

## OPINION

Hayley Foster, Chief Executive Officer

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### **Are you assessing WHS for your staff to work from home? Don't forget to ask about safety from violence and abuse.**

With the advent of COVID-19, workplaces are busy putting in place measures to ensure flexibility in working from home. But what if your home is that most dangerous place you can be? For many women this will be the case, with one in four women at some stage in their adult lives experiencing physical or sexual violence from an intimate partner from the age of 15 years, a statistic that persists regardless of culture, background, or socio-economic status.<sup>1</sup> What we also know is that the rates and severity of domestic violence are also increasing alongside COVID-19 as additional stress and pressure reach householders and families become subject to isolation and social distancing measures.<sup>2</sup>

So, what are the responsibilities of employers in this space? Harmonised work health and safety (WHS) laws require that organisations that employ paid workers ensure the physical and mental health and safety of its workers and "to eliminate risks to health and safety, so far as is reasonably practicable" and if not reasonably practicable to eliminate risks, to "minimise them".<sup>3</sup> In the context of COVID-19, it is important to follow the advice from NSW Health.<sup>4</sup> However, the advice provided to date is not prescriptive in requiring people to work from home. Where workplaces decide to implement working from home measures, they must conduct an audit of the home office.<sup>5</sup> As part of this audit, workplaces are required to consider "relevant needs or issues for health, safety and wellbeing when working from home". It is at this point that employers should be identifying risks to safety for employees in working from home as a result of any violence or abuse they may be experiencing there.

How do workplaces have this conversation? Simple measures can be put in place to ensure screening is undertaken in a safe, confidential and sensitive manner. Forms can include a list of the types of barriers to working from home, which may include shared childcare responsibilities, overcrowding from other family members, a lack of

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<sup>1</sup> ABS 2017. Personal Safety Survey, Australia, 2016, ABS cat. no. 4906.0. Canberra: ABS. "Intimate partner" includes a current or former cohabiting partner and non-cohabiting partners and dates

<sup>2</sup> <https://www.abc.net.au/news/2020-03-20/domestic-violence-spike-amid-coronavirus-crisis/12074726>

<sup>3</sup> Work Health and Safety Act 2011 (Cth) s 17

<sup>4</sup> e.g. <https://www.safework.nsw.gov.au/hazards-a-z/diseases/coronavirus-covid-19-advice-and-guidance-for-nsw-workplaces>

<sup>5</sup> e.g. [https://www.safework.nsw.gov.au/\\_\\_data/assets/word\\_doc/0006/612537/Working-from-home-workplace-checklist.docx](https://www.safework.nsw.gov.au/__data/assets/word_doc/0006/612537/Working-from-home-workplace-checklist.docx)

appropriate facilities, as well as risks of violence and abuse so that workers are not required to indicate the reason for them not wanting to work from home, and workers can then be provided with an option of speaking with someone within the organisation with whom they trust about any of the issues which may exist preventing them from being able to effectively work from home. Managers should be trained in how to respond appropriately to disclosures of domestic and family violence, and the organisation should have a protocol in place for offering referrals to support services for employees who disclose violence and abuse.

The next steps are for workplaces to put in place measures to support employees with their safety planning. This, along with responding to disclosures is something that workplaces can obtain training on from Workplace Equality and Respect trainers with Our Watch or other reputable providers.

COVID-19 is providing us with a great deal of challenges and these challenges continue to change and grow day by day as we navigate through this crisis, but what we know is, if we work together at this time in the most proactive way possible, we will come out stronger on the other side. To achieve this, however, we must put safety first – the safety of all workers, including women experiencing violence and abuse in their homes.

### **Important NSW numbers for help**

NSW DV Line 24/7 - 1800 656 463  
Women's Specialist DFV Services - 1800WDVCAS or 1800 938 227  
Aboriginal DFV Hotline 24/7 - 1800 019 123  
NSW Rape Crisis - 1800 424 017  
TIS - need an interpreter? - 131 450

### **Important national numbers for help**

Emergency 24/7 – 000  
1800 RESPECT 24/7 – 1800 737 732  
Kids Help Line 24/7 – 1800 551 800  
Sexual Assault Counselling Aust – 1800 211 028  
Men's Line – 1300 789 978  
Men's Referral Service 24/7 – 1300 766 491  
TIS – need an interpreter? – 131 450

### **Important online help for your safety**

1800RESPECT chat online (24/7) - [www.1800respect.org.au](http://www.1800respect.org.au)  
Kids Help Line webchat counselling (24/7) - [kidshelpline.com.au](http://kidshelpline.com.au)  
MensLine online counselling - [mensline.org.au](http://mensline.org.au)  
Men's Referral Service live chat - [ntv.org.au](http://ntv.org.au)

## BIOGRAPHY:

Hayley is the Chief Executive Officer of Women's Safety NSW. She holds a Bachelor of Laws (First Class Honours and University Medallist), a Bachelor of Business, and post graduate qualifications in mediation, family disputes resolution, financial planning and political economics.

Hayley has over 15 years' experience in domestic and family violence policy, practice and law reform. Throughout this time, Hayley has worked with diverse population groups and organisations in metropolitan, regional, rural and remote Australia.



Hayley holds advisory positions on the Australian Women Against Violence Alliance and the Australian National Research Organisation for Women's Safety and is an endorsed trainer with Our Watch.

## ABOUT THE ORGANISATION:

Women's Safety NSW is a peak body for women's domestic and family violence specialist services providing the primary response to women and their children impacted by domestic and family violence across NSW.

Member services supported 51,383 women across NSW last year through:

- The Women's Domestic Violence Court Advocacy Services (WDVCASs) in 117 local courts across the state;
- NSW's integrated response to domestic and family violence, Safer Pathway, in 43 metropolitan, regional and rural locations for state-wide coverage; and
- In the Family Court through the Family Advocacy Support Service (FASS).

Women's Safety NSW advocates on behalf of members and survivor advocates on the systemic issues impacting upon women and children who have experienced domestic and family violence through legislative, policy and practice reform.

## CONTACT:

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