



**An Roinn Leanaí, Comhionannais,
Míchumais, Lánpháirtíochta agus Óige**
Department of Children, Equality,
Disability, Integration and Youth

Guidance Note and FAQ

Workplace supports for
employees affected by
domestic violence and abuse





An Roinn Leanaí, Comhionannais,
Míchumais, Lánpháirtíochta agus Óige
Department of Children, Equality,
Disability, Integration and Youth

Women's  Aid

Contents

1.	About the Guidance Note	5
	Terminology	6
	How to read the Guidance Note	7
	Additional resources	7
2.	Introduction	8
	What is domestic violence?	9
	Why is domestic violence a workplace issue?	11
3.	Eligibility	13
4.	How to access the provisions of the policy	14
	Designated person	15
	Support for the designated person	15
5.	Disclosures	16
	Spotting the signs of domestic violence and abuse	17
	Opening up the conversation	18
	Responding to a disclosure	19
	Professional boundaries	20
	Disclosure to a colleague	21
	Working from home	21
	Creating a disclosure-friendly workplace environment	22
	Trade unions	22
6.	Confidentiality	23
	Sharing information with others	23
	Retaining records following a disclosure	23
	Administration of domestic violence leave	25
	Documenting domestic violence leave on payslips	25
	Limits to confidentiality	25

7.	Supports available	27
7.1	Domestic violence leave	27
7.2	Special leave	29
7.3	Workplace safety	29
	Workplace safety plan guide	30
7.4	Referrals	31
7.5	Financial assistance	33
7.6	Employment protections	34
7.7	Maintaining records	35
8.	Conduct in the workplace	36
	Both parties employed in the same organisation	37
9.	Awareness raising and training	39
10.	Frequently Asked Questions (FAQ)	42
	Appendix A: Workplace safety plan guide	48
	Appendix B: Additional Resources	52



1. About the Guidance Note

This Guidance Note is designed to provide guidance to employers on the implementation of Domestic Violence Leave and in the development of a supporting policy. It complements the *Workplace support for employees affected by domestic violence policy template*¹ (referred to further in this Note as the Policy Template).

Domestic Violence leave is a statutory entitlement, introduced under the *Work Life Balance and Miscellaneous Provisions Act 2023* (referred to further in this Note as the 'Act'). This Guidance Note provides relevant information to support employers regarding the statutory leave. In addition, this Note provides guidance in respect of the implementation of a supporting policy and should be read in conjunction with the Policy Template.

This Note should have general applicability to all employments, regardless of differences in size, industry, and work setting. The Note is designed to provide guidance only, is not legal advice, and should be interpreted or applied by each employer with regard to their specific organisational needs, existing practices, and available resources. Employers should adapt the Policy Template to suit their specific organisation.

There are many issues that affect employees in the course of their working lives. Many employers have good practices and support in place to deal effectively with such situations. While there can be specific challenges involved in responding to a disclosure of domestic abuse, it is recommended that employers apply or adapt their approach to challenging situations that arise, as appropriate.

¹ To access the Policy Template, visit www.dvatwork.ie

Terminology

A note on some terminology used in this document:

Domestic violence, Domestic abuse, or Domestic violence and abuse	The legal term in Ireland is 'domestic violence'. However, the terms are used interchangeably throughout this document to acknowledge that many victim-survivors identify more with the term 'domestic abuse' as it is less associated with abuse that is just physical in nature. These terms all refer to the same set of physical and non-physical abusive behaviours perpetrated by current/former intimate partners and family members (including emotional, physical, sexual and economic abuse and coercive control). For more information see: Introduction > What is domestic violence?
Victim-survivor	The term 'victim-survivor' refers to anyone who has been subjected to domestic abuse. We use this term to reflect that some people prefer the term 'victim', while others prefer 'survivor'. Some prefer neither term and individuals' preferences should always be respected in direct conversation.
Designated person	In section 4 below, guidance is provided in respect of how to make supports accessible to employees. We advise that employers identify a suitable person. This may be a line manager, the business owner, HR person, or another person, depending on the structure and resources available. For the purposes of this Note, we use the generic term 'designated person' to refer to whatever contact person is identified, by the employer, within the employment.



How to read the Guidance Note

Each section of the Policy Template is mirrored in this document, with corresponding numbering. The Guidance Note provides the following for each section:

Background	Provides context for the inclusion of this section in the Policy Template and the information shared in the Guidance Note.
Essential information	Every employer must consider this information and how it can be streamlined to their organisation to provide a safe and effective workplace response to affected employees.
Other considerations	Additional areas of consideration for employers, subject to the nature of their business and available resources.

Three key principles underpin the safe and effective implementation of domestic violence leave. Each section of this Guidance Note will contextualise them where relevant.

 Maintain confidentiality	Domestic violence and abuse differs from other workplace safety issues in that the sharing of information without the disclosing employee's consent may negatively impact their safety and wellbeing. Confidentiality and any limits to it must be considered at all times (see: Confidentiality).
 Be employee-led	Employees who are subjected to domestic violence are the best assessors of their own risk. They may choose to share only certain parts of their experience when disclosing at work. As such, a safe and effective response is one which is dictated by the employee's needs and wishes. Simple ways of doing this are: • Offer options without obliging the employee to accept. • Ask the employee what they want or need. It is not for employers to 'fix' the problem. Rather, their role is to facilitate impacted employees' access to support, whether that is through the provisions of their workplace policy or external services (see: Referrals).
 Lean on existing practices and policies	Issues of employee relations and general wellbeing are considerations for employers for many different issues. Domestic abuse is no different in this regard, and existing business practices and policies (e.g. Force Majeure) are often helpful in developing a workplace response to this issue. Every employer has a right to reflect on their own approach, which will be specific to their type of business, workplace culture, and so on.

Additional resources

There is a wealth of information on the topic of domestic violence and the background to the introduction of domestic violence leave on a statutory footing. The Additional Resources section at the end of this Note provides links to relevant information (see: [Appendix B](#)).

2. Introduction

Background

In 2023, the Government of Ireland introduced a legal requirement for employers to offer up to five days of paid leave over a period of 12 months to employees affected by domestic violence ('domestic violence leave')². The Act defines 'domestic violence', and that definition is set out in Section 2 of the Policy Template. Where domestic violence is carried out against an employee or 'relevant person' (also defined in the Act and set out in section 2 of the Policy Template), an entitlement for domestic violence leave arises. The employee is to be paid the normal pay for those days.

Legal definitions can sometimes cause confusion. However, for the purposes of the statutory leave, the definition can be strictly applied. Where purposes for which the leave is sought does not meet the definition, then no entitlement to statutory domestic violence leave arises, however, this does not prevent the employer from considering granting time off, either as annual leave, or other leave, whether paid or unpaid.

The introduction of domestic violence leave is an action embedded in the implementation plan of the third National Domestic, Sexual and Gender-Based Violence (DSGBV) Strategy³, which aims to achieve zero tolerance⁴ of DSGBV in Irish society. The Strategy recognises that, while both men and women can be victim-survivors, women and girls are affected disproportionately as a manifestation of historically unequal power relations between men and women. Within Ireland, this is reflected in the prevalence statistics on domestic abuse: One in four women in Ireland who have been in a relationship have been abused by a current or former partner.

2 Work Life Balance and Miscellaneous Provisions Act 2023:

<https://data.oireachtas.ie/ie/oireachtas/act/2023/8/eng/enacted/a0823.pdf>

3 See action 2.4.10 in the implementation plan of the Third National Strategy on DSGBV:

<https://www.gov.ie/en/publication/a43a9-third-national-strategy-on-domestic-sexual-and-gender-based-violence/>

4 <https://www.gov.ie/en/campaigns/fb746-zero-tolerance/>

What is domestic violence?

Domestic violence and abuse occurs when a person tries to gain and maintain power and control over their current or former partner, or in some cases a family member, by using a pattern of intimidation, isolation, manipulation, coercion and assaults. Domestic abuse takes many forms. It can be physical, emotional, sexual, and economic, including coercive control. Abuse rarely takes one form; perpetrators of abuse use different tactics as part of a larger pattern of controlling and abusive behaviour. Importantly, physical abuse does not always have to be a factor in abusive relationships.

