



TUS

Ollscoil Teicneolaíochta na Sionainne:
Lár Tíre, An tIarthar Láir
Technological University of the Shannon:
Midlands Midwest

TUS Policy on Workplace Supports for Employees affected by Domestic Violence & Abuse

HUMAN RESOURCES

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Responsible for:	Title
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This Policy was approved by EDI Steering Committee. It shall be reviewed and, as necessary, amended by the University annually. All amendments shall be recorded on the revision history section above.

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1. Policy Introduction

- 1.1 Technological University of the Shannon (TUS) is committed to offering support to employees affected by domestic violence and abuse.
- 1.2 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 (e.g., spouse or civil partner, cohabitant, child, or dependent person). The policy incorporates relevant provisions of the Work Life Balance and Miscellaneous Provisions Act 2023, which introduces domestic violence leave.
- 1.3 Domestic abuse has significant impacts on people affected by it, which can also impact their work. Employees' well-being, attendance, performance, and productivity at work may be impacted. In some cases, abuse can occur during work time or through work communications channels. The workplace can also be a place of safety and support.

2. Purpose of Policy

- 2.1 The purpose of the policy is to:
 - Provide for a period of paid time away from work for an employee who has experienced, is experiencing or is at risk of experiencing domestic violence and abuse.
 - Promote a workplace culture that facilitates disclosures of domestic abuse.
 - Support employees through a range of policy provisions, including paid leave.
 - Support employees subjected to domestic violence and abuse in maintaining employment.
 - Promote a safe work environment for all staff.
- 2.2 Domestic violence and abuse can occur within any relationship, although women are affected disproportionately. This policy is applicable in all cases regardless of sex, gender or sexuality.

3. Definitions

- 3.1 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.
- 3.2 For the purposes of eligibility for domestic violence leave the '**other person**' must:
 - a. Be the spouse or civil partner of the employee or relevant person,
 - b. Be the cohabitant of the employee or relevant person,
 - c. Be or have been in an intimate relationship with the employee or relevant person, or

- d. 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.
- 3.3 A **'relevant person'** in relation to an employee is:
- a. The spouse or civil partner of the employee,
 - b. The cohabitant of the employee,
 - c. A person with whom the employee is in an intimate relationship,
 - d. A child of the employee who has not attained full age, or
 - e. A person who, in relation to the employee, is a dependent person.
- 3.4 A **'disclosing employee'** is an employee of TUS who discloses that they are experiencing domestic violence and abuse or supporting a relevant person.

4. Scope

- 4.1 This policy applies to all employees of TUS. 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.

5. Designated Person

- 5.1. An employee who may benefit from employer support under this policy is encouraged to raise the issue with a designated person.
- 5.2. The Sexual Violence & Harassment Prevention & Response Manager is the **'designated person(s)'** who has a primary role in TUS 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.

6. Disclosures

- 6.1 If an employee discloses to their line manager that they are experiencing domestic violence, the manager should:
- Listen and respond in a non-judgmental and compassionate manner.
 - Seek support from or refer the employee to the designated person, being mindful of confidentiality.
 - Provide information on access to available support as appropriate.
 - Support the employee in making their own decisions. It is important that no actions are taken without the consent and agreement of the disclosing employee including reporting to the Gardai or other statutory services. The only exception being where a child or vulnerable adult is known to be at risk.

- 6.2 Working from home can have a negative impact on employees subjected to domestic abuse. This should be borne in mind by managers where employees wish not to work on a hybrid basis.
- 6.3 If an employee discloses to a colleague, the colleague will treat the disclosure in a supportive, non-judgmental, 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 the designated person or An Gardaí Síochána or AGS, without the consent of the disclosing person. The only exception being where a child or vulnerable adult is known to be at risk.

