Domestic Violence Workplace Policy

**Purpose & Aims**

This policy covers the internal and external support available to employees who have been or are being subjected to domestic violence and abuse, or where the employee is supporting a relevant person. The policy incorporates relevant provisions of the Work Life Balance and Miscellaneous Provisions Act 2023, which introduces domestic violence leave. ISME is committed to offering support to affected employees.

**Details**

For this policy and in line with the Work Life Balance and Miscellaneous Provisions Act, domestic violence and abuse is defined as: violence, or threat of violence, including sexual violence and acts of coercive control committed against an employee or a relevant person by another person.

A ‘relevant person’ in relation to an employee is:

* The spouse or civil partner of the employee,
* The cohabitant of the employee,
* A person with whom the employee is in an intimate relationship,
* A child of the employee who has not attained full age, or
* A person who, in relation to the employee, is a dependent person.

For the purposes of eligibility for domestic violence leave the ‘other person’ must:

* Be the spouse or civil partner of the employee or relevant person,
* Be the cohabitant of the employee or relevant person,
* Be or have been in an intimate relationship with the employee or relevant person, or
* Be a child of the employee or relevant person who is of full age and is not, in relation to the employee or relevant person, a dependent person.

**Eligibility**

This policy applies to all employees of ORGANISATION. There is no minimum service required to qualify for statutory domestic violence leave. Such leave may be availed of by an employee directly experiencing domestic violence and abuse, or where an employee is supporting a ‘relevant person’. The domestic violence to which the supports relate includes experiences that are ongoing, as well as past experiences.

**Applying for Domestic Violence Leave**

An employee who may benefit from employer support under this policy is encouraged to raise the issue with POSITION. The POSITION have a primary role in the company in responding to disclosures of domestic violence and abuse. They have received appropriate training on responding to disclosures, the provisions of the policy, and their limits in providing support.

**Working from home**

Working from home can have a negative impact on employees subjected to domestic abuse. It is important that managers stay attuned to the wellbeing of employees when they work remotely. This, and other relevant factors, should be borne in mind where employees wish not to work remotely (where normally encouraged by the employer). Where possible, opportunities to work in a separate physical location will be encouraged and requests facilitated.

**Disclosing to a colleague**

If an employee discloses to a colleague, the colleague will treat the disclosure in a supportive, nonjudgmental, and confidential manner and bring this policy to the attention of the disclosing employee. It is not appropriate for the employee receiving the disclosure to pass on any information to others, including to managers or another designated person, where there is one in the company, without the consent of the disclosing person except in very limited cases.

**No requirement to disclose**

For the sake of clarity, there is never any obligation on an employee to disclose that they are currently or have in the past been subjected to domestic violence.

**Confidentiality**

Domestic violence and abuse should always be discussed in a private and confidential space. All information regarding domestic violence will be kept confidential and shared on a need-to-know basis only and ideally with the consent of the employee concerned. For example, information may be shared with colleagues who need to implement a workplace safety plan or with administrative staff dealing with domestic violence/special leave. Only information necessary to carrying out those roles/ tasks will be shared.

Organisation may retain in the employee’s personnel file:

* Details of agreed workplace safety plan
* Administrative data such as approval of domestic violence/special leave
* Details of abuse occurring in/near the workplace or using workplace.

The above records will be stored securely, kept strictly confidential, and retained only for as long as necessary.

Colleagues to whom a disclosure is made (initial or as part of risk management) are required to keep confidentiality. Improper disclosure of information may be subject to disciplinary action. There are limited occasions where confidentiality cannot be maintained.

These are:

* Where there is a requirement under law.
* When ordered by a court.
* Where it is necessary to share the information to protect the safety of employees and/or the public.

In these circumstances, the employee will be informed of the reasons why confidentiality cannot be maintained, the information will be shared on a need-to-know basis only, and care will be taken to ensure that the sharing of information does not put the employee at greater risk. In any of these instances where confidentiality cannot be maintained, the employee will be encouraged to contact a specialist domestic abuse service for support.