Emotional abuse	Emotional or psychological abuse refers to behaviours designed to isolate and undermine the victim-survivor in order to control them. It can include non-physical behaviours like threats, insults, humiliation, intimidation, isolation, stalking, and gaslighting. Examples: • Yelling, shouting or name calling • Abusive texts, emails, and calls • Threatening to harm the victim-survivor or themselves • Monitoring the victim-survivor through the use of technology, e.g. checking phone log and messages, using social media to monitor movements, installing hidden cameras
Economic abuse	Economic abuse is when the abusive person restricts, exploits and sabotages the victim-survivor's access to money and other resources, such as food, clothing, transportation and a place to live. Examples: • Forbidding or preventing the victim-survivor from being in education or employment • Taking the victim-survivor's pay • Controlling use of property such as cars, mobile phones or laptops • Refusing to contribute to the cost of the household or childcare

Sexual abuse	Sexual abuse is when an abuser forces, pressures, or coerces the victim-survivor to do something sexually that they don't want to do. It is harder for people who are being abused to negotiate a free and equal sexual relationship with a partner, so the likelihood of sexual coercion is high. Examples: • Telling the victim-survivor they owe the abuser sex or oral sex • Unwanted kissing, touching or other sexual activity • Refusing to use a condom or restricting access to contraception • Taking, sharing or threatening to share sexually explicit images or videos without consent (also known as 'image-based sexual abuse')
Physical abuse	Physical abuse is perhaps the most recognisable form of abuse. It doesn't always leave visible marks or scars but it can get much worse over time. It can result in physical injury and in some cases it can be life threatening. Examples: • Slapping, shoving, scratching, punching, biting, strangling, choking, kicking, or burning • Pulling the victim-survivor's hair or grabbing their face • Throwing things at the victim-survivor or near them • Physically preventing the victim-survivor from leaving somewhere
Coercive control	Coercive control is a persistent pattern of controlling, coercive and threatening behaviour including all or some of the forms of domestic abuse. It tends to escalate over time, entrapping the victim-survivor in the relationship and making it feel impossible or dangerous to leave. Coercive control is a crime in Ireland.

Domestic violence can have a lasting impact on all aspects of a victim-survivor's life: Physical, psychological, emotional, sexual & reproductive, social, and economic.

Examples of impacts of domestic violence	• Loss of freedom and autonomy • Living in fear/'walking on eggshells' • Isolation • Difficulty retaining employment • Poverty • Homelessness • Physical disabilities • Unwanted pregnancy • Depression and anxiety • Chronic pain • Death
---	--

Why is domestic violence a workplace issue?

Emilia's Story

Emilia has been going through a very difficult time since the breakdown of her relationship with her partner of 10 years. She recently moved into her own place and since then the harassing calls and texts from her ex-partner are never-ending.

On multiple occasions, when he has been due to collect their daughter to take her to school in the morning, he simply hasn't shown up and Emilia has been left scrambling trying to get her daughter to school before going to work. As a consequence, Emilia has been turning up late to work and is often distracted by the many messages and calls on her personal phone. She has already received a verbal warning and is worried that it may get to the point where she is let go from work.

Around 1 in 3 people are subjected to domestic abuse during the period of their working lives⁵. The impacts of domestic violence on work are most commonly realised in the following ways.

Safety and security	Productivity, participation and attendance	Career progression and employment stability
Perpetrators of domestic abuse will often continue that abuse while the victim-survivor is at work or travelling to/from work.	The impacts of domestic violence may have a negative impact on victim-survivors' productivity.	The impacts of being subjected to violence and abuse often affect an employee's ability to reach their full potential in work. This can create difficulty in retaining employment and have knock-on effects on victim-survivors' career progression.
Co-workers may be directly affected by the abuser's harassment, stalking, and assault.	Where an employee is being abused, it is common to see an increase in absenteeism.	

Aside from the impact employees who perpetrate domestic violence may have on employee victim-survivors and their co-workers, they may use work property, time or equipment to inflict abuse, with consequent impacts on their own attendance, performance, and safety at work (see: [Conduct in the workplace](#)). This results in a high cost to the workplace; the annual cost of domestic violence and abuse in Ireland is estimated to be €2.7 billion, the largest proportion of which is lost income/productivity⁶.

"The world of work may provide an entry point to mitigate the effects of domestic violence. Employers and co-workers can save lives by providing a place of safety and solidarity, serving as a nexus to community services, and also identifying cases of violence."

International Labour Organisation, 2019

Employers are in a strong position to support employees affected by domestic abuse and there are many benefits to doing so.

Aside from the benefits to individual employees when their health, safety and wellbeing is prioritised, employers may benefit from improved productivity, employee retention and loyalty, and reduced staff turnover, resulting in lower recruitment and training costs.

⁵ <https://osha.europa.eu/en/publications/building-safe-spaces-domestic-violence-and-workplace>

⁶ <https://www.safeireland.ie/wp-content/uploads/Assessing-the-Social-and-Economic-Costs-of-DV-July2021.pdf>

Essential information	Employers are required to provide domestic violence leave to: • Employees who have been or are being subjected to domestic violence. • Employees who are supporting a relevant person who has been or is being subjected to domestic violence. For further information see: Domestic violence leave.
Other considerations	In order to give meaningful effect to the legislation, it is recommended that employers embed domestic violence leave within a wider organisational response to domestic abuse. The Policy Template includes all recommended facets of a workplace response, each of which is expanded upon within this Guidance Note. Although it is possible to offer domestic violence leave without establishing a policy and its recommended provisions, victim-survivors face many barriers to help-seeking (see: Disclosures). They may be dissuaded from disclosing where it is not clear that they will receive safe and effective support. Organisational policies lay out the roles and responsibilities of employees at all levels and, in the case of domestic violence, can increase the likelihood that an employee who is concerned about another worker has the confidence and willingness to respond to the issue. Introducing a domestic violence policy emphasises the unacceptability of violence, contributing to a zero-tolerance attitude towards this form of abuse.



3. Eligibility

Background	There is no 'type of person' who is subjected to domestic violence and abuse. A person of any age, nationality, ability, religion, socioeconomic status, and other factors can be subjected to violence and abuse by an ex-/partner or family member. This underlines the importance that the provisions of a workplace response to domestic abuse are made available to all employees. The journey a victim-survivor moves through can be a long and difficult process. In the context of intimate partner violence, it is common for perpetrators to continue to inflict abuse even post-separation. For example, they may stalk an ex-partner, harass them online, or use access visits to children as a means of continuing their abuse.
Essential information	There is no service requirement for entitlement to domestic violence leave, and it applies to all employees for past and ongoing experiences of abuse (see: Domestic violence leave). Where there are questions concerning a person's employment status, as with other employment entitlements, specific advice should be sought. While confidentiality and discretion around the sensitive issue of domestic violence is advised (see: Confidentiality), it is acceptable to seek sufficient explanation from the employee in order to ascertain if an entitlement to domestic violence leave arises. It is advised, by this Note, that employers should be mindful of the difficult time that the employee is going through, and be careful not to unnecessarily or unwittingly add to the distress.
Other considerations	It is recommended that all facets of an employer's response to domestic abuse are made available to all employees. Beyond direct employees, employers should consider whether they can extend domestic violence leave and other policy provisions to other relevant people such as agency and contract staff, volunteers, and trainees.

4. How to access the provisions of the policy

Background	Wherever an organisational policy offers staff different support options, employees need clarity on the steps they have to take to access them. This is especially true in the case of domestic violence; due to the complex and sensitive nature of the issue, affected employees will want to clearly understand the process for accessing its provisions to help them decide whether they wish to do so. Clarity on the process is also beneficial to those who have a role in responding to employees impacted by domestic abuse. As an issue they are likely to have limited exposure to, having clear written guidance through the policy is essential for them to appropriately support impacted employees.
Essential information 	It is advisable that employees are made aware of the availability of domestic violence leave (see: Domestic violence leave), how they can apply for the leave, and the associated policy. The employer should decide on the most effective method for this initial communication (see: Awareness raising and training). After, or in conjunction with, the initial communication, it is recommended that a policy on domestic violence leave is included in the Employee Handbook, or other source of employment-related policies. The Policy Template provides a framework for its content. Given the nature of some reasons for which domestic violence leave can be taken (see: Domestic violence leave), no advance warning is available. For other reasons advance notice is applicable and the leave can be requested in advance, for example if it is being used to attend a scheduled court hearing. The administration and documentation of domestic violence leave is discussed in Confidentiality. However, relevant procedures should be determined in the context of leave recording arrangements that are already in place. It is open to the employer to determine what additional supports, if any, may be made available to employees (see: Supports available). Employees should be made aware of what supports may be available, or if not specified, indicate from whom they should seek support.

