



INFORMATION SHEET

Family and domestic violence at work

This information sheet provides guidance for persons conducting a business or undertaking (PCBUs) about how to manage the risks of family and domestic violence at work and duties under the *Work Health and Safety Act 2020* (WHS Act), *Work Health and Safety (General) Regulations 2022* (WHS General Regulations) and *Work Health and Safety (Mines) Regulations 2022* (WHS Mines Regulations). PCBUs may also wish to seek further advice from their employer organisation, or other work health and safety and employment law professionals.

Material in this information sheet is based on the Safe Work Australia [information sheet: Family and domestic violence at work](#).

If a worker or anyone at your workplace is in immediate danger, call **000**.

If you believe a worker in your workplace is experiencing family and domestic violence but is not in immediate danger, encourage and support them to access services such as:

- 1800RESPECT, the national support service for family, domestic and sexual violence, by calling **1800 732 737** or visiting www.1800respect.org.au
- your workplace Employee Assistance Provider
- make a confidential report with the Police by calling **131 444**.

What is family and domestic violence?

Domestic violence, also known as intimate partner violence, refers to any behaviour within an intimate relationship (current or former) that causes physical, sexual or psychological harm.

Family violence is a broader term than domestic violence because it includes violence between intimate partners, violence perpetrated by parents and guardians against children, between family members, from a person related according to Aboriginal and Torres Strait Islander kinship rules, or in family-like settings.

Family and domestic violence (FDV) can present in many forms, and not all forms are visible. FDV is almost always underpinned by coercive control, where perpetrators use patterns of abusive behaviour over time to control another person, creating fear and taking away the person's freedom and independence. Violence can be physical, sexual, emotional, psychological, social, cultural, spiritual or financial. It can also be facilitated through technology.

Examples of FDV include physical assault, sexual assault, withholding someone's access to money, controlling a person's ability to see friends and family, image-based abuse, intimidation, verbal abuse and tracking someone's movements. Experiencing FDV has both short and long terms effects on the victim-survivor's health and wellbeing.

Refer to the [glossary](#) at the end of this information sheet for the meanings of other key terms used in this information sheet.

When is family and domestic violence a WHS issue?

FDV is a known cause of physical and psychological harm to those who experience it. Violent behaviours may pose a risk of death, serious and other physical injuries. It may also be distressing to workers and other people in the workplace who witness or hear about FDV.

FDV may arise from, or relate to, workplace interactions or behaviour, the work environment, the way work is designed or managed, or plant at the workplace. It is a work health and safety (WHS) issue if it creates a risk to workers' health and safety, or if the health and safety of other people is put at risk from work carried out as part of the conduct of the business or undertaking.

FDV can occur in a variety of workplaces and work-related scenarios, including:

- where there is public access to the workplace, including via phone, email or social media
- when a worker is working alone or in locations outside or away from their main workplace, such as at their home or a client's home
- when a worker is moving between work locations, including between work sites and the car park
- during work-related activities, such as training courses, conferences, work-related trips or social activities, and commuting to and from workplaces with colleagues
- when a worker is occupying [workers' accommodation](#)
- when a worker is working with a family member or person with whom they have (or have had) an intimate relationship
- when a worker uses the information, tools and resources of a PCBU to perpetrate FDV (e.g. accessing private client information to find the address of a former partner).

Managing the risks of family and domestic violence

PCBUs must eliminate risks to health and safety at work so far as is reasonably practicable. If it is not reasonably practicable to eliminate the risks, they must minimise the risks so far as is reasonably practicable. This means proactively managing the risk of FDV happening at work.

Like other psychosocial hazards, the risks of FDV must be managed in accordance with Part 3.1 (other than Regulation 36) and Division 11 of the WHS General Regulations and WHS Mines Regulations.

Other PCBU duties that are relevant to managing the risk of FDV include so far as is reasonably practicable:

- providing and maintaining safe systems of work, safe plant and structures, and a work environment without health and safety risks
- providing adequate facilities and means of accessing them

- maintaining the premises of workers' accommodation to prevent occupants from being exposed to health and safety risks
- providing information, training, instruction and supervision that is necessary to protect all persons from health and safety risks arising from their work
- monitoring the workplace conditions and workers' health to prevent illness or injury arising from the conduct of their business or undertaking
- consulting with workers who are, or are likely to be, directly affected by a work health and safety matter.

