



Maynooth University  
Human Resources  
Office

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# Domestic Violence Policy

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## Revision History

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## Relevant Information

- Code of Conduct for Employees
- Disciplinary Statute
- Equality & Diversity Policy
- Protection of Staff against Workplace Bullying, Harassment & Sexual Harassment Policy
- Health and Safety Policy Statement

## 1. Policy Statement

- 1.1. 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.
- 1.2. 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. Introduction

- 2.1. Domestic violence and abuse are a highly prevalent issue in Ireland. The University is committed to offering support to affected employees and to supporting all employees impacted by domestic violence. The University aims to establish itself as a safe and inclusive space for employees to introduce any such claims.
- 2.2. 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. For the purposes of eligibility for domestic violence leave (see: 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.
- 2.3. A 'relevant person' in relation to an employee meets one of the below five standards:
  - 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.
- 2.4. Domestic abuse has significant impacts on people affected by it, which can also impact their work. Employees' 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. The importance of maintaining employment and independent income as a basis for recovery cannot be underestimated.

- 2.5. 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. Eligibility for Force Majeure Leave**

- 3.1. This policy applies to all employees of Maynooth University. 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' (see: Introduction). The domestic violence to which the supports relate includes experiences that are ongoing, as well as past experiences.

### **4. No Requirement to disclose**

- 4.1. 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.

### **5. How to Access the provisions of this policy**

- 5.1. An employee who may benefit from University support under this policy is encouraged to raise the issue with an appropriate person. An appropriate person can be a Head of Department (HoD) or Human Resources.
- 5.2. If an employee would like to raise an issue with Human Resources, they should contact [employeerelations@mu.ie](mailto:employeerelations@mu.ie). Their query will be answered by a member of the Human Resources team who has received appropriate training on responding to disclosures, the provisions of the policy, and their limits in providing support (see: Awareness raising and training).

### **6. Disclosures**

- 6.1. The person responding to a disclosure will:
- Listen and respond in a non-judgmental and compassionate manner.
  - Support the employee in making their own decisions.
  - Provide practical support as appropriate (see: Supports available).
- 6.2. In line with good management practice, it is a HoD's responsibility to be mindful of the well-being of their team members, and issues impacting on well-being. Where a HoD has concerns regarding well-being, the HoD may, if appropriate:
- Consider asking open questions in a private setting to allow the employee to disclose their experience if they wish to do so.
  - Seek support from or refer the employee to a designated person, while being mindful of confidentiality (see: Confidentiality).
  - Where a disclosure is made, provide or support access to available support as appropriate (see: Supports available).
- 6.3. Where a disclosure is made by an employee, they will never be questioned or asked for proof.

## **7. Working from home**

7.1. Working from home can have a negative impact on employees subjected to domestic abuse. It is important that HoDs stay attuned to the well-being of employees when they work remotely. This, and other relevant factors, should be borne in mind where employees wish not to work remotely or if they wish to adapt their current blended working arrangements. Where possible, opportunities to work in a separate physical location will be encouraged and requests facilitated.

## **8. Disclosing to a colleague**

8.1. 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.

8.2. It is not appropriate for the employee receiving the disclosure to pass on any information to others, including to HoDs or another designated person, without the consent of the disclosing person except in very limited cases (see: Confidentiality clause below).

## **9. No requirement to disclose**

9.1. 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.

## **10. Confidentiality**

10.1. Domestic violence and abuse should always be discussed in a private and confidential space.

10.2. 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.

10.3. The University may retain in the employee's personnel file:

- Details of agreed workplace safety plan (see: Workplace safety).
- Administrative data such as approval of domestic violence/special leave (see: Domestic violence leave and Special leave).
- Details of abuse occurring in/near the workplace or using workplace equipment (see: Maintaining records).

10.4. 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.

- 10.5. There are limited occasions where confidentiality cannot be maintained. These are:
- Where there is a requirement under law, such as mandatory reporters.
  - When ordered by a court.
  - Where it is necessary to share the information to protect the safety of employees and/or the public.
- 10.6. 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.

## **11. Domestic Violence leave**

- 11.1. 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. These days can be taken separately or together.
- 11.2. 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.
- 11.3. While advance notice of the leave is preferable, in certain circumstances, this may not be possible. However, an employee should notify their HoD of their intention to take or remain on domestic violence or other leave for this purpose as soon as reasonably practicable.

## **12. Special leave**

- 12.1. Where an employee avails of the statutory domestic violence leave, this leave should be recorded as "Special Leave" on (ESS). The number of domestic violence leave days taken by an employee will be recorded separately to ESS and will be kept securely and confidentially.
- 12.2. 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.

### **13. Workplace Safety**

- 13.1. The impacts and risks of domestic violence and abuse necessitate a safety conscious response at all times. Following a disclosure, a HoD or other designated person, will consult with the employee on their safety needs in and around the workplace. Depending on individual circumstances, a workplace safety plan may include:
- Temporary (subject to review) changes to work duties, location, contact details, hours, and/or working patterns.
  - Risk assessment of the workplace for the affected employee, other employees and/or clients as appropriate.
  - 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 (see: Appendix: Specialist services and workplace contacts).
- 13.2. This workplace safety plan will be treated as confidential and shared on a need-to-know basis only (see: Confidentiality clause above).
- 13.3. Where there is a serious threat to someone's life or health, the University will take action to address this risk (see: Confidentiality clause above).

### **14. Referrals**

- 14.1. A list of domestic abuse specialist organisations is available in 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.

### **15. Financial assistance**

- 15.1. Relevant financial support for employees will be considered, such as:
- Speedy change of arrangements and/or method for payment of salary (e.g. banking details).

### **16. Employment protections**

- 16.1. 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.

### **17. Maintaining records**

- 17.1. Records of any form of abuse, including stalking or harassment of the employee in the workplace, may be supportive to the employee should they decide to seek redress through the justice system. As such, the employee will be supported to



retain any such records at their request.

- 17.2. Any records maintained by the University will be stored securely and kept strictly confidential (see: Confidentiality).

## **18. Conduct in the workplace**

- 18.1. 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, according to disciplinary policy.
- 18.2. Employees who knowingly facilitate domestic violence, for example by providing access to equipment or information in respect of another employee, such as contacts/location/shift pattern, will be subject to disciplinary procedures.
- 18.3. Domestic abuse may be reported to have occurred, or be occurring, where both parties are employees of the University, 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.

## **19. Awareness raising and training**

- 19.1. Training and awareness events, including how to recognise, respond to and refer domestic abuse cases to specialist organisations if required, will be provided.
- 19.2. Domestic abuse resources and supportive material will be made available, as appropriate.
- 19.3. 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**

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)

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

#### **Men's Development Network**

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.

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

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

[www.womensaid.ie/get-help/support-services/find-support-locally/](http://www.womensaid.ie/get-help/support-services/find-support-locally/)

#### **Other services**

##### **Dublin Rape Crisis Centre**

National Sexual Violence 24hr Helpline:

1800 77 8888

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

##### **LGBT Ireland**

National LGBT Helpline:

1800 929 539

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

## **Local rape crisis centres**

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

## **An Garda Síochána**

112 or 999

## **Workplace Contacts**

Employee Relations

[employeerelations@mu.ie](mailto:employeerelations@mu.ie)

## **Inspire Employee Assistance**

<https://www.maynoothuniversity.ie/human-resources/employee-wellbeing>.

Inspire Workplaces - 1800 201 346.

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