Designated person

In most employments, notification of absence and approval for absences is communicated directly with the line manager.

Employers should consider whether there is another particular person whom it would be appropriate to designate as a contact person for domestic violence leave (see: [Domestic violence leave](#)) and, where applicable, any other supports available (see: [Supports available](#)). Employers should ensure access to support is uncomplicated and confidential.

Depending on the structure of the organisation, such a role may naturally fall to anyone who responds to employee wellbeing concerns generally, such as:

- People managers
- HR representatives
- The business owner

In this context, the employer is advised to consider how training and supports may be made available to the designated person(s) so they are well-placed to respond effectively to employees' disclosures and queries in respect of the policy (see: [Awareness raising and training](#)). Employers may wish to seek additional support or advice from employer bodies, HR advisors, etc., as appropriate.

Support for the designated person

In line with their duty of care to employees, employers should consider how the designated person(s) are supported in their role. Where a designated person is not in a managerial or other role where they have dedicated time to support employees, consideration should be given to ensuring they are given sufficient time to adequately support an affected employee. Designated person(s) should also be given information on how they can access support for themselves and be facilitated to do so.

Examples of support options for the designated person(s):

- Women's Aid National Freephone Helpline: **1800 341 900**
- Relevant workplace supports such as an Employee Assistance Programme, where available.

5. Disclosures

Background 	Accessing support on domestic violence and abuse from their employer requires an employee to take the step of disclosing their experience to someone at work. This is not an easy task; people who have been subjected to domestic violence are often cautious about telling someone about their situation. They may be afraid or ashamed of being judged or blamed for the abuse. They may also have concerns that someone's response could put them in danger or have negative repercussions for any feelings of safety and respite their workplace offers them. It is critical to understand that disclosing their experience of being abused to someone else may be deemed by the abusive ex-/partner or family member as a threat to the power and control they have gained over the victim-survivor. They may respond to this threat by: • Escalating the abuse The abusive person may increase the severity of existing forms of abuse against the victim-survivor or bring in new tactics to maintain power and control. • Sabotaging helpful resources The abusive person may seek to sabotage any connections or resources the victim-survivor has made that increase their safety or freedom and widen their perspective about the abuse they are being subjected to. Disclosing domestic violence, planning to leave or leaving an abusive partner, is therefore a dangerous time for the person who is being abused. A response to an employee who is disclosing their experience needs to consider and always prioritise the employee's safety. Considering confidentiality and being employee-led are therefore fundamental principles to responding safely and effectively. Responding to domestic abuse in the workplace may be done in a proactive way, by opening a conversation if there are indicators that an employee may be experiencing domestic violence. It may also be reactive, when an employee is the one to open the conversation first and share their experience.
--	---

Spotting the signs of domestic violence and abuse

Recognising the signs of domestic violence and abuse can be an important element of supporting an employee who is being subjected to domestic violence. The signs may vary from one person to the next and may not be at all apparent. There will usually be more than one sign occurring that creates concern about that employee. If something doesn't feel right, it probably isn't – while it should not be assumed that it is domestic violence, it could be.

Examples of some common indicators are grouped into the categories below. The employer and/or designated person(s) should never assume that any of these factors mean the existence of abuse and should take the approach of enabling disclosure rather than diagnosing or presuming abuse. Also, the absence of such signs should not be assumed to mean the absence of abuse.

Work attendance, productivity and/or participation	Social behaviour	Escalating signs of abuse
Frequent unexplained absence from work or an increase in sick leave. Unexplained changes to start times or being late for meetings, online or in person. Does not participate in calls or online meetings, or is on mute/video off for prolonged periods. Work hours: • Spending an unusual number of hours at work for no obvious reason • Wanting to change working hours for no obvious reason • Fear about not leaving work on time Performance targets and deadlines are missed, and mistakes are made. Work quality is affected by frequent texts, emails, calls or visits/interruptions to work by the employee's partner. Signs of distress when these occur.	Becoming isolated from colleagues – not joining colleagues at break times, not joining in work social events. Secrecy about home life and relationships. Isolation from family and friends.	Changes in behaviour – becoming quiet, anxious, frightened, aggressive, distracted or depressed. Physical changes: • Visible bruising or injuries with unlikely explanations • Changes in clothing, such as wearing long sleeves to hide injuries • Changes in appearance, e.g., in the use and pattern of make-up • Tiredness and irritability • Substance use/misuse • Partner or ex-partner stalking an employee in or around the workplace or on social media • Partner or ex-partner exerting unusual amount of control or demands over work schedule

Opening up the conversation

Many of the indicators described above affecting performance may be addressed by a manager in the normal course of events, without any suspicion of domestic abuse. Good management practice, in these circumstances, would involve seeking to understand the potential reasons for the performance/attendance issue. A disclosure may occur in such dialogue, without any previous cause for concern that domestic violence may be an issue.

If a designated person (see: [How to access the provisions of the policy > Designated person](#)) has concerns about an employee's wellbeing, it's appropriate for them to raise their concerns with that employee. They are not expected to be support workers or counsellors to the affected employee. However, it's important they feel well-equipped to raise their concerns and respond to the employee's needs within the context of the workplace policy provisions (see: [Disclosures > Professional boundaries](#)).

How to open the conversation respectfully and sensitively.	
Be prepared 	Plan ahead and arrange a one-to-one meeting in person in a private space where you cannot be overheard, as you would any meeting relating to sensitive information. If an employee is remote or hybrid working, a useful tactic is to ask them to attend a meeting at the work site. Familiarise yourself with the policy and the support options it offers ahead of the conversation.
Open the conversation	Start a conversation in a way that gives space to the employee to disclose their experience if they wish to do so. • Use open body language and be mindful of personal space so the staff member doesn't feel threatened. • Demonstrate concern for the employee's wellbeing by asking how they are, explaining that you are concerned, and noting any of the indicators you have observed (see: Disclosures > Spotting the signs of domestic violence and abuse). • Use indirect, non-threatening questions or statements which signal to the employee that you have noticed something and are willing to have a conversation about it. Let them know you're there to help and support. Example questions and statements to open the conversation: • You don't have to share anything with me that you would prefer not to but I am here to support you if and when you are ready. • I have noticed that you seem distracted and tired lately. Is there something troubling you? • How are you? If you need a chat or support, I am here for you.
Prioritise confidentiality	Reassure the employee that the conversation is confidential but be transparent about any limitations to that confidentiality (see: Confidentiality).

It is essential to respect an employee's choice if they choose not to disclose their situation. The employee may not feel safe or ready to talk about their experience or may not recognise it as domestic abuse. The designated person should continue to create a supportive environment that allows the employee to disclose when they are comfortable, without applying undue pressure.

Responding to a disclosure

If an employee discloses that they are being abused by a family member or current/former intimate partner:

DO	DON'T
Listen without judgment	Ask probing questions about the abuse
Communicate belief	Express doubt, judgment, or shock
Validate the decision to disclose	Make comments or ask questions that undermine what the employee is experiencing, such as, 'Why do you put up with that?'
 Emphasise confidentiality, including any limits to it (see: Confidentiality)	Give advice or tell them what to do
 Offer relevant practical support (see: Supports available)	Pressure them to take a specific action
Advise of next steps in the organisation's determined process, e.g. safety and wellbeing planning (see: Workplace safety)	Make strong negative personal statements or exclamations about their abuser.
Plan how you will communicate about this moving forward. Some employees will welcome frequent check-ins, while others may prefer to come to you themselves when needed.	