Identify hazards and assess the risks

PCBUs must identify where FDV is a reasonably foreseeable hazard that could give rise to risks to health and safety. This involves understanding situations in which it could occur, including:

- when and where (e.g. at the usual workplace, while making deliveries, via email)
- how it could occur (e.g. from contact with customers or the public or from other workers)
- the potential nature of the harassment (e.g. verbal or physical, overt, subtle)
- who is likely to be affected.

The risks of FDV may increase depending on the physical work environment, systems of work and interactions between workers and other people. For example, work that is carried out in isolation, requires interaction with the public, or gives workers access to personal information (e.g. of family members or former partners) may increase the risks of FDV at work. PCBUs must consider the potential for workers to be exposed to other psychosocial hazards that may interact or combine to create new, different or increased risks.

PCBUs or their workers may notice signs that an individual worker is affected by FDV. For example, social withdrawal, excessive absences or lateness, inability to take work-related trips, unexplained injuries, or receiving excessive personal calls or visits.

There are situations where the signs of FDV are harder to identify. For example, when work is carried out remotely or in isolation, where signs of FDV cannot be observed or recognised by workers or the public. Additionally, workers may choose not to disclose that they are at risk of FDV. See [disclosures of FDV](#) for more information.

Control the risks

There are a range of ways to control the risks of FDV, even when a PCBU isn't aware of any individual workers who are experiencing it.

Examples of control measures include:

- ensuring the workplace is secure (e.g. swipe card access)
- implementing flexible working arrangements, such as adjustments to working hours or work locations
- providing communication or duress alarm systems
- ensuring workers are not alone or out of contact while working
- considering contact information screening (e.g. email, phone numbers, devices, internet profile)
- changing work email addresses or phone numbers if incidents have occurred through electronic or telephone contact
- communicating that FDV is a WHS issue and developing policies and procedures to address it

- providing all workers with education and training to raise their awareness of FDV, its potential effects in the workplace and how to manage risks (such as keeping personal information secure)
- communicating the availability of entitlements such as FDV leave, personal or carer's leave, flexible work arrangements and other entitlements that support workers experiencing FDV – see [resources for PCBUs](#)
- providing information about counselling, legal, health, financial and other FDV support services – [see support services](#)
- providing a safe, secure and accessible reporting mechanism, including trained contact people within the workplace and a private place where you can have a confidential conversation with workers
- ensuring workers supporting those who are experiencing FDV are aware of support options available, including employee assistance programs (if applicable)
- appointing a trained contact person in the business for anyone seeking assistance in relation to FDV issues
- engaging an employee assistance program or other support service provider with FDV capabilities.

Any actions taken to manage health and safety risks should prioritise the safety of the worker who is (or may be) experiencing FDV. PCBUs should consider their views and preferences and ensure any proposed response does not introduce or increase risks.

Victim-survivors may already have ideas about what they can do to keep themselves safe. They may wish to develop or adjust a safety plan with their employer and their treating medical practitioner. For more information on safety planning, contact [1800RESPECT](#).

PCBU-controlled workplace

Workplaces can be a place of refuge and a crucial source of social and economic support for workers experiencing FDV. PCBUs are likely to be able to do more to control the risk of FDV when they manage or control the physical workplace.

For example, risks might be controlled by:

- clearly identifying visitors to avoid accidentally allowing a perpetrator to enter the workplace;
- separating workers from the public
- developing and implementing procedures for an emergency response to instances of FDV in the workplace, including when to involve police
- providing workers with a safe, secure place to retreat in the event of an incident
- providing secure parking and access to the workplace, especially for workers who have identified that they are experiencing FDV, including when moving between work locations.

Working from home

The PCBUs duty to manage WHS risks still applies if workers are working from home. Workers experiencing FDV may be at greater risk because of working from home arrangements. PCBUs must identify hazards and manage the risks before starting work from home arrangements.

