

PREVENTION OF AND RESPONSE TO FAMILY VIOLENCE

Te Ture ārai Takahi Whānau

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1. Purpose & Scope

We are committed to ensuring a healthy and safe place of work and study. We will do all we reasonably can to support staff or students who experience the effects of family violence whilst at Wintec.

We take our legal and moral obligations seriously, and family violence is a significant issue in our society and may impact on our staff members or students either directly or indirectly. Family violence is not tolerated or excused, and we will not discriminate against any person impacted by family violence.

Family violence responders at Wintec will receive training to help them know what to do if they see or know family violence is happening to someone or being perpetrated by someone in the workplace or place of study.

This policy and procedure(s) are part of our People and Culture Policy Statement, which is managed by the People and Culture team. It is intended to align with our Student values, Principles of Professional Practice, Standards of Behaviour and Wintec values.

All requests for family violence leave or safety measures at work will be considered urgently (or at a maximum, within two working days)

This policy applies to all Wintec staff members and students.

2. Definitions

Family violence	<p>Family violence (or other chosen term) is about behaviours used within any intimate relationship, family relationship or any two people who live together, including flatmates. It includes not just physical, but also a range of other behaviours that have the effect of controlling the other person, and/or making them feel afraid/threatened/intimidated.</p> <p>Family violence is most often a pattern of behaviours that has the effect of controlling the other person, even when each of those behaviours do not appear abusive in isolation. Family violence can also be referred to as domestic violence or family abuse</p>
Family violence responders	<p>Staff designated as the people to contact if staff or students are experiencing family violence and want support within the workplace or place of study. These staff will receive training before acting in this role, in order to ensure they respond safely and effectively. They are also trained to support managers to manage staff and students who perpetrate family violence. A list of family violence responders is available on the safety and wellbeing intranet page, and on the My Learning page for students.</p>

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Shine	www.2shine.org.nz/how-shine-helps/helpline Shine is a national domestic abuse charity and runs a domestic abuse helpline to help keep people safe from domestic abuse and family violence.
Specialist service or specialist family/family violence service provider	Refers to a community organisation that specialises in delivering family violence services for people who experience or who perpetrate family violence. www.familyservices.govt.nz/directory/

3. Providing Support

3.1 Awareness and support

Any imminent threats of violence that are considered an emergency situation on campus should be reported first to emergency services (111) and then Security, phone ext 9000 or 0800 852 900.

If you are aware of a non-emergency involving family violence where there may be risk of (further) violence to someone, it is best to offer support directly to that person and suggest they seek help from the Shine Helpline and/or talk to a Wintec family violence responder.

If unsure about how to offer support, you can also contact the Shine helpline or a family violence responder to get advice, taking care to not disclose details about your colleague/student without their permission, unless necessary to address a serious threat to someone's safety.

We will ensure:

- A. All staff are required to comply with this policy and all other Wintec policies, as outlined in the Principles of Professional Practice which is incorporated into all employment agreements.
- B. Provision of reasonable support for staff members and students experiencing family violence, as well as those adversely affected by previous experiences of family violence, in order to create and maintain a safe culture for staff and students.
- C. Staff members and students who are experiencing the effects of family violence, may request reasonable consideration of appropriate leave and/or work/study arrangements, in order to:
 - Attend medical, counselling and support appointments
 - Attend legal proceedings including meetings with legal advisors
 - Contact support agencies for appointments pertaining to accommodation, childcare, and financial assistance
 - Attend to other matters that are a result of family violence.
- D. We will provide training and awareness of family violence at all levels of our organisation, including developing and maintaining a communications plan. This includes regular (annual) communications to all staff members and students to encourage and empower those impacted by family violence to seek support.

We will not tolerate staff using work time or work resources to perpetrate family violence. If warranted, an investigation into a complaint against Wintec staff or students is the appropriate process. See the

Printed Copies are not Controlled. Please refer to Wintec's Policy Web for the most current version.

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[Employee Complaint Management policy](#) (for staff) or [Student Voice policy](#) (for students).

As part of our commitment to supporting staff members and students, we will endeavour to provide the following:

3.2 Support for staff

Staff are able to access the list of family violence responders and information on what options are available to them via the [Safety and Wellbeing Intranet page](#), or by talking directly to their manager and/or People and Culture team member.

Trained family violence responders will be selected from across the organisation. They will provide appropriate support and workplace safety planning (see 3.2.6).

Staff may request consideration of flexible changes to their working arrangements to ensure safety such as change to location and/or hours of work, work duties, or any other term of employment needing variation to enable a staff member to deal with the impact of family violence, under Part 6AA of the Employment Relations Act 2000 (see 3.2.3).