Here are some helpful verbal responses that can be used to respond to the initial disclosure. They serve to affirm and validate the employee's experience, shift the blame away from them, and communicate hope.	• "Thank you for sharing this with me." • "What you are describing sounds like abuse." • "The abuse is not your fault." • "You have a right to live a life free of violence, abuse, and fear." • "You have options and we can help you find support."
--	---

Essential information 	Employers should be aware of the signs of domestic violence and foster an environment where employees feel comfortable seeking assistance or disclosing their experiences. The response should respect the affected employee's decisions, prioritise confidentiality (see: Confidentiality), and demonstrate genuine concern with a willingness to listen without judgment. The Policy Template offers resources and supports that an employee experiencing domestic violence can avail of and they should be directed to these resources (see: Supports available). To support designated person(s) to respond confidently and supportively, employers should determine the process of what happens once a disclosure has been received. It is recommended that this process includes: • Keeping records related to the disclosure and/or any support measures requested (see: Confidentiality and Maintaining records). • Safety and wellbeing planning (see: Workplace safety). • Agreeing frequency and method of communication with the affected employee about the issue following the disclosure.
---	---

Professional boundaries	
	It is understandable that employers may have concerns about where their duty of care to an employee impacted by domestic violence begins and ends. As with any wellbeing issue, it starts by being alert to concerns about an employee and starting a conversation to offer support. The support offered extends to any of the provisions outlined in the workplace domestic violence policy (see: Supports available). Should the affected employee require a level of support that the organisational policy does not offer, the employer should ensure the employee has access to the information they need to seek out a domestic violence support service, which may be better equipped to give them the sustained and specialist support they may need. It is not the role of anyone in the workplace to deal with the abuse itself. The workplace response should instead focus on addressing the impacts of domestic abuse on work, supporting the affected employee insofar as the policy affords, and signposting them to specialist services (see: Referrals).

Disclosure to a colleague	
	An employee who has experienced or is experiencing domestic violence may choose to disclose their situation to a colleague or a trusted coworker. Policies should ensure that all members of staff are equipped with the basic information they need to signpost the impacted employee to the workplace domestic violence policy. In cases where a co-worker informs a designated person they suspect or have been told that an employee is experiencing abuse, it is not appropriate for the designated person to disclose this information to the employee. Instead, the co-worker should be encouraged to signpost the employee to the resources and support channels available.

Working from home	
	Working from home can increase the intensity of the violence and abuse which a victim-survivor is subjected to as perpetrators may have more opportunities to abuse. Employees subjected to domestic violence may not have any respite from the abuse, be unable to access a safe space, and often experience barriers to seeking help and communicating about the abuse with managers and colleagues. Designated person(s) and other employees who suspect that an employee is being subjected to abuse should not attempt to open up the conversation by any method of communication while that employee is working from home in case they are being monitored by the abuser. An in-person meeting in a safe location should be organised instead. Where employees are expected to work from home all or some of the time, it is recommended that an option to work from the work site is available to them when needed. In organisations where this is not possible, providing access to an alternative safe work location should be considered. While some employees who are being subjected to domestic abuse may welcome having access to the work site or an alternative safe space to work, employers should not make assumptions about an employee's needs. Following a disclosure and where an employee is a remote or hybrid worker, it is recommended that they are consulted on their safety and wellbeing needs regarding their work setting (see: Workplace safety).

Other considerations	Creating a disclosure-friendly workplace environment Organisations should consider how they will create an environment which signals safety and builds trust among employees that they will be supported safely and effectively should they need to seek support on domestic violence. Creating such an environment can encourage affected employees to disclose to a designated person or other employee in the workplace. Ideas to support creating a disclosure-friendly workplace environment Visible senior leadership commitment Genuine commitment to opposing domestic violence at the most senior levels of every organisation has a critical impact on building trust around the workplace response and sets the tone for how employees engage with the issue. Senior leaders' messaging should be visible to all employees and make it clear that anyone disclosing domestic abuse will be believed and supported. It could be in written, visual, or video format. A range of practical support options Providing a range of support options in addition to domestic violence leave demonstrates the organisation's commitment to supporting affecting employees (see: Supports available). Training and awareness-raising Providing training for designated person(s) and promoting that this has been done reassures employees that there are people in the organisation who have an understanding of what they are being subjected to (see: Awareness raising and training). Privacy and confidentiality Employers should consider what they can do to reassure employees that if they choose to disclose, privacy and confidentiality will be prioritised. It is helpful to extend this focus on confidentiality beyond the issue of domestic violence; it should be embedded as standard practice within all relevant organisational policies (see: Confidentiality).
	Trade unions In some cases, employees may seek out their trade union representative to disclose their experience of domestic violence. Where relevant, organisations may benefit from involving unions in the development of their workplace response to domestic abuse and defining the process for supporting impacted employees who disclose to a union representative.

6. Confidentiality

Background	Disclosing domestic violence is a time of heightened risk for affected employees (see: Disclosures) and improper handling of their information could have adverse consequences including serious injury or harm. Affected employees may also be concerned about the potential for reputational damage and negative professional consequences, including impacts on their career progression and losing their job if others find out about their situation. Disclosing information against the wishes of the affected employee therefore compounds the harm caused by the abusive person and may have a detrimental impact on future disclosures from other staff members. Clear, comprehensive policies and procedures to maintain confidentiality support a workplace culture in which employees feel safe talking to someone and seeking support.
Essential information	Any information pertaining to a domestic violence disclosure must be held in strict confidentiality. Employers must consider confidentiality with respect to: • Sharing information with others • Retaining records following a disclosure • Administration of domestic violence leave • Documenting domestic violence leave on payslips

Sharing information with others

Information regarding an employee's disclosure of domestic violence must be treated sensitively and only shared with those who need to know for the purposes of implementing a workplace safety plan (see: [Workplace safety](#)) or administering domestic violence leave (see: [Domestic violence leave](#)). Ideally, written permission to do so by the employee is sought in advance.

Sharing information with others does not have to equate to a breach of confidentiality; employers should consider how they can share information to achieve a specific outcome without releasing personally identifiable information about the employee or informing others of their disclosure of domestic violence.

Retaining records following a disclosure

The employer 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
- Details of abuse occurring in/near the workplace or using workplace equipment

Employers must balance prioritising employees' confidentiality with being compliant with record-keeping rules.

To do this:

Determine what information should be recorded.	The Policy Template outlines three types of information that may be recorded. The Act requires records of domestic violence leave to be kept for a period of three years. Recording the workplace safety plan is recommended for support (see: Workplace safety). Details of the abuse shared by the employee should only be recorded at their request and only as it relates to the workplace (see: Maintaining records).
Identify the person responsible for record-keeping.	The employer must aim to limit the number of individuals with access to confidential information.
Ensure confidential and secure storage of records	An employer should adapt its existing practices for managing sensitive employee information to address domestic violence.

All records must be securely stored, kept confidential, and retained only as necessary. Colleagues who receive disclosures, whether initially or as part of risk management, must maintain confidentiality. Where unauthorised disclosure takes place, it may be appropriate to invoke the disciplinary procedures.

Administration of domestic violence leave

The process to request any form of leave will differ across organisations. Every organisation should therefore review how leave is requested to understand where there may be steps in the process that may undermine confidentiality.

Where more than one employee is involved in administering domestic violence leave, employers should:

- Consider how to reduce the number of people involved in the process (see: [How to access the provisions of the policy](#)).
- Ensure the employee requesting the leave is fully informed of the process and gives their consent to proceed (see: [Confidentiality](#)).

Employers are required to keep a record of which employee has requested leave and the form of leave that was applied. To maintain confidentiality around this practice, it is recommended that domestic violence leave is coded in a discreet way. Records should also be accessible to a minimal number of staff who are in a position of high trust.

Some employers identify domestic violence leave as 'special leave' and group it with other forms of leave that fall within that category. While this limits the ability of a workplace to track uptake of the leave, it removes a potential barrier to employees accessing support. Access to these records is commonly restricted to HR employees only. Some employers restrict access even further by storing these records separately from others.

In principle, the process of requesting and approving domestic violence leave should be as discreet as it can possibly be within the existing systems and structures. This extends to calendar systems where leave is tracked and potentially visible to other employees. Where the existing practice undermines confidentiality in some way, employers should consider an alternative approach.

Documenting domestic violence leave on payslips

It is recommended that employers do not make any reference on payslips to domestic violence leave being taken. As employees availing of this leave are entitled to their full rate of pay, employers can record the leave as ordinary hours. Where the existing practice is to document leave on payslips, it is crucial to reevaluate the process to ensure confidentiality and safety. Where payroll is outsourced, it is also vital that the taking of the leave is not communicated as such.

Limits to confidentiality

The Policy Template lists three scenarios which create limits to confidentiality:

- 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.

In these cases, whether the employee agrees to their doing so or not, employers are not prevented from disclosing information.