Actions PCBUs can take to minimise risks at a worker's home will be different from what they can do in a workplace under their management and control. It also depends on other circumstances, for example, whether the worker continues to live with the perpetrator. PCBUs should consult workers and consider what control measures most effectively eliminate or minimise the risk.

PCBUs may be able to control the risk of FDV in working from home arrangements by:

- providing an alternate work location (e.g. their organisation's offices)
- providing work phones and laptops to enhance autonomy and digital security
- maintaining regular communication with workers
- agreeing on actions to be taken if the worker is unresponsive for a defined period.

Monitor and review

Risks may change over time or control measures may not work as expected. PCBUs can ensure the measures remain effective by monitoring the workplace and control measures and engaging with workers on health and safety issues. If control measures are not working effectively, those control measures must be reviewed and revised or replaced.

Ongoing consultation and dialogue with workers regarding WHS matters is particularly important when workers are not physically co-located (e.g. working from home), as the PCBU may be unable to monitor risks directly.

Consultation

Any worker could be affected by FDV, so it is important to consult broadly when identifying risks and implementing control measures. It is also important to be aware of workers from culturally and linguistically diverse backgrounds who may have different perspectives on what FDV is. If a worker discloses a specific risk, the PCBU should consult that worker on how to control the risk.

To ensure workers can participate in meaningful consultation about FDV, PCBUs should consider additional measures such as:

- holding one-on-one discussions to ensure workers' needs, experiences and individual circumstances are considered and information is treated sensitively and confidentially
- assuring workers of their right to confidentiality and support if they choose to disclose FDV
- communicating support available to workers, including appointed contact persons, HSRs (if applicable), and employee assistance programs.

It is common for perpetrators of FDV to monitor a victim-survivor's communication. PCBUs should avoid directly asking workers about FDV over emails, text messages or phone calls as this may unintentionally place the worker at risk of serious harm.

The [*Work health and safety consultation, cooperation and coordination: Code of practice*](#), provides more information about when and how consultation must be carried out.

Disclosures of family and domestic violence

Encouraging disclosures

Victim-survivors may be concerned that they will experience negative consequences or repercussions for disclosing FDV. In encouraging reporting, PCBUs should specifically consider the needs and concerns of vulnerable workers, such as workers who are new and inexperienced, migrant workers, workers who may face intersectional harassment and discrimination, and workers who are in less secure forms of employment.

PCBUs can encourage workers to disclose WHS risks from family or domestic violence by:

- providing a safe environment for workers who make a disclosure
- assuring confidentiality and that information will be treated sensitively (see [privacy and confidentiality](#))
- preventing discrimination toward victim-survivors, and to workers or prospective workers who raise WHS issues or concerns in relation to FDV
- not requiring workers to provide unnecessary personal details.

Responding to disclosures

If a worker has disclosed that they are experiencing FDV, PCBUs should respond calmly and with sensitivity and support. The PCBU should check for any immediate threats to the worker's safety, take the matter seriously and not press for details or offer unsolicited advice. PCBUs should not make comments that undermine a victim-survivor's experience, criticise their decisions or pressure them to take specific actions.

PCBUs should ask victim-survivors about their work-related needs, including any safety measures and work adjustments required. They should provide information on legal entitlements, workplace policies, support services, and employee assistance programs (if available) and facilitate the victim-survivors access to these resources.

PCBUs should also ask the victim-survivor about their needs and preferences for future communication about the FDV. If appropriate and safe to do so, the PCBU should follow up with them to monitor their health and safety and see if they require additional support.

Privacy and confidentiality

It is important for PCBUs to develop supportive environments where workers feel safe to raise concerns about FDV. To create this environment, PCBUs should be able to demonstrate information will be treated as sensitive and kept confidential and secure to protect their privacy. Any mishandling or unauthorised disclosure of information may place workers at an increased risk of harm.

