



TU Dublin Procedure

Domestic Violence Leave

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1. Document Control Summary

Area	Document Information
Author	Human Resources
Owner	Head of Workplace Relations
UET Sponsor	Niamh Shannon
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2. Introduction / Context

The Domestic Violence Leave procedure applies to all staff of the University.

The procedure incorporates relevant provisions of the Work Life Balance and Miscellaneous Provisions Act 2023.

3. Purpose

This procedure has been developed with a view to ensuring the University's compliance with the relevant provision of the Work Life Balance and Miscellaneous Provisions Act 2023, which provides for the right of Irish employees to avail of statutory domestic violence leave.

4. Scope

This procedure applies to all staff members within TU Dublin. There is no minimum service period required in order to qualify for this leave.

Under 'The [Work Life Balance and Miscellaneous Provisions Act, 2023](#)'; a staff member will be entitled to a maximum of 5 days of paid leave in any period of 12 consecutive months as a result of domestic violence.

There is no minimum service required to qualify for statutory domestic leave. Such leave may be availed of by a staff member directly experiencing domestic violence and abuse, or where a staff member is supporting a 'relevant person', who is experiencing or has experienced domestic violence in the past.

5. Definitions

For the purpose of this procedure, and in line with the Work Life Balance and Miscellaneous Provisions Act, 2023, 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 the 'other person' i.e. the alleged perpetrator must be one or more of the following:

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

A 'relevant person' in relation to a staff member is one or more of the following:

- the spouse or civil partner of the staff member,
- the cohabitant of the staff member,
- a person with whom the staff member is in an intimate relationship.

- a child of the staff member who is not attained full age, or
- a person who, in relation to the staff member, is a dependent person.

6. Roles and Responsibilities

6.1 Head of Workplace Relations:

- Acting as a confidential point of contact for staff disclosures of domestic violence and requests to avail of Domestic Violence Leave.
- Providing information to support staff, when contacted regarding Domestic Violence Leave.
- Confidentially advising the relevant Line Manager, where a staff member avails of their right to statutory Domestic Violence Leave.
- Assisting Line Managers in arranging accommodations for staff where required, including referral to external supports.
- Managing Domestic Violence Leave requests for the purposes of pay, communication with Line Management, and record keeping.
- Review of this procedure and the associated Domestic Violence Leave Policy.

6.2 Line Management:

- Familiarising themselves with the provisions of this procedure and the associated Domestic Violence Leave Policy, in order to provide support to staff members.
- Confidentially supporting staff members who advise them that they are experiencing domestic violence. Refer such cases to the Head of Workplace Relations, to be managed in accordance with this procedure.
- Supporting the right of staff to avail of Domestic Violence Leave, and facilitating the process with strict confidentiality.

6.3 Staff Members:

- Familiarising themselves with the provisions of this procedure and the associated Domestic Violence Leave Policy.
- Contacting the Head of Workplace Relations as soon as practicable to request Domestic Violence Leave. Staff may also nominate their Line Manager to contact the Head of Workplace Relations on their behalf.
- Confidentially support any Colleague who may disclose an instance of domestic violence to them and advise them to consult this procedure and the associated Domestic Violence Leave Policy.

7. Procedure Details:

7.1 Procedure Overview

The Domestic Violence Leave procedure provides a framework for TU Dublin to confidentially and sensitively manage staff members requests to avail of paid Domestic Violence Leave, and to provide relevant additional supports.

7.2 Procedure Details

7.2.1 Domestic Violence Leave Request

Staff members who need to take Domestic Violence Leave, may do so by contacting either their Line Manager or the Head of Workplace Relations by phone on **0876160769**. If for some reason their phone call goes unanswered, they should submit an email to their Line Manager or Head of Workplace Relations Catherina.Benson@tudublin.ie, advising of the date they wish to take the leave. The phone call and/or the email will be used as a record to update Core. The recipient of the request will confirm the leave with the staff member. Where the leave has been confirmed by the Head of Workplace Relations, they will notify the Line Manager.

7.2.2 Recording of Domestic Violence Leave

Details of Domestic Violence Leave will be processed in accordance with the General Data Protection Regulations, and strict confidentiality will be maintained. Leave will be recorded on Core using a Code which does not specifically disclose that the leave was related to domestic violence.

7.2.3 Safety at work following a Disclosure

In responding to a disclosure and in considering the risks and impacts of domestic violence and abuse, it is important to understand and plan for the safety needs of a victim or survivor in or around the workplace.

It should be agreed with the staff member that a TU Dublin, Health & Safety Officer will be contacted to complete a risk assessment with the staff member. A note of planned safety measures should be documented and stored confidentially. Workplace safety measures can include, but are not limited to:

- Considering temporary changes to work duties, location, hours, and/or working patterns within the department or office;
- Change of contact details (work phone, email);
- Agreeing a future response in the event that a perpetrator attends the staff member's workplace and/or communicates (calls, emails or texts) with the workplace;
- Improving or reviewing security measures on premises or other work locations and discussing how the staff member can take appropriate steps to protect their own safety when traveling to or from work;
- Maintaining confidentiality around the staff member's shifts and work location;
- Consideration of existing barring, safety or protection orders protecting the staff member;
- Where the password of a work-provided device may have been compromised, the staff member should contact the Head of Workplace Relations;
- Understanding that any threats that warrant it, such as threats to physically harm or kill, should be reported to An Garda Síochána and relevant management in consultation with the staff member;
- With the staff member's consent, the manager and/or a HR representative may link in with a specialist domestic violence and abuse service to develop a safety plan that will

be treated as confidential and shared on a need-to-know basis only. Only aspects of the safety plan related to work will be shared.