Sharing information to protect the safety of employees and/or the public is specific to situations where there is an immediate and serious threat to someone's life or health. What constitutes a 'serious threat' will differ based on individual circumstances; the likelihood of the threat being realised, potential severity of the impact if the threat is realised, and whether the threat is imminent should all be considered.



Employers should consult the impacted employee, who is the best assessor of their own risk, to determine whether a situation should be deemed a 'serious threat'.

"If a 'serious threat' is imminent, it is critical to take immediate action and ring Police, whether or not the employee consents. However, if the impacted employee does not consent, it is important to respond with empathy and reassure them that their information will be kept private as much as possible in light of the particular situation. If, on the other hand, a 'serious threat' is not imminent, [...] ringing Police is unlikely to be helpful for the employee and may actually increase their risk of harm. However, it is important in these situations to get advice from domestic violence specialists."

Carrington and Williamson, 2023⁷

If a decision is made to share an employee's information about their experience of domestic violence without their consent, efforts must be made to prevent putting the employee at greater risk. The affected employee should, at the very least, be alerted about the action before it is taken. It is recommended that they are consulted on the decision and any impact it could have on their safety. In any of these instances where confidentiality cannot be maintained, the employee will be encouraged to contact a specialist domestic abuse service for support.

Other considerations



- Employers may have concerns about what to do if they receive a disclosure of domestic abuse and are aware that children are exposed to the violence. **The employer may offer information on support services to enable the employee to access assistance for themselves and their children** (see: [Referrals](#)). The Work Life Balance and Miscellaneous Provisions Act does not amend legislation regarding child protection.⁸
- Different organisations will face different obstacles to maintaining confidentiality. For example, the process of accessing domestic violence support in a large organisation may include more steps and require involvement from more people than in a smaller organisation. In a small organisation, an employee's absence while on domestic violence leave may be more noticeable than in a large organisation. Every organisation therefore needs to reflect on its own structure and processes and determine ways of maintaining confidentiality within these.
- Because of the critical impact of confidentiality on the workplace response to domestic violence, it is recommended that employers promote their commitment to maintaining confidentiality wherever possible. Maintaining confidentiality can be encouraged and practiced outside of a disclosure of domestic violence and abuse. For example, staff may be regularly reminded not to disclose information about a co-worker's whereabouts, shift times, personal contact information, etc. **Building confidentiality into core business practices contributes to creating an environment where employees feel safe to disclose their experience.**

⁷ Carrington, H. and Williamson, R. (2023) 'Responding to domestic violence within the workplace: reflections and recommendations from the DVFREE workplace initiative in Aotearoa New Zealand', Labour and Industry, 32(4), pp. 404-428

⁸ <https://www.tusla.ie/children-first/children-first-guidance-and-legislation/>

7. Supports available

Introduction

Domestic violence leave is a statutory entitlement. All other supports addressed in the Policy Template and Guidance Note are not legal requirements. However, embedding domestic violence leave within a broader system of workplace support, rather than offering it as a standalone measure, is a more effective approach to implementing the requirement.

Different organisations will have the ability to offer different supports based on their size, industry, resources, and more. The information on potential workplace supports provided in this Note is therefore only an example of some good practices. Employers are encouraged to think through what they can offer relevant to their own unique circumstances.

Both employees who are being subjected to domestic violence and those who are supporting a relevant person experiencing abuse are entitled to domestic violence leave. It is at the employer's discretion whether they choose to make other forms of workplace support available to both groups of employees or only to victim-survivors of abuse.

7.1 Domestic violence leave

Background	Many employees who are affected by domestic violence have to take time off work because of the abuse. They may have multiple urgent and important matters to attend to related to their experience. These include medical visits, attending and preparing for criminal and civil legal proceedings, counselling for themselves or their children, looking for a new home and relocating, visiting specialist domestic violence services, and more. It may not be possible to attend to these matters outside of working hours because the services are not available or because the activities must be hidden from the person abusing them. The introduction of domestic violence leave provides affected employees with paid time off specifically related to the issue rather than them having to take annual leave or, when that is exhausted, unpaid leave (see: Introduction).
-------------------	--

Domestic violence leave has positive impacts for both employees and employers:

Affected Employees	Employers
Retention of employment and financial independence, critical to being able to make choices about leaving an abusive ex-/partner.	Prevention and mitigation of impacts of domestic violence on work, such as improved productivity, reduced absenteeism, and overall reduced associated costs
Reduction in the risk of poverty and deprivation	Employee recruitment and retention
Enhanced safety	Strong staff morale and loyalty
Dignity in the workplace	Positive reputation

Background	If domestic violence leave is offered alongside other flexible working arrangements relevant to an individual employee's needs (see: Workplace safety), affected employees are empowered choose the option best suited to their needs, which in some cases may be less demanding on organisational resources. Privacy and confidentiality around the uptake of domestic violence leave is critical to ensure it is a viable and safe support measure for impacted employees. Economic abuse is a highly prevalent form of domestic violence (see: Introduction) and perpetrators of abuse are known to monitor payslips. Any indication that the employee did not attend work as usual may therefore jeopardise their safety. There is also a lot of stigma attached to domestic abuse; fear of the abuse becoming common knowledge in the workplace may prevent an affected employee from accessing domestic violence leave.
Essential information 	Employers are required to offer eligible employees up to five days of paid leave in any period of 12 consecutive months at their full rate of pay (see: Introduction).⁹ Organisations must carefully consider how confidentiality can be maintained around domestic violence leave, particularly in relation to administering the leave and documenting it on payslips (see: Confidentiality). An overarching principle is to ensure the uptake of domestic violence leave is only ever known of by the employee who has availed of it and the employee(s) who generated it.
Other considerations	The Act allows employees to give notice of domestic violence leave as soon as reasonably practicable after taking it. This accommodates situations where the leave is required in an urgent and unpredictable situation, not capable of advance notice. However, it is reasonable for employers to request affected employees to provide advance notice whenever possible. Similarly, many situations where leave is required are not capable of being supported by any document or other supporting evidence. The Act does not require evidence to support an application for domestic violence leave. There may be very limited, exceptional circumstances in which an employer may consider it appropriate to request supporting documentation, however, in the context of this Note, it is not considered to be within the spirit of the provisions of the Act to request supporting documentation of any kind.

⁹ For full detail of domestic violence leave legislation, see the Work Life Balance and Miscellaneous Provisions Act 2023. Available at: <https://data.oireachtas.ie/ie/oireachtas/act/2023/8/eng/enacted/a0823.pdf>

7.2 Special leave

Background	Research shows that both the uptake of domestic violence leave and the number of days taken are low ¹⁰ . However, those employees who most need to avail of the leave may find that the legal entitlement of up to five days in a 12-month period is not enough to meet their needs. Some employers in Ireland, from a range of sectors, have chosen to offer employees up to 10 days or more of domestic violence leave.
Essential information	It is at the discretion of each employer whether they wish to provide more days of leave for the same purposes as domestic violence leave. Where they choose to do so, the same considerations to its implementation should be applied (see: Domestic violence leave).

7.3 Workplace safety

Background	Perpetrators of domestic violence and abuse are known to go to extreme lengths to take steps to influence, control, or negatively impact their victim's employment. Their abusive behaviours can disrupt the work environment through behaviours such as harassment, stalking, and acts of sabotage. Workplace disruptions can also be caused indirectly when the personal impacts of domestic violence prevent an employee from reaching their full potential in work. Affected employees' safety, productivity, and participation in employment may be negatively impacted, making it challenging to retain employment and having knock-on effects on career progression and financial security. Employees who are being abused will already be working hard to try to keep themselves, their children, and dependents safe. The workplace can support these endeavours by including a safety and wellbeing planning process as part of their response to disclosures of domestic abuse. This is known as a 'workplace safety plan' and it can enhance protection for affected employees, to help them safely and meaningfully engage in their work.
-------------------	--

10 Breckenridge, J. et al. (2015). Implementation of Domestic Violence Clauses - An Employer's Perspective. Sydney: Gendered Violence Research Network at University of New South Wales. Available at: <https://actuorg.azurefd.net/media/media/886612/implementation-of-dv-clauses-an-employers-perspective.pdf>

A thorough workplace safety plan recognises that the 'workplace' is wherever employees carry out their work, not just the main work site. It also considers the journey to/from the workplace, understanding that abuse may be experienced outside the workplace but still be relevant to work.



