



Domestic Violence Leave

1. Policy Statement

MIC is committed to supporting the wellbeing of our employees and the promotion of a safe environment whereby they are free from any form of violence or abuse. Equally, MIC seeks to create a supportive workplace environment in which colleagues feel comfortable discussing domestic violence and abuse and seeking assistance.

The College recognises the increasing prevalence and impact of domestic violence and abuse in wider society and the negative impacts it can have on the morale, performance and working lives of staff who are directly affected, as well as on their colleagues in the workplace. This policy affirms the College's commitment to supporting colleagues impacted by domestic violence and abuse by creating awareness and providing workplace supports, including statutory domestic violence leave. This will be achieved by promoting a safe and inclusive work environment where those impacted by domestic violence and abuse feel comfortable speaking about the issue and can be directed towards appropriate supports.

The policy incorporates relevant provisions of the [Work Life Balance and Miscellaneous Provisions Act 2023](#), which introduces domestic violence leave.

Content warning: *This document discusses and describes domestic violence and abuse, which may be distressing for some.*

2. Scope

This policy will apply to all employees in Mary Immaculate College, including colleagues engaged through an employment agency.

3. Related Documents

- [Work Life Balance and Miscellaneous Provisions Act 2023](#)
- [PGP112 Safeguarding Children Policy and Procedure.pdf](#)
- [PGP098 Staff Disciplinary Policy UR 2020 04.pdf](#)
- [PGP014 Dignity and Respect at Work Policy.pdf](#)
- [PGP111 Safeguarding Vulnerable Persons.pdf](#)
- [PGP036 Data Protection Policy.pdf](#)

4. Definitions

Domestic Violence:

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.

The term 'domestic violence' goes beyond actual physical violence. It can also involve the destruction of property; isolation from friends, family and other potential sources of support; threats to others including children; stalking; and control over access to money, personal items, food, transportation and the telephone.

It occurs in all social classes, all ethnic groups and among people of every educational background.

It can be described as the use of physical or emotional force or the threat of physical force, including

sexual violence in close adult relationships.

Domestic violence profoundly affects the physical, emotional, social and financial wellbeing of individuals and families. It is perpetrated against a person by that person’s spouse, intimate partner, ex-partner, other family members and/or another person at home. Domestic violence is pattern of repeated abusive and controlling behaviours that occurs within an intimate or family relationship and may even continue after the relationship has ended.

Irish Government, Department of Justice ¹

Types of Domestic Violence:

<p>Physical</p>	<p>Physical violence/abuse is any intentional and unwanted contact with you or something close to your body. It can include:</p> <ul style="list-style-type: none"> • direct physical assault on the body • pushing / shoving • punching / slapping • biting • pulling of hair • choking • mutilation and maiming • burns • throwing of objects at a person • use of weapons to threaten or injure • being sexually assaulted and/or raped.
<p>Emotional</p>	<p>Emotional or psychological abuse can include:</p> <ul style="list-style-type: none"> • continual put downs and/or criticism. • humiliation • bullying • threatening to hurt children or themselves • exploitation • intimidation • psychological degradation • verbal aggression • undermining of self-esteem • name calling • heavy monitoring of mobile phone use, texts, email and social media • property being destroyed.

<p>Sexual</p>	<p>Sexual violence is any form of sexual coercion (physical or emotional) or sexual degradation against an individual in the family or domestic unit. It can include:</p> <ul style="list-style-type: none"> • any sexual activity without consent • unwanted sexual touching • sexual assault • rape • incest • rape between spouses, cohabitants, partners or ex-partners • causing pain without consent during sex • forced stripping of clothing • victims being told that it is their duty to have sex with the abuser • sexual degradation including the enforced use of pornography.
<p>Financial</p>	<p>Financial abuse is a form of domestic violence in which the abuser uses money as a means of controlling their partner. It can include:</p> <ul style="list-style-type: none"> • economic blackmail • complete control of all monies and bank accounts • denial of financial independence • complete control of family finances and spending • denial of access to necessary funds • preventing the victim from working • taking control of bank cards and access to credit • non-payment of child maintenance • refusal of funds for household bills.

<p>Social</p>	<p>Examples of social abuse can include:</p> <ul style="list-style-type: none"> • systematic isolation from family and friends • forbidding or physically preventing the victim from going out and meeting people • constant criticising of victim’s family and friends • victims never being left on their own by perpetrator • refusal to allow victims to work.
<p>Online</p>	<p>Online or digital abuse is the use of technologies such as mobile phone texting and social networking to bully, pursue, cyber-stalk or intimidate a partner. In most cases, this type of abuse is emotional and/or verbal perpetuated online. Examples include:</p> <ul style="list-style-type: none"> • sending negative, insulting or even threatening emails, Facebook messages, tweets • online put downs on status updates • sending unwanted and/or explicit pictures • sharing intimate images online without consent • tracking victim online activity, search history and cache history • stealing or insisting on being given online passwords • constantly checking of mobile phones for pictures, texts and calls • unkind comments/tags on Instagram etc.
<p>Coercive Control</p>	<p>A persistent pattern of controlling, coercive and/or threatening behaviour including all or some forms of domestic abuse (emotional, physical, economic, sexual, including threats) by a current or former partner. It traps someone in a relationship and makes it difficult or dangerous to leave.</p>