Staff may also request an allocation of paid leave for time off to attend to family violence matters, 'Special Leave' in accordance with the Domestic Violence – Victims' Protection Act 2018, to respect confidentiality (see 3.2.3 and 3.2.4).

Staff may seek support from Wintec's Mental Health Business Partner regarding mental health impacts of family violence.

Staff may also seek support from community specialist support organisations (see 3.1).

3.2.1 Staff confidentiality

All staff members involved in supporting staff or students experiencing a family violence situation must maintain confidentiality. However, information may need to be shared to address a serious threat to someone's safety. If this is the case, a family violence responder providing support will try to discuss this with the person experiencing family violence ahead of time, to explain why and how their information will be shared. Information will only be shared, in order to address the threat to someone's safety.

3.2.2 Staff documentation and record keeping

A confidential record of all documentation pertaining to a staff member's family violence situation will be kept by the Executive Director People and Culture. This may include workplace safety plans, security procedures and special consideration requests.

3.2.3 Family violence leave and flexible work arrangements

Staff may request consideration of flexible changes to their working arrangements to ensure safety e.g. change to location and/or hours of work, under Part 6AA of the Employment Relations Act 2000.

Staff may also request an allocation or paid leave for time off to attend to family violence matters, 'Special Leave' in accordance with the Family Violence Victims Protection Act 2018. To respect confidentiality, details of the special leave will be managed and held confidentially, in line with the Privacy Act 1993.

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A staff member seeking leave due to family violence may request up to 10 days of paid leave each year which can be used for medical appointments, legal proceedings, and other activities related to family violence. This is not accruable and may relate to a family violence issue that has occurred in the past. A fixed term or permanent staff member can access this leave regardless of their length of service. Wintec will respond to such requests as a priority (at a maximum within two business days) depending the urgency of the request. Wintec may need to request appropriate documentation in order to progress a staff member's application for this leave.

Staff may apply to use their accrued sick leave or annual leave if appropriate or request for special reasons if more leave is required; see the Leave Management policy.

Any staff member who has perpetrated family violence and who is committed to rehabilitation may be eligible for paid leave (up to five days) per year or may request flexible hours of work in order to attend a local community non-violence programme (to find a local programme, ring Shine's Helpline or search under family violence and your area in www.familyservices.govt.nz/directory/). This is to be determined and agreed on at the discretion of the Executive Director People and Culture.

To ensure staff can be safe from violence while in the workplace, Wintec may also approve requests to change work arrangements (within reason) which may include:

- Changes to patterns of working hours, location of work or duties
- Change to your work telephone number or email address
- Any other term of employment where variation is needed to address the impact of family violence

To request family violence leave or flexible working arrangements, speak to your manager, People and Culture Business Partner or Safety and Wellbeing Manager, or to a family violence responder.

3.2.4 Special leave

Special leave may be available for staff who are supporting someone experiencing family. Leave may be taken as consecutive or single days or half days and is in addition to your current leave entitlement, and is at the discretion of the manager or Executive Director People and Culture.

3.2.5 Staff financial independence

We support the financial independence of our staff. Salary can be redirected into a new designated account if the staff member elects via an email to payroll requesting the change.

3.2.6 Workplace safety planning

Family violence responders can also help to create a workplace safety plan or campus safety plan if needed to address a staff member's safety needs. This plan will be dependent on whether the affected staff member thinks this is needed and would like to proceed with this approach.

A workplace safety plan will be developed by a family violence responder working with the staff member, and this may also include discussion with the person's manager. It may cover areas such as:

- Stopping the perpetrator from contacting the victim at work
- Giving the staff member a car park close to the workplace door
- Flexibility in work hours, change of work location

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- Designating a person to monitor attendance and follow up in the event of unplanned absences, including an appropriate emergency contact or potential code word to use in the event of danger
- Increased involvement from Wintec security
- Change of work phone number and email address, and/or GPS turned off on work cell phone
- If a staff member is experiencing family violence perpetrated by another staff member at Wintec, we will seek to manage the situation and resolve to ensure there is no contact between the two at work, where possible.

The staff member should inform their manager or a family violence responder if their workplace safety plan needs to be revised to meet any changing safety needs.

3.2.7 Staff complaint process

If warranted, an investigation into a complaint against Wintec staff is to follow the appropriate process i.e. the [Employee Complaint Management policy](#) for staff.

3.2.8 Staff performance and discipline

If there are concerns about a staff member's work performance, and it is known or suspected that they are experiencing family violence, every effort will be made to provide support for them to be safe at work and outside of work.

