



## Domestic Violence Leave Policy

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### 1. Purpose

The purpose of this leave is to provide for a period of paid time away from work for employees who have suffered, are suffering or are at risk from domestic violence or abuse in accordance with section seven of the [Work Life Balance and Miscellaneous Provisions Act 2023](https://www.irishstatutebook.ie/eli/2023/act/12/section/7) ([irishstatutebook.ie](https://www.irishstatutebook.ie/)).

This leave will enable the employee to take the time they need to seek assistance in a structured and supported environment, where decisions are victim led.

Trinity College Dublin recognises the prevalence of domestic violence in our society and the impact it may have on our employees. In line with our values and our commitment to the health and safety of our staff, the University opposes all forms of domestic violence and seeks to support victims and survivors of such violence through the provision of leave and other resources.

### 2. Definitions

For the purpose of this policy, domestic violence and abuse can be defined as a pattern of controlling, coercive, threatening and/or violent behaviour occurring in a domestic context, including behaviour that has the object or effect of enabling one person to exert power and control over another.



Domestic violence (sometimes referred to as domestic abuse, family violence, or intimate partner violence) involves violent, threatening, or otherwise abusive behaviour by a family member/intimate relation, including but not limited to physical and sexual assault, psychological abuse, coercive control, financial abuse, stalking or dating abuse.

A full list of supports can be found at section 11 below and at Appendix 1.

<b>Terminology used</b>	<p>In this policy, people who are experiencing or have experienced domestic violence and abuse are referred to as ‘victims’ or ‘survivors’.</p> <p>It is however recognised that people who have experienced domestic violence and abuse may not see themselves as ‘victims’ or ‘survivors’ but as strong and resilient individuals who are capable of overcoming what they have experienced.</p> <p>The ‘victim’ or ‘survivor’ terminology is not intended to diminish this in any way but is used throughout this policy as it is commonly used and recognised language.</p>
<b>Disclosure</b>	<p>This policy also makes reference throughout to victims or survivors making a ‘disclosure’ in a work setting relating to domestic violence and abuse.</p> <p>For the purpose of this policy, a ‘disclosure’ is where an employee confides in a planned or unplanned way to a colleague, manager, HR representative, Employee Assistance officer or other person in the workplace about what they are or have experienced.</p>



	<p>Domestic violence and abuse may occur between individuals who are or have been intimate partners (whether or not the perpetrator shares or has shared the same residence with the victim), in LGBTI+ relationships or between people who are family members or household members.</p> <p>Domestic violence and abuse victims or survivors can come from all walks of life and may experience other areas of marginalisation and vulnerability, such as age, disability, or sexual orientation, which are often targeted by the perpetrators of abuse.</p>
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### 3. Employment Protections

<b>Employment Protections</b>	Employees who avail of statutory domestic violence leave or support services will not face discrimination and will be supported by the University.
	Managers should be cognisant of the fact that domestic violence and abuse may have a detrimental impact on confidence and work performance.
	At a practical level, this means that managers, with the guidance of Human Resources where required, will ensure the effects of abuse are taken into consideration when reviewing an employee's performance goals and/or workload.
<b>Legislative requirements</b>	This policy is underpinned by the <a href="#">Work Life Balance and Miscellaneous Provisions Act 2023</a>



#### 4. Confidentiality

<b>Confidentiality required at all times</b>	Trinity College recognises and respects the right to privacy for all staff and the need for confidentiality. It also acknowledges its duty of care in respect of colleague safety in the workplace and at what point to disclose potential safety risks.
	Any disclosure of domestic violence and subsequent request for leave will be treated with the strictest confidence by the University, unless there is an immediate risk to the safety of the affected employee, their colleagues or others.  Trinity College understands that for victims and survivors' fears around confidentiality being breached may prevent them from disclosing in the workplace.
	Managers and colleagues to whom a disclosure is made are required to uphold confidentiality. Improper disclosure of information is a serious matter and may be subject to disciplinary procedures.