- It is important to note that consideration of these matters is not a reflection of, or in any way determining any liability on the employer in respect of the employee's safety on foot of factors outside the employer's control. The context is to take reasonable steps to support and protect the employee.

A workplace safety plan guide is included in the appendix (see: [Appendix A](#)).

Other considerations 	Employers should consider whether their organisation can offer particular support options in line with their industry, expertise, work setting, and so on. For example, a company which supplies home surveillance systems may be well placed to support impacted employees to equip their home with security cameras. In addition to the workplace safety plan, any existing safety statements and risk assessment obligations should be followed. Existing policies on occupational health and safety may also be useful to further support the impacted employee. For example, a workplace with public-facing employees may already have a policy on third party violence and harassment that can be amended to address the perpetration of domestic violence.
--	--

7.4 Referrals

Background	Although employers have a powerful role to play in supporting employees subjected to domestic violence and abuse, a safe and effective response does not stop there. Affected employees will benefit from being referred to external specialist services. These may be specialist domestic violence support services in the community but may also include third-party resources such as an Employee Assistance Programme (EAP). Connecting employee victim-survivors to community help-seeking pathways in particular creates an opportunity for them to receive support from specialists who are experienced in responding to the complexities of domestic abuse and can offer the sustained support that the workplace response cannot provide. Specialist domestic violence services are also equipped to coordinate their response with key community partners, such as the Gardaí, ensuring a more effective response especially in high-risk situations. Ensuring staff can access external specialist services is also beneficial to the wellbeing of those who are supporting affected employees. It reinforces the boundaries of their role and provides reassurance that it is not up to them to 'fix' the issue (see: Disclosures > Professional boundaries). Also, given the high prevalence rate of domestic violence and the sensitivity of the issue, staff may need a supportive space to debrief from any related actions and/or seek guidance on responding to employees subjected to abuse. Connecting organisations to specialist local and national services positions the workplace within the wider community response to domestic abuse. Different components working together rather than in isolation is at the heart of the Third National Strategy on DSGBV¹¹ and creates the potential to transform understanding and attitudes about domestic violence more broadly, moving Ireland towards achieving zero tolerance¹².
--------------------------	--

¹¹ <https://www.gov.ie/pdf/?file=https://assets.gov.ie/228480/67b6e3af-a0d2-4d70-889f-0b1e2001995b.pdf#page=null>

¹² <https://www.gov.ie/en/campaigns/fb746-zero-tolerance/>

Essential information 	The Policy Template provides a list of recommended specialist services and their contact information, which should be included and kept up to date. Workplace support in terms of referral could be done by offering contact details for these services to affected employees. Employers can also consider how they may support employees to access these services safely, such as by providing a private location and device from which to do so while at work. As with all support measures, employees should be empowered to make their own decisions about which options to avail of, if any, and this includes contacting an external service. The Policy Template also provides space for employers to list relevant workplace contacts. Depending on the organisation these could include: • Designated person(s) (see: How to access the provisions of the policy > Designated person) • Occupational health physician • EAP Referral to a specialist domestic violence service should always be done alongside referral to any workplace contacts. Connecting employees to external specialist support is built into the process of developing a workplace safety plan (see: Workplace safety). Where there is a delay between receiving a disclosure of domestic violence and developing the workplace safety plan, information about specialist services should be offered in the interim.
Other considerations	Organisations which have access to an EAP are encouraged to investigate whether the provider is response and referral ready in relation to domestic violence and abuse, and to explore and communicate to employees regarding the extent of supports available. Employers should consider other ways of connecting employees to external support services. For example: • Request promotional material such as posters from external specialists and display them in a conspicuous location, physically or digitally. • Contact a local or national specialist domestic abuse service to understand what support they can offer the workplace.

7.5 Financial assistance

Background	Economic abuse is a form of domestic violence that is frequently perpetrated alongside other forms of abuse, with some estimates suggesting 95% of victim-survivors are subjected to it¹³. Perpetrators of economic abuse may take control of the victim-survivor's bank accounts, income, spending, bills, and borrowing. They may also control access to resources such as transport, technology, and even clothing, which may limit the ability of the person being abused to attend work, get educated, stay connected to others, and more. Employment is a resource which creates the potential for financial independence and is therefore commonly targeted by an abusive ex-/partner or family member. Employees who are subjected to domestic abuse may have little or no savings or financial means and may have to survive on very tight budgets. There are often many expenses and financial issues to be considered by victim-survivors, including: relocation, legal fees, medical expenses, counselling, etc. They may also be responsible for debts incurred by the perpetrator. This can all make it very difficult for a person to achieve safety and autonomy.
Essential information	Financial assistance is not only related to money; it could be anything that assists employees to be more financially independent and supports them economically. Discussing financial support options with employees is built into the process of developing a workplace safety plan. The Policy Template suggests two types of financial assistance that are accessible to many organisations and the workplace safety plan guide includes more ideas for financial assistance (see: Workplace safety).
Other considerations	Employers should consider whether their organisation can offer particular support options in line with their industry, expertise, work setting, and so on. For example, banking institutions may be well placed to support impacted employees with information and support around economic abuse.

¹³ <https://survivingeconomicabuse.org/what-is-economic-abuse/>

7.6 Employment protections

Background	The perpetration of domestic violence and abuse can have significant impacts on employees subjected to it and the workplace more generally (see: Introduction). It may cause negative impacts on an affected employee's work performance or create concerns about their behaviour that could result in disciplinary action. For example, an abusive partner may limit an employee's access to the internet when working from home, causing them to miss deadlines and meetings, and be unavailable at times they are expected to work. Over time, this could lead to disciplinary action being taken against the employee due to the consequences on their performance. In so doing, the employer inadvertently acts as a pressure point on the impacted employee, which may lead to them deciding to quit their job rather than face the shame of further difficult conversations at work and/or potentially being let go.
Essential information 	Where an employee has disclosed domestic violence and there are concerns about their behaviour or work performance, employers should consider offering temporary protection from disciplinary actions or a reassessment of the employee's workload. When doing so, they should clearly define: • What protective measures they will offer. • How long these protective measures should last before being reviewed. • What will happen at the review stage. Discussing employment protection measures with employees is built into the process of developing a workplace safety plan and the guide offers examples of what form they could take (see: Workplace safety). Being employee-led is a key principle underlying the provision of all workplace supports, however it is worth particular consideration here. It should not be assumed that an impacted employee's performance is suffering as a result of the abuse. Many victim-survivors find that work gives them a sense of self-esteem and confidence and applying protective measures without their consent could undermine the benefits they gain from working.

7.7 Maintaining records

Please review [Confidentiality > Retaining records following a disclosure before reading](#). This section relates exclusively to the optional recording of information an employee has shared about the domestic abuse to which they have been subjected.

Background	When an employee discloses domestic violence they may choose to share some detail about the forms of abuse to which they have been subjected. The information they share may relate specifically to the workplace but may also extend to experiences that have not directly impacted work. Should the affected employee decide at some point to seek protection from the Gardaí or the courts, they will need a record of what has been done to them to prove their experience and help establish that it is a pattern of abuse. Records of the abuse they have experienced in relation to work could be helpful in such cases. Examples of useful records: • Copies of emails, phone records, voicemails, etc. received on work communication channels. • Evidence of abuse over the internet, digital technology, and social media platforms. • Records of interaction with services such as support services or occupational health services. • Witnesses: For example, colleagues may be able to give evidence about the affected employee being monitored or stalked and the impact it has had on them. • Notes of threats made by the perpetrator to coworkers. • A personal diary with dates, incidents, and any statements made to the Gardaí.
Essential information 	Details of the abuse shared by the employee should only be recorded at their request and only as it relates to the workplace. No details of disclosed abuse experienced outside the workplace, unless directly impacting work, should be included. If records are retained, they must be kept confidential and stored securely (see: Confidentiality).