If performance issues may be reasonably considered to be a result of family violence, consideration will be given to providing additional time for performance to improve. If performance problems persist, Wintec may decide that a disciplinary process is necessary and the [Staff Discipline policy](#) will be applied. This may happen in conjunction with a workplace safety plan remaining in place.

3.2.9 Training for staff

All family violence responders will receive training from Shine before becoming active in this role, on how to intervene with and support staff and students experiencing family violence. They will also receive refresher training annually from Shine to reinforce key learnings in the initial training and discuss challenges and successes supporting staff and students experiencing family violence.

We will encourage and enable all staff to take intranet-based training such as Shine's "Working Together" module.

3.3 Support for students

Students can access the family violence responders or external agencies as specified in 3.1; and may also wish to get support from one of the following areas, noting that these people may not be trained family violence responders.

- Free counselling through the Wintec [Health, Counselling and Wellbeing Centre](#).
- Wintec's Mental Health Business Partner, who can support with mental health impacts of family violence.
- Student Life Advisors and/or Kaiāwhina. Due to the specific pastoral responsibilities outlined in the Education Code of Practice 2016, Student Life Advisors and/or Kaiāwhina may also liaise with the Wintec International Student Support team.

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3.3.1 Special consideration

Special consideration may be applied if attendance, study or performance has been affected by family violence. This may include considerations regarding:

- Class attendance
- Alternative access to course materials
- Assessment and course requirements
- Submissions
- Deadlines and extensions
- Examinations
- Impact on performance and preparation for exams, assignments etc.

3.3.2 Student confidentiality

All staff members involved in supporting students experiencing a family violence situation must maintain confidentiality. However, information may need to be shared to address a serious threat to someone's safety. If this is the case, a family violence responder providing support will try to discuss this with the person experiencing family violence ahead of time, to explain why and how their information will be shared. Information will only be shared, in order to address the threat to someone's safety.

3.3.3 Student record keeping

A confidential record of all documentation pertaining to a student situation will be kept by the Dean. If safety planning needs to occur and multiple parties are involved including Wintec Security, appropriate information will be collated and stored confidentially by the Safety and Wellbeing Manager. This may include safety plans, security procedures and special consideration requests.

3.3.4 Student complaint process

If warranted, an investigation into a complaint against students is to follow the appropriate process i.e. the [Student Voice policy](#).

3.3.5 Campus safety planning

Family violence responders can also help students to create a safety plan if needed to address a student's safety needs. This plan will be dependent on whether the affected student thinks this is needed and would like to proceed with this approach. This may cover areas such as:

- Stopping the perpetrator from contacting the victim at Wintec
- Flexibility in how class lessons may be delivered/received
- Increased involvement from Wintec Security
- If a student is experiencing family violence perpetrated by another student or staff member at Wintec, we will seek to manage the situation and resolve by creating a "safe zone" to ensure there is no contact between the two on campus, where possible.

4. Response to workplace incidents of abuse or violence

Wintec's response to family violence related incidents (including breaches of court or police orders or

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trespass notices) perpetrated by or towards a staff member or student on a Wintec campus or at any location while a staff member or student is on Wintec-related business or study, should include, but is not limited to:

- Whenever possible, relevant evidence should be collected, e.g. photos, video footage, witness contact details, incidents are recorded with dates, times, locations, and any other pertinent details.
- If a staff member or student was the victim in the incident:
 - If the staff member/student is not already being supported, a family violence responder is appointed to have a private discussion with the staff member/student to offer support.
 - An offer is made to provide any evidence collected, as it may be useful for court/legal proceedings.
 - An offer is made to support the staff member to report the incident and provide the evidence to police or to report the incident and provide evidence to police directly (which may be safer for the victimised staff member).
- If a victimised staff member or student does not want the incident reported to police, the Safety and Wellbeing Manager will make a careful decision about whether and when to report the incident to police, based on an assessment of how best to protect the safety of that staff member/student and other staff/students. Shine or other specialist family violence service providers may be consulted to help with this assessment.

Care should be taken with investigating suspected criminal behaviour in the workplace because of the possibility of impeding police prosecution. Consider consulting with police.