#### 5. Domestic Violence Leave

	Employees of Trinity College will be entitled to leave with pay, referred to as <i>Domestic Violence Leave</i> . This leave can be availed of by an employee, or an employee who is supporting a 'relevant person', who has experienced in the past, or is currently experiencing domestic violence
<b>Relevant Person</b>	As defined in the Work Life Balance and Miscellaneous Provisions Act 2023, a relevant person includes: <ul style="list-style-type: none"><li>• the spouse or civil partner of the employee</li><li>• the cohabitant of the employee</li></ul>



	<ul style="list-style-type: none"><li>• a person with whom the employee is in an intimate relationship</li><li>• a child of the employee who has not attained full age or</li><li>• a person who, in relation to the employee, is a dependent person.</li></ul>
<b>Purpose of the Leave</b>	<p>As outlined in the legislation, the purpose of the leave is to enable the employee who is a victim of domestic violence or an employee who is assisting a relevant person to do any of the following:</p> <ul style="list-style-type: none"><li>• seek medical attention</li><li>• obtain services from a victim services organisation</li><li>• obtain psychological or other professional counselling</li><li>• relocate residence temporarily or permanently</li><li>• obtain an order from a court under the Domestic Violence Act 2018</li><li>• seek advice or assistance from a legal practitioner or</li><li>• seek assistance from An Garda Síochána (Irish Police Authority).</li></ul>
<b>Duration of leave</b>	<p>Domestic violence leave can be availed of for the reasons above for up to a maximum of 10 days in any period of 12 consecutive months and can be taken as individual days or a block of days. During an absence on domestic violence leave, an employee is deemed for all purposes to be in employment.</p> <p>It is understood that supporting documents showing evidence of attendance at an appointment may be difficult to provide in certain circumstances. Therefore, supporting documentation will not be requested by default.</p>



	However, The University reserves the right to request supporting documentation in certain circumstances where it is reasonable to do so.
	Thereafter, should further time away from work be required, the employee may have recourse to one or more of the other University leave schemes as applicable, e.g. Sick Leave, Personal Unpaid Leave, etc.

## 6. Eligibility

<b>To whom the policy applies</b>	All employees of the University are eligible for domestic violence leave. There is no minimum service period required in order to qualify for this leave. This leave does not cover where the employee is the perpetrator of domestic violence or abuse against a relevant person.
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## 7. Application Process and Notice

<b>Notice</b>	<p>Employees should contact Human Resources or their line manager, as soon as practicable to request a period of domestic violence leave.</p> <p>In circumstances where the line manager is contacted, they must inform Human Resources immediately.</p> <p>Advance notification of leave should be provided where possible. The University understands that in some cases advance notification may not be possible and that the period of leave may have already commenced before notification can be provided.</p>
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<b>Supporting documentation</b>	The affected employee is not required to provide proof of their abuse or documentary evidence for the leave needed. However, proof may be requested by Human Resources in some circumstances.
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## 8. Line Manager Responsibilities

<b>Signpost to Supports</b>	Line managers are advised to support employees who disclose to them that they are experiencing domestic violence in a sympathetic, non-judgemental and confidential manner.
	If an employee discloses that they are experiencing domestic violence, the line manager must act promptly. They should discuss the Domestic Violence Leave policy and other supports available (see point 10 below) with the employee and must alert Human Resources to the need for this leave, if requested, as soon as possible.

## 9. Training, Awareness and Information

<b>Training</b>	Training will be provided for line managers and other relevant staff on domestic violence issues including understanding the implications of domestic violence for the employee in the workplace, and also how to recognise, respond and refer.
<b>Awareness</b>	Information sessions will be available to staff on domestic violence issues including understanding the implications of domestic violence for the employee in the workplace, and also how to recognise, respond and refer.
<b>Information</b>	Human Resources are not positioned as experts on domestic violence but will provide the information to support line managers and employees as required.



