

# Family Violence Policy

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## EXECUTIVE SUMMARY

### 1. Definition of Family Violence

1. In Australian law, 'family violence' is defined as:

*violent, threatening or other behaviour by a person that coerces or controls a member of the person's family . . . or causes the family member to be fearful.*

*Family Law Act 1975 (Cth), section 4AB*

2. In most states and territories, the law recognises economic abuse as a form of family violence.
3. Family violence means much more than physical violence. It includes:
  - (a) emotional abuse, psychological abuse, sexual abuse, financial or economic abuse; and
  - (b) damage to property.

### 2. Insurance Council Code of Conduct

This Policy supports the Insurance Council Code of Conduct which requires Cover Genius to have internal policies and training appropriate to employees' roles to help them:

- a) understand if a customer may be vulnerable;
- b) decide about how best, and to what extent, they can support a vulnerable customer;
- c) take account of a customer's particular needs or vulnerability; and
- d) engage with a vulnerable customer with sensitivity, dignity, respect and compassion — this may include arranging additional support, for example, referring the customer to people or services with specialist training and experience.

### 3. Objective of the policy

This policy covers the following areas:

- a) making sure that safety is paramount for anyone affected by family violence;
- b) early recognition of family violence;
- c) training to improve employees' responses to someone affected by family violence;
- d) protecting private and confidential information of customers affected by family violence;
- e) minimising the number of times a customer affected by family violence needs to



- f) disclose information about family violence;
- g) ensuring appropriate and sensitive claims handling processes for claimants affected by family violence;
- h) arranging access to Financial Hardship help;
- i) informing customers, employees, distributors and service suppliers about information and assistance available to people experiencing family violence;
- j) referring customers, employees and distributors to specialist services; and
- k) supporting employees and distributors who:
  - i. are affected by family violence; or
  - ii. experience vicarious trauma after serving affected customers.

## 4. Training

Cover Genius will ensure all relevant employees and distributors have ongoing training such that they:

- a) are aware of Cover Genius's policies and procedures when they are engaging with someone experiencing family violence;
- b) identify customers affected by family violence;
- c) deal appropriately and sensitively with customers affected by family violence; and
- d) apply the family violence policy — and related policies and procedures — relevant to their role in dealing with customers affected by family violence.

As customers affected by family violence may be reluctant or unable to disclose their circumstances, Cover Genius's employees and distributors will be provided with training to develop the skills to help them identify signs that may indicate a customer is affected by family violence. Those signs are, for example, when someone:

- a) appears, or sounds, distressed or scared;
- b) is seen, or heard, to be taking instructions from their partner;
- c) remains silent while another party does all the talking;
- d) does not understand, or is not aware, that cover has been taken out in their name;
- e) asks questions about a joint policyholder's behaviour or activities;
- f) has concerns about protecting their personal privacy or safety, or the security of their policies;
- g) is reluctant to involve the other joint policyholder when making changes to the policy, making a claim or seeking Financial Hardship help;
- h) changes their address frequently;
- i) does not want their physical address recorded;
- j) is consistently late with premium payments; or

- k) discloses the existence of any past or present family violence, or an intervention order or its equivalent.

The way Cover Genius's employees and distributors deal with customers who may be affected by family violence should facilitate, rather than act as a barrier to identifying family violence and improve the experience of those affected by family violence.

In particular, Cover Genius's employees and distributors must not require evidence of an intervention order to trigger the requirements of the family violence policy. Instead, an employee or distributor should treat a customer as the policy requires them to be treated if:

- a) the customer self-identifies to the employee or distributor as being affected by family violence; or
- b) the employee identifies — through the sorts of signs listed in paragraph 8 — that the customer may be affected by family violence.

Cover Genius's employees and distributors are not expected to be social workers or experts in family violence. However, the training will help employees to reduce the impact of family violence on customers.

Training is tailored to an employee's or distributor's role within the business and the amount of contact they have with customers affected by family violence. It focuses on developing their knowledge, skills, competencies and information.