7.2.4 Domestic violence and abuse allegations against another staff member

The University acknowledges that staff members can also be alleged perpetrators of domestic violence and abuse.

In such cases, where possible, disciplinary procedures may be invoked with potential sanctions up to and including dismissal, in accordance with the TU Dublin, Disciplinary Procedure.

Staff members who knowingly facilitate abuse, for example, by providing the alleged perpetrator with access to equipment or information on the victim or survivor such as contact details, location or shift patterns, will also be subject to disciplinary procedures up to and including dismissal.

Depending on the circumstances, where both the victim or survivor and the person accused of wrongdoing are staff members in the same department or office, it may be appropriate and necessary to invoke the TU Dublin, Dignity & Respect at Work Policy.

In these circumstances, and in accordance with section 7.2.3 above, the University will consult with the victim or survivor in consideration of their safety and wellbeing, while recognising that all individuals have a right to fair process and procedure.

There may be instances where a staff member who is a perpetrator requires signposting to resources, counselling or therapy. This may happen when an alleged perpetrator wishes to change their own behaviour. In these circumstances, the staff member should be advised to contact a medical professional for guidance. Any attempt by an alleged perpetrator to seek support does not preclude disciplinary action being taken by the University, where this is appropriate or warranted.

7.2.5 Additional supports victims of domestic violence/abuse

The University recognises that the effects of domestic violence or abuse can be impactful emotionally and psychologically both at the time of occurrence and thereafter. Appendix 1 of this document contains a list of specialist support services and helplines. The below supports that are available to staff who have experienced domestic violence and/or abuse.

7.3 Approval process

This procedure document will be approved by the following individuals/groups in following order:

- Firstly, by Chief Human Resources Officer
- Then by VP for Organisation, Change & Culture as UET owner, who will sponsor the policy in going to UET
- Then, by University Executive Team
- Then by Equality, Diversity & Inclusion Committee
- Then, by Governing Body

7.4 Change Process

This document should be reviewed at least once every 3 years to ensure that it is still fit for purpose. This review should be triggered by the document owner and will be undertaken by the HR Policy Team (HRPT).

This document will also be reviewed in line with the government directive on Domestic Violence in the Workplace policy and under the Worklife, Balance and Miscellaneous Provisions Act 2023.

Changes to the document will require a review of the document by the HRPT and the updated document to be re-approved.

8. Related Documents

- [Work Life Balance and Miscellaneous Provisions Act, 2023](#)
- Domestic Violence Leave Policy
- [Dignity and Respect at Work Policy](#)
- [TU Dublin Safeguarding & Protection of Children, Young Persons & Vulnerable Adults Policy](#)
- [Disciplinary Procedure](#)
- External Specialist Support Services & Helplines

9. Conclusions

In line with our Equality, Diversity & Inclusion mission statement, TU Dublin is committed to ensuring an inclusive, diverse, safe and respectful institutional culture and we are committed to providing a safe workplace for our staff members.

The Domestic Violence Leave procedure provides a framework for TU Dublin to confidentially and sensitively manage staff members requests to avail of paid Domestic Violence Leave, and to provide relevant additional supports.

10. Appendix

External Specialist Support Services & Helplines

<u>Specialist Domestic Violence and Abuse Services</u>	<u>Other services</u>
<p>Women's Aid</p> <p>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.</p> <p>1800 341 900</p> <p>www.womensaid.ie</p> <p>www.toointoyou.ie</p>	<p>Dublin Rape Crisis Centre</p> <p>National Sexual Violence 24hr Helpline:</p> <p>1800 77 8888</p> <p>www.drcc.ie</p>
<p>Men's Development Network</p> <p>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</p> <p>1800 816 588</p> <p>www.mensnetwork.ie</p>	<p>Local rape crisis centres</p> <p>www.rapecrisishelp.ie</p>
<p>Local services</p> <p>There are specialist domestic abuse services located in towns right across Ireland. Details of your local service can be accessed through these websites.</p> <p>www.safeireland.ie</p> <p>www.stillhere.ie</p> <p>www.womensaid.ie/get-help/support-services/find-support-locally</p>	<p>LGBT Ireland National LGBT Helpline:</p> <p>1800 929 539</p> <p>www.lgbt.ie</p> <p>An Garda Síochána: 112 or 999</p>

11. Document Management

11.1 Version Control

VERSION NUMBER	VERSION DESCRIPTION / CHANGES MADE	AUTHOR	DATE
<i>Draft 1</i>	<i>Initial draft</i>	<i>Workplace Relations</i>	<i>27.11.2023</i>

11.2 Document Approval

VERSION NUMBER	APPROVAL DATE	APPROVED BY (NAME AND ROLE)
<i>1</i>	<i>3rd July 2024</i>	<i>Governing Body</i>

11.3 Document Ownership

This document is owned by the Head of Workplace Relations

For queries in relation to the Domestic Violence Leave Policy/Procedure, contact Catherina Benson by email at Catherina.Benson@tudublin.ie or by phone on 087-616-0769.

11.4 Document Review

This document should be reviewed at least once every 3 years to ensure that it is still fit for purpose. This review should be triggered by the document owner and will be undertaken by the HR Policy Team (HRPT).

This document will also be reviewed in line with the government directive on Domestic Violence in the Workplace policy and under the Worklife, Balance and Miscellaneous Provisions Act 2023.

11.5 Document Storage

This document will be stored on the common personnel (Human Resources) drive. This policy document will be accessible on the HR website under the Policies/Forms tab by all staff.

11.6 Document Classification

This document is a procedure and is classified as 'TU Dublin Public'.