<p>Stalking</p>	<p>Stalking can occur in or outside the workplace and can cause fear and distress to victims. Workplace stalking is a repeated behaviour and may include following someone to or from their place of work, waiting outside a workplace entrance, displaying a pattern of repeated, obsessive, unwanted behaviour.</p> <p>Stalking can happen with or without fear of violence. Taken in isolation, some of the behaviours may appear like small acts, but together they make up a consistent pattern of behaviour that is frightening and upsetting to victims.</p> <p>Stalking can also be in the form of cyberstalking, involving repeated harassment or abuse of a victim through the use of digital technology. Examples include:</p> <ul style="list-style-type: none"> • regularly giving unwanted gifts; • making unwanted communication; • damaging property; • repeatedly following or watching a person, their home or their family; • threatening and/or repeated, unwanted phone calls, texts or IMs; • using technology to blackmail or threaten; • posting offensive or suggestive comments online; • releasing a person’s confidential information online; • tracking someone’s online movements or location with tracking devices; • posting or distributing real or fake photos of a victim; • disseminating intimate images without consent or threatening to do so.
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*Irish Government, Department of Justice*¹

Disclosure:

This policy also makes reference throughout to victims or survivors making a ‘disclosure’ in a work setting relating to domestic violence and abuse. 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.

Survivors/Victims:

In this policy, people who are experiencing or have experienced domestic violence and abuse are referred to as 'victims' or 'survivors'. 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. 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.

Relevant Person:

As defined in the Work life Balance and Miscellaneous Provisions Act 2023, a relevant person includes:

- 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.

5. Principles

Domestic violence leave

Employees will be entitled to leave with pay, referred to as 'domestic violence leave'. This leave can be availed of by a staff member or a staff member who is supporting a 'relevant person' (as defined above) who has experienced, or is currently experiencing domestic violence

As outlined in the legislation, the purpose of the leave is to enable the staff member who is a victim of domestic violence or a staff member who is assisting 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 residence temporarily or permanently;
- obtain an order from a court under the Domestic Violence Act 2018;
- seek advice or assistance from a legal practitioner; or
- seek assistance from the Garda Síochána.

During an absence on domestic violence leave, a staff member is deemed for all purposes to be in employment.

Eligibility

All staff members of the college are eligible for domestic violence leave. There is no minimum service period required in order to qualify for this leave.

Employment Protections

Staff members who avail of statutory domestic violence leave or support services will not face discrimination and will be supported by the College.

Line managers and Heads of Department 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 from the EDII and/or HR Office where required, will ensure the effects of abuse are taken into consideration when reviewing a staff member's performance goals and/or workload.

Alleged Perpetrators:

Where alleged perpetrators of domestic violence or abuse are also employees of the college, the college reserves the right to invoke the appropriate college policies where relevant (e.g., Dignity and Respect Policy, Code of Conduct, etc.) for incidents of domestic violence and abuse committed in the workplace, during work hours or through work equipment.

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 EAP for guidance. Any direction towards supports does not preclude disciplinary action being taken where this is appropriate or warranted.

Child Protection:

MIC understands that for victims and survivors, fears around confidentiality being breached may prevent them from disclosing in the workplace. In circumstances where confidentiality cannot be maintained (e.g., statutory obligations regarding safeguarding concerns about children, vulnerable adults or where there is a requirement to act directly to protect the safety of staff members), the staff member will be informed of the reasons why and that the information will be shared on a need-to-know basis only. Care will be taken to ensure that the sharing of information does not put the staff member at greater risk. Where necessary, advice will be sought from specialist support organisations with responsibility for child protection and welfare, protection of vulnerable adults and the Gardaí where appropriate.

Responsibilities:

Employees

- Familiarise themselves with the conditions and entitlements available under the Domestic Violence Leave Policy. Advice and clarification on the details of the policy is available by contacting in confidence: the HR Office, directly speaking to your Line Manager or contacting the Sexual Violence and Harassment Prevention and Response Manager in the EDII Office.

Line Managers

- Familiarise themselves with the conditions and entitlements available under the Domestic Violence Leave Policy in order to provide support to employees.
- Seek advice and clarification on the details of the policy and associated documents by contacting the HR Office or the Sexual Violence and Harassment Prevention and Response Manager.
- Support employees who disclose to them that they are experiencing domestic violence in a sensitive, non-judgmental and confidential manner.

- Act promptly if an employee discloses that they are experiencing domestic violence. Line managers should discuss domestic violence leave and other supports available with the affected employee.
- Ensure that lines of communication are kept open with staff in a remote or hybrid working environment.
- Agree with the affected employee who will alert the relevant HR representative(s) of the need for this leave. Alert HR as soon as possible.
- Participate in training in order to equip themselves for dealing with disclosures of domestic violence and to provide sufficient support to their employees in this regard.
- Treat any disclosure of domestic violence and subsequent request for leave with the strictest confidence in line with our Data Protection Policy.