8. Conduct in the workplace

Background	The high prevalence of domestic violence makes it likely that, just as an organisation may have victim-survivors of domestic abuse within its workforce, it may also include perpetrators of violence, abuse, and coercive control. Aside from their impact on employee victim-survivors and their co-workers, employees who perpetrate domestic abuse may use work property, time or equipment to do so, with consequent impacts on their own attendance, performance, and safety at work. Their behaviour and its impacts result in a high cost to the workplace. Employers may also face reputational damage if employees are associated with the perpetration of abuse, especially if they are organisational leaders or in roles requiring a high level of public trust. There are two main circumstances in which concerns around an employee's conduct with respect to domestic abuse should be considered: • An employee perpetrates domestic abuse against an individual who is not employed in/for the same organisation, or • Both an employee disclosing domestic violence and an employee who is alleged to have perpetrated the abuse work together in/for the same organisation. A robust workplace response to domestic violence should therefore address employees' conduct in the workplace, whether the person targeted by their abuse is employed in the same organisation or not. A response that is solely focused on employee victim-survivors may inadvertently hide the perpetrator of abuse from view and reinforce a common misconception that the victim-survivor is responsible for stopping the violence rather than the perpetrator.
Essential information 	Employees should be made aware that the perpetration of domestic abuse in the workplace, during work time, or through work equipment is viewed seriously and can lead to disciplinary action being taken, up to and including dismissal. Employers can communicate this by making a connection between their response to domestic violence and the organisation's values or Code of Conduct in their workplace domestic violence policy and in any messaging around it. Accountability of employees who perpetrate domestic violence and abuse can also be linked to existing organisational practices and policies, such as those on technology usage or bullying and harassment.

Both parties employed in the same organisation

In circumstances where the disclosing employee and the employee allegedly perpetrating domestic violence work in the same organisation, the employer should consult with the disclosing employee in consideration of their safety and wellbeing while recognising that all individuals have a right to fair process and procedure. On balance, disclosing employees' needs and safety must be prioritised.

There are complex issues for employers to consider in this context, such as natural justice. It is advisable in this context that the employer seek specific advice for guidance in ensuring fair procedure for all employees.

Considerations when both parties are employed in the same organisation

Maintaining confidentiality 	- Confidentiality is a key principle behind any workplace response to domestic abuse. It is particularly critical in this situation and should be given extra attention (see: Confidentiality). - The role of the employee allegedly perpetrating abuse should be taken into account. If it affords the employee access to information about the disclosing employee, this is a safety and confidentiality concern that should be addressed. - The disclosing employee may wish to seek workplace support without the employee allegedly perpetrating the abuse being alerted to this fact. Any such requests should be supported.
Understanding the disclosing employee's safety needs 	- Meet the employee who has disclosed domestic violence privately. - Develop a workplace safety plan with due consideration to the particular situation. Be employee led, as always, when developing the workplace safety plan (see: Workplace safety). No actions should be undertaken without their agreement. - Prioritise the disclosing employee's needs so they are not disadvantaged if decisions need to be made about relocation or changes to their role.
Following organisational policies 	- Where a domestic violence policy is in place, this can work in conjunction with relevant existing policies, including disciplinary procedures. - As appropriate, invoke the relevant policy, ensuring that due process is applied. - Manage expectations of the disclosing employee where there may be limited powers for the employer to intervene, particularly in relation to abuse perpetrated outside of the workplace or work hours.

Other considerations

Concern for their personal safety and wellbeing may create a particularly strong barrier to disclosing domestic violence in situations where both parties work in the same organisation. Employers should consider how to make support options available to employees without the need to disclose. For example, referral information may be regularly shared or posted in a visible location (see: [Referrals](#)).

9. Awareness raising and training

Background	For a workplace response to domestic violence and abuse to be useful in practice, employees must be aware of any policy's existence and understand what the employer's response may entail. When designated person(s) have this awareness, they are more capable of responding to disclosures, and affected employees may feel less stigmatised and therefore more likely to seek support. Creating awareness of the workplace response is a crucial step during the initial implementation phase and on an ongoing basis. Training on recognising and responding to domestic abuse at work also has the potential to positively influence the implementation of a workplace response to the issue in many ways: • Creates awareness of the workplace response to domestic violence and abuse. • Supports employees to respond to disclosures of domestic abuse at work effectively by giving them an understanding of the dynamics of abuse, breaking down pervasive myths about the issue, and equipping them with the language and tools to respond safely. • Builds awareness of the signs of domestic violence at work and how to respond when they are spotted, enabling employees to open up the conversation and lend their support to co-workers they are concerned about. • Encourages affected employees to access domestic violence leave and other available supports by helping them to recognise their own experience as domestic violence. • Supports a reduction in the proportion of individuals who view domestic violence as acceptable and decreases stigma around the issue.
-------------------	--

Essential information	All employees should be made aware of the provision of domestic violence leave and how to access it. Where a fuller workplace response to domestic abuse has been established, awareness raising should extend to all parts of it. Information about domestic violence leave and/or the full workplace response should be easy for staff to access and understand. It should be shared on an ongoing basis. Options for raising awareness about the workplace response to domestic violence • Have senior organisational leaders announce the workplace response. • Add information wherever employees access information related to health, safety, and wellbeing. • Provide information to employees at staff meetings. • Post information in a conspicuous location at the work site(s). • Distribute digital posters or information leaflets. • Include information in staff induction processes. • Remind employees where to find the information at certain key times of the year (e.g. 25th November – International Day for the Elimination of Violence Against Women). Different levels of training may be suited to employees based on their role and its relation to the workplace response to domestic abuse. For example, senior leaders and designated person(s) will benefit from detailed training on recognising and responding to domestic abuse and, where there is one in place, the workplace domestic violence policy. General staff may be more suited to a concise awareness presentation providing basic understanding of core domestic violence concepts. It is not recommended that training and awareness raising initiatives which require staff to actively participate are made mandatory. Given the high prevalence of domestic violence, there is always the possibility that an employee has personal experience of the issue and may find the content distressing. For the same reason, it is recommended that specialist and workplace support contacts are highlighted at any such events (see: Referrals).
-------------------------------------	---

Other considerations

When raising awareness about the workplace response to domestic violence, employers are encouraged to consider how this can be done in ways that reach all staff, particularly those who may be harder to communicate with. Examples of such employees are shift workers, those who are not site-based, casual workers, or those whose preferred language is different to the dominant one used in the workplace. Different methods may need to be used together to reach all employees.

Organisations will have varying capacity and resources to provide their employees with training on domestic violence and abuse. Organisations with limited logistical and/or financial resources to do so could consider engaging with the following to access training:

- Local or national specialist domestic violence support services
- Employer representative bodies
- Relevant business networks
- Trade unions

These groups may be able to support organisations with training delivery, awareness talks, and more.



Although training specifically on recognising and responding to domestic violence and abuse is recommended, some organisations may also already offer other types of training that are supportive of the workplace response to domestic abuse. This could be training on managing difficult conversations and other facets of good management practice or even training on broader issues such as gender equality/sensitivity.



10. Frequently Asked Questions (FAQ)

Domestic violence leave legislation	Who is eligible for domestic violence leave? All employees are eligible for domestic violence leave. This applies irrespective of gender, length of service or any other factor. The applicability of domestic violence leave to particular circumstances will depend on them meeting the definitions contained in the legislation. The following sections in this Guidance Note provide further information: 2. Introduction 3. Eligibility 7.1 Domestic violence leave What does 'cohabitant' mean in the context of the legislation? 'Cohabitant' is not defined by the legislation introducing domestic violence leave. It is, however, defined in Section 172 (1) of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act, 2010, as follows: <i>For the purposes of this Part, a cohabitant is one of 2 adults (whether of the same or the opposite sex) who live together as a couple in an intimate and committed relationship and who are not related to each other within the prohibited degrees of relationship or married to each other or civil partners of each other.</i> Does the legislation apply to small organisations? The legislation applies to all employees in all employments, irrespective of the size of the organisation. This Guidance Note has been developed with this in mind (see: 1. About the Guidance Note). How should payment of domestic violence leave be calculated? An employee is entitled to a full day's pay in respect of domestic violence leave. Regulations have been introduced to provide guidance on calculating a 'day's pay' where the amount paid to the employee is variable. The regulations can be accessed here: S.I. No. 574/2023 - Parental Leave Act 1998 (Section 13Aa) (Prescribed Daily Rate of Domestic Violence Leave Pay) Regulations 2023.
--	--