**Domestic violence leave**

In line with the provisions of the Act, employees are entitled to paid time off (‘domestic violence leave’) for up to five days in any 12 consecutive months. The purpose of the leave is to enable an employee who is subjected to domestic violence, or an employee supporting a ‘relevant person’ to do any of the following:

* Seek medical attention;
* Obtain services from a victim services organisation;
* Obtain psychological or other professional counselling;
* Relocate temporarily or permanently;
* Obtain an order under the Domestic Violence Act 2018;
* Seek advice or assistance from a legal practitioner;
* Seek assistance from the Garda Síochána;
* Seek or obtain any other relevant services.

While advance notice of the leave is preferable, in certain circumstances, this may not be possible. However, an employee should notify their manager of their intention to take or remain on domestic violence or other leave for this purpose as soon as reasonably practicable.

**Special leave**

Where an employee requires leave in addition to the statutory domestic violence leave, additional special leave may be facilitated, with or without pay, for the same purposes to which domestic violence leave applies.

**Referrals**

A list of domestic abuse specialist organisations is available in the below Appendix: Specialist services and workplace contacts. This information will be provided to employees disclosing domestic abuse. Where appropriate, the employee will be supported to access a safe physical space and/or method of communication from which to contact these services.

**Financial assistance**

Relevant financial support for employees will be considered, such as:

* Salary advance
* Speedy change of arrangements and/or method for payment of salary (e.g. banking details)

**Employment protections**

Domestic violence and abuse can impact work attendance, performance, and productivity. In cases where an employee discloses domestic abuse, the employee will be supported with temporary protection from dismissal or other adverse actions if they have difficulties performing tasks at work. Subsequent reviews of the employee’s performance targets or workload will be completed in consideration of the impacts of abuse.

**Conduct in the workplace**

Employees will be held accountable for their conduct in the workplace, in work time, or through work equipment. Where domestic violence and abuse is committed in the workplace, disciplinary procedures may be invoked with potential sanctions up to and including dismissal, according to disciplinary policy. Employees who knowingly facilitate domestic violence, for example by providing access to equipment or information in respect of another employee, such as contacts/location/shift pattern, will be subject to disciplinary procedures. Domestic abuse may be reported to have occurred, or be occurring, where both parties are employees of the same organisation, or employees of different entities but sharing a work location. In such cases, particular arrangements need to be put in place. Safety and well-being are paramount, while recognising that all individuals have a right to fair process and procedure.

**Awareness raising and Training**

Training and awareness events, including how to recognise, respond to and refer domestic abuse cases to specialist organisations if required, will be run. Domestic abuse resources and supportive material will be made available, as appropriate. The number, gender, and distribution of persons who have accessed training will be regularly monitored to ensure any expertise lost through staff turnover is replaced.

**Appendix: Specialist services and workplace contacts**

Specialist Domestic Violence and Abuse Services

Women’s Aid operates the 24hr National Freephone Helpline for victims-survivors of domestic violence. Support can also be accessed through the Instant Messaging Support Service, available on the relevant websites.

1800 341 900

[www.womensaid.ie](http://www.womensaid.ie)

Men’s Development Network operates the Male Advice Line, the national Freephone Helpline

offering confidential advice and support to male victims-survivors of domestic abuse.

1800 816 588

[www.mensnetwork.ie](http://www.mensnetwork.ie)

Local services

There are specialist domestic abuse services located in towns right across Ireland. Details of your local service can be accessed through these websites:

<http://www.safeireland.ie/>

<http://www.stillhere.ie/>

<http://www.womensaid.ie/get-help/%20support-services/find-support-locally/>

Dublin Rape Crisis Centre and National Sexual Violence 24hr Helpline:

1800 77 8888

[www.drcc.ie](http://www.drcc.ie)

Local rape crisis centres

[www.rapecrisishelp.ie](http://www.rapecrisishelp.ie)

LGBT Ireland

1800 929 539

[www.lgbt.ie](http://www.lgbt.ie)

An Garda Síochána

112 or 999