## 10. Confidentiality

<b>Confidentiality</b>	<p>Any disclosure of domestic violence and subsequent request for leave will be treated with the strictest confidence by the University, unless there is</p> <ul style="list-style-type: none"><li>• a requirement under law</li><li>• When ordered by a court or</li><li>• an immediate risk to the safety of the affected employee, their colleagues or others.</li></ul> <p>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.</p> <p>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.</p>
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## 11. Maintaining Records

<b>Maintaining records</b>	<p>Records may retain in the employee's personnel file:</p> <ul style="list-style-type: none"><li>• Details of agreed workplace safety plan</li></ul>
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	<ul style="list-style-type: none"><li>• Administrative data such as approval of domestic violence/special leave</li><li>• Details of abuse occurring in/near the workplace or using workplace equipment</li></ul>
	The above records will be stored securely, kept strictly confidential, and retained only for as long as necessary.
	<p>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.</p> <p>As such, the employee will be supported to retain any such records at their request.</p> <p>Any records maintained by the employer will be stored securely and kept strictly confidential (see: Confidentiality).</p>

## 12. Responsibilities

Name	Responsibility
Director Of Human Resources	Policy Owner
Line Manager	Refer the employee to Supports, HR
Pensions and Benefits Manager	Approval of leave request

## 13. Additional Supports

Employees experiencing domestic violence should note the following supports available to them:



<b>Requests for temporary alternative working arrangements</b>	<p>Affected employees may request a change of working hours, work location or other relevant conditions of their employment. Such requests will be accommodated where possible.</p> <p>Such requests will be reviewed by the Head of School/Professional &amp; Support Service on a case-by-case basis.</p> <p>The details of the proposed temporary arrangement such as new working pattern, timeframe etc are to be provided to Human Resources.</p> <p>Human Resources to confirm the proposed temporary arrangements, ensuring the arrangements as agreed are adhered to, including timeframes.</p>
<b>Change of Work Contact Details</b>	<p>Affected employees may request a change of work phone number and/or work email address as necessary.</p>
<b>Employee Assistance Programme (EAP)</b>	<p>Employees and their immediate families (those living at home with them who are 18 years of age and older) can avail of professional counselling sessions free of charge. This is a strictly private and confidential service. More information can be found at this link <a href="#">Employee Assistance Programme</a></p>
<b>Occupational Health Physician</b>	<p>An appointment can be arranged with a physician of the University's Occupational Health Provider in order to provide support and accommodations and/or necessary medical advice to the employee. All referrals are treated with strict confidence. To arrange a referral for reasons related to domestic violence, please email <a href="mailto:absencemanagement@tcd.ie">absencemanagement@tcd.ie</a></p>



<b>Financial Support</b>	Relevant financial support for employees may be considered, such as: <ul style="list-style-type: none"><li>• Salary advance, where possible</li><li>• Speedy change of arrangements and/or method for payment of salary (e.g. banking details)</li></ul>
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#### 14. Conduct in the workplace

<b>Conduct in the workplace</b>	<p>Employees will be held accountable for their conduct in the workplace, in work time, or through work equipment.</p> <p>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.</p> <p>Safety and well-being are paramount, while recognising that all individuals have a right to fair process and procedure.</p> <p>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.</p>
	Domestic abuse may be reported to have occurred, or be occurring, where both parties are employees



<b>Both parties' employees</b>	of the same organisation, or employees of different entities but sharing a work location.  In such cases, particular arrangements may need to be put in place.
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#### 15. HR Office Contacts:

- Ms Lydia Brazil, Human Resources, [BRAZILLY@tcd.ie](mailto:BRAZILLY@tcd.ie)
- Mr David Hurcombe, Human Resources [david.hurcombe@tcd.ie](mailto:david.hurcombe@tcd.ie)
- Relevant HR Faculty/Division Partner, contact details can be found on the website at [Meet The HR Partnering Team.](#)

#### 16. Union Support:

An employee can also contact their Union for support, contact details can be found on the website at this link [here.](#)

#### 17. Policy Review

This policy will be reviewed after three years and/or in accordance with relevant legislative update.