PCBUs should:

- ensure information is secure and confidential (e.g. implement privacy settings on hazard and incident reporting systems)
- make workers aware of any mandatory reporting obligations that may limit confidentiality, such as requirements under state laws or as part of the worker's employment contract (e.g. reporting where there is reasonable belief that a child is experiencing or is exposed to violence)
- only disclose information on a need-to-know basis and only to maintain safety
- only disclose information with the express consent of the worker, unless they are in immediate danger or mandatory reporting requirements apply.

Paid family and domestic violence leave

In workplaces covered by the national workplace relations system (i.e. Fair Work system), employees dealing with the impact of FDV can:

- access 10 days of paid FDV leave in a 12-month period
- request flexible working arrangements
- take paid or unpaid sick or carer's leave in certain circumstances.

Some PCBUs may offer further paid or unpaid leave for workers experiencing FDV. More information about FDV leave is available on the Fair Work Ombudsman's website (see [resources for PCBUs](#)).

Workers who perpetrate family and domestic violence

There may be cases where a PCBU knows or suspects that a worker is perpetrating, or may perpetrate, FDV at work.

PCBUs must ensure, so far as is reasonably practicable, that the health and safety of workers and other persons is not put at risk from the work carried out by the business or undertaking. If the nature of the work involves access to information or resources that a worker could use to perpetrate FDV, the PCBU must eliminate or minimise this risk. For example, controlling access to customer information so it cannot be misused by a worker to identify a former partner's new address.

In addition to the risk to the victim-survivor, FDV can be distressing for others in the workplace who may witness FDV, overhear conversations or comments or are concerned for another person's safety or their own.

Workplace policies should set appropriate standards and expected behaviours. Policies should address how the PCBU will respond to all affected workers, including someone who perpetrates FDV. Responding quickly and appropriately to reports of any kind of violence may prevent the situation from escalating and reinforce to workers that violence is taken seriously and will not be tolerated in the workplace.

If both parties are workers for the same PCBU, the focus should be on the safety of the victim-survivor. Decisions on how to respond to the worker who is (or may be) perpetrating FDV should, wherever possible, be made after considering the views of the person who is (or may be) at risk from such FDV, including to ensure any proposed response does not expose them to further risks.

Referral and support services should be offered to all involved parties. The service directories provided at the end of this information sheet can be used to identify suitable options.

Glossary

Perpetrator refers to a person who commits domestic and family violence. Perpetrators and victim-survivors of family violence do not have to live together for a definition of family violence to apply to their situation. In this information sheet, perpetrators employed by the PCBU are also referred to as 'workers who perpetrate family and domestic violence'.

Victim-survivor refers to a person who lives with or has escaped family or domestic violence.

Worker refers to anyone who carries out work in any capacity for a business or undertaking, including employees, contractors, subcontractors, outworkers, apprentices, trainees, work experience students and volunteers.

Workers' accommodation is accommodation that is owned, managed or controlled by the PCBU, and is necessary for the worker's engagement as other accommodation is not reasonably available.

Further information

Support services

Information about services that assist people affected by FDV can be found through the following service directories:

- 1800RESPECT – [Service directory](#)
- Department of Communities – [Family and domestic violence helplines and support services](#)
- Centre for Women’s Safety and Wellbeing – [Support and services directory](#)

Resources for PCBUs

The following resources provide further information about managing family and domestic violence at work:

- Australian Human Rights Commission – [Domestic Violence and the Workplace: Employee, employer and union resources](#)
- Champions of Change – [Playing Our Part: A framework for workplace action on domestic and family violence](#)
- Fair Work Ombudsman
 - [Family and domestic violence leave](#)
 - [Small business employer guide to Family and Domestic Violence](#)
- Our Watch – [Take action in your workplace](#)
- Queensland Government – [Domestic and family violence workplace package](#)
- Safe Work Australia – [Sexual and gender-based harassment: model Code of practice](#)
- Workplace Gender Equality Agency – [Family and domestic violence](#)
- Work Health and Safety Commission
 - [Managing psychosocial hazards at work: Code of practice](#)
 - [Violence and aggression at work: Code of practice](#)
 - [Workplace behaviour: Code of Practice](#)