Sexual Violence and Harassment Prevention and Response Manager

- Provide support to HR in the implementation of this policy.
- Raise awareness of this policy and organise domestic abuse awareness training for staff in relation to same.
- In the event of any disclosures, treat the with the strictest confidence.

Director of Human Resources

- Ensure that the leave requested by any employee under this policy, once approved, is recorded appropriately.
- Participate in training in order to equip themselves for dealing with disclosures of domestic violence and to provide sufficient support to employees in this regard.
- Provide information to support Line Managers and employees, assist in arranging accommodations where required and help ensure accurate signposting to additional external supports where needed.
- Treat any disclosure of domestic violence and subsequent request for leave with the strictest confidence in line with our Data Protection Policy.

Application Process:

Designated Persons

The Designated Persons in MIC is the **Director of Human Resources** and the **Sexual Violence and Harassment Prevention and Response Manager**. They have a primary role in MIC 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.

Staff members who avail of domestic violence leave should, where possible, notify management of their intention to take the leave as soon as reasonably practicable thereafter. Staff can contact the Director of HR or Sexual Violence and Harassment Prevention and Response Manager for sanction for leave. They can also contact their Line Manager.

Supporting Documentation

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. However, managers and/or HR Departments reserve the right to request supporting documentation in certain circumstances where it is reasonable to do so.

Safety Planning

The impacts and risks of domestic violence and abuse necessitate a safety conscious response at all times. Following a disclosure, a manager or other designated person, will consult with the employee on their safety needs in and around the workplace. Depending on individual circumstances, safety measures that may be proposed 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 etc. 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. This workplace safety plan will be treated as confidential and shared on a need-to-know basis only.
- There is an 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.

Record Keeping

This leave will not be recorded on MIC's Leave recording system. The files in relation to this leave will be kept separately and in line with GDPR legislation.

What will be recorded:

- Details of agreed workplace safety plan (see: Workplace safety)
- Administrative data such as approval of domestic violence/special leave
- Details of abuse occurring in/near the workplace or using workplace equipment.
- The above records will be stored securely, kept strictly confidential, and retained only for as long as necessary

Confidentiality

MIC 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.

It is important at the outset for victims and survivors to know that conversations around domestic violence and abuse will always be held in a private and confidential space. Managers, HR staff and colleagues should also keep this at the forefront of their minds when engaging in any conversations around domestic violence and abuse.

All information regarding domestic violence and abuse will be kept confidential and shared only with staff members who have a legitimate need to know about it and with the knowledge of the staff member concerned. For example, information may be shared with colleagues so that they can document necessary safety measures or with administrative staff dealing with statutory leave. Only information necessary to carrying out these roles and tasks will be shared.

The College may retain confidentially, records which relate to:

- details of agreed safety measures, (if any);

- administrative data such as approval of statutory leave;
- details of abuse occurring in or near the workplace or using workplace equipment.

At the staff member’s request, the College will keep records which demonstrate that a perpetrator is abusing or harassing the staff member in the workplace where the staff member feels that this will support them in any future action they may wish to take. These records will be stored securely, kept strictly confidential, and retained only for as long as necessary in line with organisational data retention policies. No details of disclosed abuse experienced outside the workplace, unless directly impacting work, should be included. Staff also have the right to have their data erased on certain grounds under Articles 17 and 19 of GDPR.

Colleagues to whom a disclosure is made are required to uphold confidentiality. It is not appropriate for the employee receiving the disclosure to pass on any information to others, including to managers or the designated person, without the consent of the disclosing person except in very limited cases (e.g., statutory obligations regarding safeguarding concerns about children, vulnerable adults or where there is a requirement to act directly protect the safety of staff members.)

Improper disclosure of information is a serious matter and may be subject to disciplinary action.

The College understands that for victims and survivors, fears around confidentiality being breached may prevent them from disclosing in the workplace. In circumstances where confidentiality cannot be maintained (e.g., As mentioned before - statutory obligations regarding safeguarding concerns about children, vulnerable adults or where there is a requirement to act directly to protect the safety of staff members), the staff member will be informed of the reasons why and that the information will be shared on a need-to-know basis only. Care will be taken to ensure that the sharing of information does not put the staff member at greater risk. Where necessary, advice will be sought from specialist support organisations with responsibility for child protection and welfare, protection of vulnerable adults and the and the Gardaí where appropriate.

Internal Supports:

Employee Assistance Service

The Employee Assistance Service (EAS) is a confidential support service available free of charge. You can contact the EAS by free phoning 1800 814 243 or WhatsApp and SMS: Text "Hi" to 087 369 0010.

Human Resources

You may also contact the **Human Resources Office** for advice.

A further list of external supports is available here on the link below.

[Student & Staff Supports | Mary Immaculate College](#)

6. Change History

Revision	Document History	Reviewed By ET	Approved By UR
0	Initial Release	ET2025#03	UR2025#02