going
- Provide opportunities for employees to disclose they are experiencing family violence. Avoid asking direct questions, instead use open-ended questions like 'how are things at home?', or 'you don't seem yourself – is everything ok?'. If you suspect their phone call may be being monitored, use yes/no questions.
- Consider that employees from diverse backgrounds may have different ideas about what is considered family violence and may not want to seek help from services because of additional barriers (i.e. discrimination and not understanding limitations of circumstances such as temporary visas and financial support).
- Consider that employees' phone calls and videoconferencing may be monitored, and only ask about their wellbeing through a channel you know is safe. Consider asking yes/no questions over the phone if you suspect your employee may be monitored.
- Consider sending a communication to all staff from leadership about supports available, for example: 'We know COVID-19 may be creating additional stresses for some of our employees. If you are struggling or working from home is difficult for you, please don't hesitate to contact <insert> to discuss your circumstances and explore options'.[4]
- Include questions about safety at home as part of a working from home OH&S checklist (e.g. 'is your home work space safe, including free from family violence?').
- Ensure employees are working from home on a computer and/or phone provided by the organisation, which is more secure for communication.

- Consider creating opportunities for employees to connect outside of the home, such as a socially-distanced walking meetings, where appropriate.
- Ensure that referral information or support services are available in easy English, or that translator services are available.

If an employee discloses family violence

- Take the disclosure seriously. Assure them that you believe them, it is not their fault, and validate their efforts to disclose (e.g. 'it must have taken a lot of courage for you to tell me this'.)
- Avoid giving advice, making judgement statements or criticising the employee or perpetrator.
- Determine the employee's immediate safety – ask 'are you feeling safe at home at the moment?' If they are in immediate danger, consider a referral to a specialist family violence service or call 000, in consultation with the employee.
- Communicate to the employee the limitations of confidentiality – if you believe there are immediate concerns for a child's safety or wellbeing you may be required to consult with Child First or Child Protection.
- Reassure the employee that their job is safe and that you will support them.
- Communicate the organisational supports available, such as family violence policies or other relevant policies, family violence leave, or access to your Employee Assistance Program.
- Consider offering flexible working arrangements, such as allowing the employee to work from the office or another site, where possible.
- Know where to refer your employee for assistance – see Appendix 1 for contact details.

Policies and procedures
- Ensure your organisation has policies regarding family violence leave, dealing with disclosures, OH&S, flexible working arrangements – if you don't already have these in place, see Appendix 2 for policy examples or talk to your CoRE Regional Consultant.
- Ensure all managers and Human Resources staff are trained to identify and respond to disclosures of family violence.

If an employee is using family violence

People who use family violence work in every sector, and it is possible you have an employee who uses violence against a family member. The perpetrator could be using work resources, such as email or phone, to perpetrate violence, or the violence could be occurring on work time. If you suspect an employee is using family violence, or if they make a disclosure to you, there are some key principles to consider:

- Never excuse or minimise violence against women.
- Seek advice from specialist family violence services, referral services (such as No to Violence or Men's Referral Service – 1300 766 491), or legal services.
- Develop and communicate clear policies and codes of conduct regarding family violence, including the use of organisational resources to perpetrate violence.
- Provide employees who disclose perpetrating family violence with referral options to seek support – and make these details available to access in other forms (e.g. posters or intranet) for those who do not disclose.
- Consider the safety of the victim-survivor above all else – e.g. how would their safety be impacted by a summary dismissal of the perpetrator?

Links and resources

- [Employer guide to family and domestic violence (Fair Work Ombudsman)](#)
- [Workplace support for staff who experience family violence (Our Watch)](#)
- [Workplace responses to staff who perpetrate violence against women (Our Watch)](#)
- [Employees who use domestic and family violence: A workplace response (Male Champions of Change)](#)
- [Employer liability: family and domestic violence as a working-from-home risk (HRM Online)](#)
- [COVID-19 Information for workplaces: Family and domestic violence (Safe Work Australia)](#)
- [Workplace responses to domestic and family violence during COVID-19 (Male Champions of Change)](#)

For further information, contact your CoRE Regional Consultant or visit www.whg.org.au.

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References

[1] Pfitzner, N., Fitz-Gibbon, K. and True, J. (2020). Responding to the 'shadow pandemic': practitioner views on the nature of and responses to violence against women in Victoria, Australia during the COVID-19 restrictions. Monash Gender and Family Violence Prevention Centre, Monash University, Victoria, Australia.

[2] Central Highlands Integrated Family Violence Committee (2020). Family Violence and Covid-19: An update for the CHIFVC quarterly forum.

[3] Safe Work Australia (2020). https://www.safeworkaustralia.gov.au/covid-19-information-workplaces/industry-information/energy-utilities/family-domestic-violence#heading--5--tab-toc-working_from_home

[4] Male Champions of Change (2020). Workplace responses to domestic and family violence during COVID-19. https://malechampionsofchange.com/workplace-responses-to-domestic-and-family-violence-during-covid-19/