#### 18. Relevant Legislation

[Work Life Balance and Miscellaneous Provisions Act 2023 \(irishstatutebook.ie\)](#)



## Appendix 1

### External Resources

- **HSE:** <https://www2.hse.ie/wellbeing/mental-health/domestic-violence-and-abuse.html>
- **An Garda Síochána** Locate your local **Garda** station: [www.garda.ie/](http://www.garda.ie/) call 999 if in immediate danger
- **Domestic Violence Support Services** See map  
<https://www.womensaid.ie/get-help/support-services/>
- **Rape Crisis Centre:** Freephone (24-hour helpline) 1800 77 88 88 or <https://www.rapecrisisireland.ie/>
- Find your nearest **Sexual Assault Treatment Unit (SATU)**:  
<https://www2.hse.ie/services/satu/contact/>
- **Safe Ireland:** <https://www.safeireland.ie/> , national helpline 1800 341 900
- **Women's Aid** national freephone helpline for domestic abuse (24/7 availability):  
1800 341 900 or [www.womensaid.ie](http://www.womensaid.ie) Instant messaging service: [www.womensaid.ie](http://www.womensaid.ie)  
and [www.toointoyou.ie](http://www.toointoyou.ie)
- **Men's Aid Ireland:** Call 01 554 3811, email [hello@mensaid.ie](mailto:hello@mensaid.ie) or see [www.mensaid.ie](http://www.mensaid.ie)
- **Male advice line:** 1800 816 588
- **Men's Development Network:** Call 051-844260/1, email [men@mensnetwork.ie](mailto:men@mensnetwork.ie) or  
see <https://mensnetwork.ie>
- **Financial Aid:** See: <https://mabs.ie/>
- **Legal Aid:** See: [www.legalaidboard.ie](http://www.legalaidboard.ie)
- **Parentline:** <https://www.parentline.ie/> , helpline 1890 927 277
- **Aoibhneas** women's and children's refuge: Call 1800 767 767 or email  
[helpline@aoibhneas.ie](mailto:helpline@aoibhneas.ie)
- **Childline:** 1800 66 66 66
- **CHO** contact details: <https://www2.hse.ie/mental-health/services-support/ncs/>
- **HSE National Counselling Service** national freephone number: 1800 252 524



- **Bright Sky App:** a free app for iPhone and Android devices that connects victims of domestic violence and abuse to advice and support services,  
<https://www.womensaid.ie/get-informed/campaigns-and-partnerships/brightsky-ireland/>
  - **Shelter/Housing Safe Ireland** has a list of places providing refuge:  
[www.safeireland.ie/get-help/where-to-find-help/](http://www.safeireland.ie/get-help/where-to-find-help/)
  - **Financial Aid** See: <https://mabs.ie/>
  - **Legal Aid** See: [www.legalaidboard.ie](http://www.legalaidboard.ie)
  - **AkiDwa** (the national network of African and migrant women living in Ireland): Call 01 834 9851, email [info@akidwa.ie](mailto:info@akidwa.ie) or see [www.akidwa.ie](http://www.akidwa.ie)
  - **Connect** is a freephone support and counselling service for any adult who experienced abuse, trauma or neglect in childhood: 1800 235 235
  - **Elder Abuse** (HSE Live Information/Crisis Lines): Call 1800 700 700, email [hselive@hse.ie](mailto:hselive@hse.ie) or see <https://www2.hse.ie/complaints-feedback/report-a-concern-about-a-vulnerable-adult/>
  - **Immigrant Council of Ireland:** Call 01 674 0200 or see [www.immigrantcouncil.ie](http://www.immigrantcouncil.ie)
  - **LGBT advice line:** 1800 929 529
  - **Safe Ireland** – Creating safety for women & children: [www.safeireland.ie](http://www.safeireland.ie)
  - **Still Here** – Governmental public awareness campaign on domestic abuse during the COVID-19 pandemic: [www.stillhere.ie](http://www.stillhere.ie)
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