Training will help Cover Genius's and distributor's employees:

- a) be more aware of the prevalence and practical effects of family violence;
- b) recognise potential or early signs of violence that may lead to future violence;
- c) have careful and sensitive conversations with a customer affected by family violence — without disclosing to the perpetrator of such violence that the employee is aware of the family violence;
- d) appropriately triage matters involving family violence — this may require the employee or distributor to:
  - i. decide — as a matter of priority — on a claim or whether to provide Financial Hardship help; or
  - ii. promptly escalate an issue to a more senior person;
- e) refer the customer affected by family violence to specialist services that can give further guidance;
- f) understand the impact of trauma on a customer affected by family violence — in particular, how trauma may affect the way they appear and present;
- g) enable employees to engage with customers in a supportive manner;

- h) understand the potential impact — sometimes positive and sometimes negative — that an insurer's actions can have on a customer experiencing family violence;
- i) understand the need for strict confidentiality and privacy in relation to a customer affected by family violence;
- j) understand the significant and heightened safety risks for women and children during and after a relationship separation;
- k) understand that perpetrators of family violence:
  - i. are customers whose needs have to be managed appropriately; and
  - ii. may attempt to convince the employee to disbelieve or dismiss someone affected by family violence;
- l) understand the need for flexible arrangements for, and responses to, customers affected by family violence;
- m) understand the legal and procedural implications of court-issued family and domestic violence orders to the extent that these, impact a claim or the customer experience;
- n) know about local referral pathways and contacts for local support services; and
- o) understand, and keep in mind, that a female customer affected by family violence may prefer to speak to a female employee.

## **5. Protecting private and confidential information**

Cover Genius will ensure confidential handling of private and confidential, and personal information about customers affected by family violence in order to protect their safety. These customers need to have confidence that such information — particularly their physical address — is secure and not at risk of deliberate or inadvertent disclosure.

For customers experiencing family violence, the risk with disclosure of personal information is that abusive partners — particularly if there is a joint policy — can use their current or ex- partner's personal information to pass privacy screening questions to then obtain that person's new contact details and continue the abusive behaviour.

Customers affected by family violence need confidence that the information about their family violence that they share with Cover Genius and its distributors is not disclosed to any perpetrator and is accessible only to authorised employees.

The Code requires Cover Genius and its distributors to protect the right to privacy of vulnerable customers who have notified Cover Genius or its distributors of their need for additional support from someone else (for example, a lawyer, consumer representative, interpreter or friend).

Cover Genius will establish a flag in their system for a customer affected by family violence — the flag alerts any other employees who may have to interact with the customer that they may be affected by family violence.

Cover Genius will address privacy and confidentiality concerns for a customer affected by family violence, by:

- a) ensuring it has systems in place to keep the customer's contact information secure and confidential;
- b) treating all information about the customer as sensitive information;
- c) ensuring that any protection put in place applies across all the policies the customer holds by — in particular:
  - i. asking the customer if they have more than one policy or account that needs to be amended due to family violence; and
  - ii. proactively searching for other policies in the customer's name;
- d) giving the customer access to personal information held about them within a reasonable timeframe;
- e) giving the customer control over how their personal information is shared with third parties;
- f) discussing safe ways to communicate with the customer and recording the plan on their file — for example: asking them:
  - i. whether it is a good time to talk; or
  - ii. if it's safe to leave phone messages;
- g) supporting the customer to set up new insurance policies;
- h) agreeing to requests from joint policyholders who ask for policy communication and information to be sent to 2 different addresses — whether physical or email;
- i) understanding the legal requirements and internal processes if the customer affected by family violence and the perpetrator are joint policyholders;
- j) ensuring the customer is informed about the circumstances and nature of information that has to be shared with the perpetrator so that they can make arrangements accordingly;
- k) understanding legal reporting requirements in relation to children; and
- l) protecting the details of employees in situations where they may have to contact the perpetrator.

## **6. Minimising the need for customers to repeat disclosure**

It is important to minimise the number of times a customer has to repeat the disclosure of their family violence situation because:

- a) doing so can have a traumatising effect through them reliving their experiences; and
- b) they may not always be in a position to talk about their circumstances — for example, because the perpetrator may be:
  - i. present;
  - ii. monitoring their call; or
  - iii. monitoring their web and mobile phone access.