5. Key roles & responsibilities

All staff and students will know their rights and responsibilities and know where they can seek help, in relation to this and other related policies. The following roles have key responsibilities:

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|------------------------------------|--|
| All staff and Board members | <ul style="list-style-type: none">• are responsible for adhering to this policy and are aware of the process for raising concerns and/or complaints• are encouraged to promote and maintain a respectful and inclusive culture, recognising that Wintec students and staff are from diverse backgrounds• know their rights and responsibilities and know where they can seek help, in relation to this and other related policies• complete Wintec's Values and Success Profile e-learning• complete Wintec's Safety and Wellbeing e-learning• complete Wintec's Anti-harassment, Bullying and Discrimination training• complete Child Protection training (where appropriate) |
| Student representatives | <ul style="list-style-type: none">• are responsible for ensuring students are aware of key policies, and the forums available to them should they wish to raise concerns• assist in creating a safe culture and encouraging students to look out for each other |

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| Family violence responders | <ul style="list-style-type: none">• assist in supporting staff or students experiencing a family violence situation• undertake training, including annual refresher training• maintain confidentiality of staff and/or students |
| Managers | <ul style="list-style-type: none">• are aware of and communicate to their staff the policies and processes to follow• ensure their team are aware of, and committed to this policy• are aware of how to access the Employee Assistance Programme• are aware of their obligations under any applicable diversity and inclusion strategy or initiatives• are aware of Wintec's obligations under the Human Rights Act 1993• monitor their team's compliance with this policy |
| Safety & Wellbeing Manager | <ul style="list-style-type: none">• provides tools and support for the monitoring and measurement of staff wellbeing under this policy• provides an education programme that supports anti-family/domestic violence• supports family violence responders to maintain capability and keep up to date with annual training by an accredited trainer |
| Executive Director, People and Culture | <ul style="list-style-type: none">• ensures that Wintec meets its statutory and accountability obligations concerning this policy• conducts an annual assessment of this policy, its objectives and progress made toward achieving them |
| People and Culture Board sub-committee | <ul style="list-style-type: none">• approves this policy through the Wintec Board and ensures that Wintec meets its statutory and accountability obligations• monitors progress on objectives |
| Wintec Board | <ul style="list-style-type: none">• responsible for oversight of the effectiveness and application of this policy. |

6. Procedures

These procedural steps are a guide only. Some or all of them may be required, dependent on the individual's circumstances.

- Staff affected by family violence who wish to access support for themselves, as outlined in this policy, are encouraged to approach a family violence responder or their manager. They are encouraged to take a support person with them. A family violence responder can also help to communicate leave and other safety needs to the staff member's manager.
- Staff affected by family violence may choose to contact Employment Assistance Programme providers.

7. Measuring success

The measurements of effectiveness of the Family Violence policy are:

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- Achieve Workwell Gold Accreditation by year end 2020
- Achieve DVFREE recognition from Shine by year end 2020 Annually report family violence statistics to the Wintec Board
- Review policy and practices, ensuring awareness of this policy and that our values are demonstrated in everything that we do. This will be included in our induction for new staff and students.
- Education programmes on family violence will build awareness and enables others to identify possible victims.
- Build relationships with specialist support service providers and use their accredited training.
- Regularly review Wintec’s People and Culture policies to promote support for those affected by family violence in the workplace or place of study.
- Seek to obtain feedback from those involved to gain insights and allow for review improvements.
- Continue to build a family violence contact team, including mental health first aid responders, who are confident and capable to support staff, students and community.

8. Related legislation, regulations, policies, guidelines, and forms

Legislation & Regulations	Policies	Guidelines/Forms
Employment Relations Act 2000 Domestic Violence – Victims’ Protection Act 2018	<ul style="list-style-type: none"> • Anti-bullying & Harassment • Prevention of and Response to Sexual Harassment • Diversity & Inclusion • Protected Disclosures • Employee Complaint Management • Student Voice • Leave Management • Standards of Behaviour • Principles of Professional Practice 	Flexible Working Arrangement Guidelines , esp Appendix 1 Wintec values
<p>Copies of New Zealand Legislation can be found on the New Zealand Legislation Website. You can view Wintec’s Policies and Procedures on the Policy Web. This is not an exhaustive list of policies, procedures and legislation.</p>		

9. Records Management

In with the Public Records Act 2005, Wintec is required to provide an Information and Records Management programme to ensure that authentic, reliable and usable records are created, captured and managed to a standard of best practice, and to meet business and legislative requirements. All records relevant to a specific policy need to be listed in every policy in the following format:

Record	Minimum retention period	Disposal Action	GDA Reference #
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This policy	10 years from date of last action	Retain as public archive	A8
All individual records related to family violence complaints including correspondence, meeting notes, reports and outcomes	7 years from date of last action	Destroy	D2

10. Version History

Version	Date Approved	Details
1	May 2019	First Published.
2	July 2020	Updated some of the terminology used.