7. Confidentiality

- 7.1 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 for carrying out those roles/tasks will be shared.
- 7.2 TUS may retain:
- Details of agreed workplace safety plan
 - Administrative data such as approval of domestic violence leave
 - Details of abuse occurring in the workplace, or travelling into or out of workplace or using workplace equipment
- The above records will be stored securely, kept strictly confidential, and retained only for as long as necessary by TUS Sexual Violence & Harassment Prevention and Response Manager. Colleagues to whom a disclosure is made are required to keep confidentiality. Improper disclosure of information may be subject to disciplinary action.
- 7.3 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, as determined by TUS Sexual Violence & Harassment Prevention and Response Manager
 - Where the employee or other person is in imminent and immediate danger.

In these circumstances, where possible, 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.

8. Supports available

8.1 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 leave cannot be taken in periods of less than one day.

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:

- a. Seek medical attention;
- b. Obtain services from a victim services organisation;
- c. Obtain psychological or other professional counselling;
- d. Relocate temporarily or permanently;
- e. Obtain an order under the Domestic Violence Act 2018;
- f. Seek advice or assistance from a legal practitioner;
- g. Seek assistance from the Garda Síochána;
- h. 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 leave for this purpose as soon as reasonably practicable. Immediately on their return to work, the employee must confirm in writing the date of commencement and duration of the leave. No statement of facts in relation to the leave is required and TUS will not request further information regarding the facts surrounding the taking of the leave.

8.2 Special leave

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

8.3 Workplace safety

Following a disclosure, the Sexual Violence Prevention and Response Manager will consult with the employee on their safety needs in and around the workplace.

Depending on individual circumstances, safety measures that may be proposed following a risk assessment for the affected employee(s) may include:

- Temporary (subject to review) changes to work duties, location, contact details, hours, and/or working patterns.
- Improved security measures on premises or other work locations, in traveling to/from work, and on work related equipment.
- Offering information on specialist support services to the affected employee

This workplace safety plan will be treated as confidential and shared on a need-to-know basis only.

Where there is a serious threat to someone's life or health, the employer will take action to address this risk.

8.4 Referrals

A list of domestic abuse specialist organisations is available in Appendix 1: Specialist services. 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.

8.5 Financial assistance

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

- Salary advance
- Change of arrangements and/or method for payment of salary (e.g. banking details)

8.6 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.

8.7 Maintaining records

Records of any form of abuse, including stalking or harassment of the employee in the workplace will be retained. Any records maintained by the employer will be stored securely and kept strictly confidential.

8.8 Employee Assistance Service (EAS)

TUS Employee Assistance Service (EAS) is provided by **SPECTRUM.LIFE**. This is a confidential counselling service, providing support to employees, in addition to their spouse, civil partner or dependant, where the family member can be described as a person over the age of 18 and residing in the family home. It is available 24/7, 365 days a year covering numerous topics such as: counselling, infertility & pregnancy loss, elder care support, parent coaching, international employee support, legal information, financial information and more.

9. Conduct in the workplace

9.1 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, in line with the TUS Disciplinary Procedures.

- 9.2 Employees who knowingly facilitate domestic violence, for example by providing access to equipment or information in respect of another employee, such as contacts/location/work pattern, will be subject to disciplinary procedures.

10. Awareness raising and training

- 10.1 Training and awareness events, including how to recognise, respond to and refer domestic abuse cases to specialist organisations if required, will be provided. Domestic abuse resources and supportive material will be made available, as appropriate.

11. Policy Review

- 11.1 This policy will be reviewed every 3 years by the Sexual Violence Prevention and Response Manager to ensure that it continues to effectively support and reinforce the TU's commitment to supporting employees affected by domestic violence and abuse unless legislation requires more immediate amendments.

12. Relevant policies and documentation

- 12.1 This policy is aligned with the following TUS policies:

- TUS Dignity and Respect at Work Policy and Procedure

13. Queries

For enquiries on this policy please contact Rabiya Ali, TUS Sexual Violence Prevention and Response Manager:

Email: svh@tus.ie

Phone: [086 1916151](tel:0861916151) (Available 9am – 5pm, Monday- Friday)

Appendix 1 – Specialist services

Information on specialist domestic abuse support local and national services is available at <https://tus.ie/esvh/support/>