To make sure Cover Genius and its distributors minimise the need for a customer experiencing family violence to have to repeatedly disclose Cover Genius will:

- a) minimise the information that the customer is required to provide and the number of times they are required to disclose the same information — given that the customer may not have access to records and documents that the insurer would normally require;
- b) where possible, ensure the customer deals with the same employee each time, or to have a single pathway to an appropriately trained team;
- c) provide copies of documents to the customer without charge to help resolve matters, or for legal purposes;
- d) work with the customer's agent or representative — for example, a professional financial counsellor, lawyer, community services or social worker, legal aid officer or family violence specialist;
- e) make it as simple as possible for the customer to appoint an agent or representative while recognising privacy obligations; and
- f) if required, refer the customer to a qualified, independent interpreter to assist with communication.

## **7. Early recognition of family violence**

Employees and distributors can play a role in first identifying that a customer is experiencing family violence. This can help reduce the impact of the violence. Sometimes the insurer may identify the person experiencing the violence and sometimes the perpetrator — either of whom may be a customer or an employee.

Cover Genius and its service suppliers could be involved in circumstances when indicators of family violence may first become apparent — for example, at claim time and after a major disaster. So, Cover Genius's employees and service suppliers will be trained in identifying family violence and to respond accordingly.

After a major disaster, Cover Genius will consider whether they are sufficiently resourced to have appropriately experienced and qualified counsellors to go with claims employees to recovery centres (if Cover Genius has one) to interact with customers affected by the event. Those counsellors can help identify issues of violence, Financial Hardship and mental health.

## **8. Sensitive claims handling**

If a customer affected by family violence makes an insurance claim, then employees need to handle the claim with sensitivity, flexibility and care. This is particularly important if:

- a) the customer and the perpetrator are joint policyholders; or
- b) the perpetrator has caused the claim — for example, by damaging the customer's property.

To make sure that employees handle the claims with flexibility and care, Cover Genius has considered the following:

- a) the need to clearly and transparently explain to the customer the claims process and what is required of them;
- b) having specialist employees with adequate authority to make decisions in family violence-related claims — this is useful due to the complexity of the issues raised;
- c) that a survivor of violence may come across as incoherent or scattered — this does not necessarily indicate that their claim is invalid;
- d) that traumatic events — such as catastrophes — that result in claims can trigger violence;
- e) that the claims process may trigger violence — particularly if the perpetrator caused the damage the claim relates to;
- f) (f) take into account that if the claimant does not reply to communications, it may be because they do not have access to a telephone or email — it does not necessarily:
  - i. indicate fraud; or
  - ii. mean they have given up on their claim;
- g) that requests for information from the customer need to take into account that they may not have access to their personal or financial records, or their other documents;
- h) not require the customer to do either of the following (unless they are comfortable doing so):
  - i. make direct contact with the perpetrator; or
  - ii. make a police report about the perpetrator;
- i) ensure that anyone interviewing or investigating a customer who may be affected by family violence (or going to their home) needs:
  - i. to be aware that they may be putting themselves in danger; and
  - ii. to be appropriately trained under the investigation standards of the Code; and

- j) before the insurer pays a claim, it should try to make sure it is paying the appropriate party or parties — this can be a particularly complex area in cases of family violence and family law property disputes.

## **9. Access to Financial Hardship help**

Family violence is relevant to Financial Hardship help because it is a potential cause of payment difficulties and it is an eligibility criterion for access to Financial Hardship support.

If a customer identifies to an employee that they are being affected by family violence, then the employee should ask about the customer's financial situation to determine if they are experiencing Financial Hardship.

In addition to the Code's existing requirements about Financial Hardship, if the customer is experiencing family violence, then Cover Genius will:

- a) fast-track the Financial Hardship request;
- b) provide options for the customer to retain their policy if they say they cannot pay their premium - options include:
  - i. changing the benefit structure or the sum insured;
  - ii. reducing the benefits, or removing, or altering, benefit options; and
  - iii. pausing premium payments, without cancelling the policy;
- c) ensure policies about assessing Financial Hardship involving joint policyholders are appropriate — for example, Cover Genius will consider an application from a joint policyholder who is affected by family violence without requiring the consent of the other policyholder;
- d) be aware that the customer's reluctance to obtain consent from a joint policyholder in relation to Financial Hardship help may be the first indication of financial abuse — Cover Genius will take this into account when responding to any customer seeking that help;
- e) where possible, minimise the information and documents that customers are required to provide; and
- f) when assessing a Financial Hardship application, not require an intervention order as evidence of family violence — instead, if Cover Genius or its distributors identifies that the customer is affected by family violence or the customer discloses this information, that should trigger a referral to the appropriate team.

## **10. Making customers affected by family violence aware of information and help available**

Customers affected by family violence need to be able to quickly access information about the policies they hold and the support available to them. They are more likely to be comfortable disclosing family violence to Cover Genius if they are aware of the support systems Cover Genius has in place and the fact that Cover Genius can refer them to specialist services.

Cover Genius will promote their family violence policy and Financial Hardship support policy to its employees, customers, financial counsellors, community legal services, legal aid commissions, refuges and violence support services.

## **11. Referring customers affected by family violence to specialist services**

Cover Genius and its distributor's employees are not well-placed to help with family violence outside the scope of insurance or financial matters — this is because they are not professional social workers or experts in identifying family violence.

Even so, employees can play an important role by suggesting to the customer that they contact external support organisation such as:

### **Family violence specific**

#### **Australia-wide**

- o Kildonan UnitingCare
- o 1800 RESPECT
- o Domestic and Family Violence Response Training

#### **• Australian Capital Territory**

- o Legal Aid ACT

#### **• New South Wales**

- o NSW Health Education Centre Against Violence
- o Women's Domestic Violence Court Advocacy Service
- o Gendered Violence Research Network, UNSW
- o Ask LOIS (Women's Legal Service NSW)
- o Law Access NSW
- o Legal Aid NSW

#### **• Northern Territory**

o Northern Territory Legal Aid Commission

• **Queensland**

o Queensland Centre for Domestic and Family Violence Research  
o Legal Aid Queensland

• **South Australia**

o Legal Services Commission of South Australia

• **Tasmania**

o Legal Aid Commission of Tasmania

• **Victoria**

o Domestic Violence Resource Centre Victoria or Victoria Legal Aid

• **Western Australia**

o Women's Council for Domestic and Family Violence Services or Legal Aid WA

## **Financial advice**

### **National Debt Helpline**

Financial counselling and information for people experiencing financial difficulty to achieve better money management and budget.

Can assist with:

- budgets and money plans
- advocacy
- rights and responsibilities
- access to relevant government and community grants
- referrals to other free community-based services (such as free legal advice and supports).

Phone: 1800 007 007 (Monday to Fri day, 9am to 5pm)

Website.: <http://www.ndh.org.au>

## **Stress and mental health**

### **Beyond Blue**

Over the phone, web and email support to people experiencing anxiety or depression.

**Phone:** 1300 224 636 (24-hour)

**Website:** <http://www.beyondblue.org.au>

## **Life and crisis support**

### **Lifeline**

National charity providing all Australians experiencing a personal crisis with access to 24-hour crisis support and suicide prevention services.

Phone: 13 11 14 (24-hour)

Website: [www.lifeline.org.au](http://www.lifeline.org.au)

### **QLife**

National telephone and web-based counselling, referrals and support groups for LGBTIQ people and their families.

Phone: 1800 184 527 (Seven days, 3pm to midnight)

Website: [www.qlife.org.au](http://www.qlife.org.au)

## **Translation**

### **Government Translation and Interpretation Service**

#### **Immediate phone interpreting**

(24 hours, every day of the year)

Phone: 131 450 (within Australia)

Phone: +613 9268 8332 (outside Australia)

#### **ATIS phone interpreting**

(24 hours, every day of the year)

Phone: 1800 131 450

#### **Free Interpreting Service**

(enquiries about free services)

Phone: 1300 575 847

Email: [tis.freeinterpreting@homeaffairs.gov.au](mailto:tis.freeinterpreting@homeaffairs.gov.au)

#### **Postal address**

TIS National

GPO Box 241

MELBOURNE VIC 3001

## **Addiction**

### **Counselling Online**

Free counselling for alcohol or drug use or anyone concerned with use by a family member or friend. Referrals to state -based services

Website: [www.counsellingonline.org.au](http://www.counsellingonline.org.au) (24-hour online counselling and SMS support)

## **12. Support for employees**

Cover Genius's employees may be affected by family violence and require support in the same way that others do. Employees may be adversely affected either by the impact of the customer's issues or when their interactions with a customer cause them to relive their own experiences of family violence.

Employees also may be perpetrators of family violence and need support to deal with that.

Cover Genius can support employees who are impacted by family and domestic violence and manage known perpetrators of violence through:

1. training;
2. leave;
3. additional security measures;
4. external referrals; and
5. counselling.