Accessing domestic violence leave	Employees impacted by domestic abuse may be hesitant to take domestic violence leave. How can they be supported in the workplace to access the leave? It is always employees' prerogative to decide whether or not they wish to apply for domestic violence leave, recognising that it is effectively a disclosure of domestic violence. We advise that employers ensure the leave is easily accessible, so that the choice, made by the employee, is informed and facilitated. The following sections in this Guidance Note provide further information on ensuring domestic violence leave is made as accessible as possible to employees: 4. How to access the provisions of the policy 5. Disclosures > Creating a disclosure-friendly workplace environment Other recommendations include: • Maintaining confidentiality (see: 6. Confidentiality) • Embedding domestic violence leave within a standalone policy on workplace support for impacted employees (see: 1. About the Guidance Note) Is it better to call domestic violence leave 'special leave' so employees aren't discouraged from availing of it? In communicating the availability of domestic violence leave, we consider it essential that it is referred to as domestic violence leave. In the practical implementation of the leave, e.g. how it is applied for, notified, or recorded, it would be advisable to do so in a manner that optimises confidentiality and discretion. Doing so may involve the leave being called 'special leave' or another generic term. For further information see: 6. Confidentiality. Within this Guidance Note, 'special leave' refers only to additional days of leave employers may wish to provide for the same purpose of statutory domestic violence leave (see: 7.2 Special leave). What process should employees follow to avail of domestic violence leave? It is a matter for each employer to give effect to the legislation by ensuring that employees are aware of the leave and how to apply for it. This can be the same process as other types of leave. For further information see: 4. How to access the provisions of the policy.
---	---

Administration of domestic violence leave	How should domestic violence leave be recorded? There is no prescribed form or method that an employer is required to use for the application of domestic violence leave. We advise that existing practices and processes be considered, with modifications as appropriate to ensure ease of access and discretion. The following sections in this Guidance Note provide further information: 6. Confidentiality > Retaining records following a disclosure 6. Confidentiality > Administration of domestic violence leave What approach should be taken if the process for administering domestic violence leave involves multiple parties (e.g. manager and HR have to jointly approve)? We advise that existing practices and processes be considered, with modifications as appropriate, to ensure ease of access and discretion. The following sections in this Guidance Note provide further information: 6. Confidentiality > Sharing information with others 6. Confidentiality > Administration of domestic violence leave Is it acceptable to record domestic violence leave outside of a HR system? As there is no prescribed form or method that an employer is required to use for the application of domestic violence leave, it is acceptable to record the leave in a manner other than an electronic (or other) recording system, as long as the employer is in a position to demonstrate compliance with their obligation to apply the leave as prescribed, and to keep proper records. We advise that existing practices and processes be considered, with modifications as appropriate to ensure ease of access and discretion. The following sections in this Guidance Note provide further information: 6. Confidentiality > Retaining records following a disclosure 6. Confidentiality > Administration of domestic violence leave Are employees required to give evidence to support their request for domestic violence leave? This question is addressed in section 7.1 Domestic violence leave > Other considerations.
---	---

Responding to disclosures of domestic violence and abuse	What is the best way to respond to an employee who has requested domestic violence leave or disclosed their experience in another way? This question is addressed in section 5. Disclosures with particular attention drawn to section 5. Disclosures > Responding to a disclosure. Training on recognising and responding to domestic abuse at work also supports employees to respond to disclosures effectively (see: 9. Awareness raising and training). How should an employer handle a situation where an employee on probation makes a disclosure of domestic abuse? Whether or not an employee is within the probationary period does not, in and of itself, have an impact on any aspect of entitlement to domestic violence leave. For further information see: 3. Eligibility. How do employees make sure they are not crossing a line in terms of identifying and responding to domestic violence in the workplace? We recommend applying three key principles to support a safe and effective response to domestic abuse in the workplace: Maintain confidentiality, be employee-led, and lean on existing practices and policies (see: How to read the Guidance Note). The following sections in this Guidance Note answer this question in more detail: 5. Disclosures > Opening up the conversation 5. Disclosures > Responding to a disclosure 5. Disclosures > Professional boundaries How do you respond if both the victim-survivor and the alleged perpetrator work in the same organisation? Employers have a duty of care to all employees and to treat them appropriately in the relevant circumstances. For further information see: 8. Conduct in the workplace.
---	--

Limits to confidentiality	Is there an obligation on employers to inform the Gardaí where they are on notice that an employee is being subjected to domestic violence? Information pertaining to a domestic violence disclosure should be held in strict confidentiality. For further information see: 6. Confidentiality > Sharing information with others. Where there is an immediate and serious threat to someone's life or health, it may be necessary to share information to protect the safety of the employee and/or the public. Section 6. Confidentiality > Limits to confidentiality addresses this in more detail. If an employee discloses domestic abuse and the employer is aware they have children, should a report be made to Tusla? This question is addressed in section 6. Confidentiality > Other considerations.
----------------------------------	--



Training and awareness	Should employees receive training on this topic? There is no requirement for training in respect of the provision of domestic violence leave for employees. There are, however, many benefits to employers providing training on recognising and responding to domestic abuse at work, where this is possible. For further information see: 9. Awareness raising and training. Is there a recommended training programme to support the implementation of domestic violence leave? The support materials and services for employers that the Department of Children, Equality, Disability, Integration and Youth contracted Women's Aid to develop do not extend to a training programme. The following sections in this Guidance Note provide suggestions on whom to contact for training support: 9. Awareness raising and training > Other considerations Appendix B: Additional Resources > Workplace awareness raising and training on domestic abuse Should an announcement be made to all employees that domestic violence leave is now available? While there is no legal requirement for employers to announce the availability of domestic violence leave, there is a requirement to make the leave available and accessible for those to whom it may apply. We do, therefore, recommend raising awareness of this employee entitlement during the initial implementation phase and on an ongoing basis. For further information see: 9. Awareness raising and training. Are posters or leaflets available to raise awareness in the workplace about domestic violence leave and domestic abuse generally? The support materials available can be found at www.DVatWork.ie until the end of March 2024. However, local or national specialist domestic violence support services may be in a position to provide awareness materials. For further information see: Appendix B: Additional Resources > Workplace awareness raising and training on domestic abuse.
--------------------------------------	---

Appendix A: Workplace safety plan guide

This sample workplace safety plan guide gives an overview of different areas of potential consideration when supporting an employee subjected to domestic violence to be safe at work. It offers examples of actions that employers can take to meet this objective. The support options listed are optional and not exhaustive. The specific actions that can be implemented will depend on individual organisations and the resources available to them.

Instructions for use	
	- Schedule a private, in-person meeting with the impacted employee in a safe location. - Explain the objective of the workplace safety plan: To determine what the employer can do to help the employee be safe at work.
	Reassure the affected employee that the contents of the workplace safety plan will be based on their own needs and wishes.
	Discuss each area of consideration in the table below, asking the employee to identify any relevant concerns they have around their safety as a result of the abuse.
	Outline any actions the workplace can take to support the affected employee for each concern raised, being sure to explain any limits to confidentiality that may result from certain actions being adopted.
	- Record any actions the impacted employee agrees to include in the workplace safety plan. - Store the workplace safety plan securely. - Implement the actions on the workplace safety plan.

Area of consideration	Examples of potential support options
Travelling to/from work	Establish safety measures around employee's journey to/from work. Examples: • Provide parking space, well-lit and close to main entrance • Monitor parking space by camera • Escort to/from means of transport • Provide alternative means of transport to travel to/from work
Safety on and off site	Establish safety measures to support employee while working on or off site. Examples: • Provide locked entries/exits • Install personal or fixed alarms / panic buttons • Maintain confidentiality around the employee (shifts, location, contact details) • Remind staff of safe workplace access procedures and how to respond if they encounter strangers in the workplace • Ensure employee does not work alone, especially when working in a public facing role • Relocate employee to a safer area of the work site or a new work site • Set up additional check-in procedures with co-workers/manager when employee is working off site • Consideration of existing Protection, Safety or Barring Orders protecting the employee
Working from home	Establish safety measures for employees working from home fully or partially. Examples: • Identify a 'safe word' or gesture an employee can use to indicate help is needed and agree a response to this • Establish regular in-person meetings for unmonitored contact with the employee • Provide an alternative work location

Area of consideration	Examples of potential support options
Workplace communication	Establish safety measures around workplace communications to prevent or lessen the impacts of abuse, harassment, or stalking. Examples: • Change employee's contact information (phone, email, etc.) • Screen and track phone calls/voicemail • Check work equipment for spyware, tracking devices, etc. • Update emergency contact number if currently set to perpetrator (without alerting them of the change)
Flexible working arrangements	Establish flexible working arrangements that support the employee's safety while at work and when navigating their way to safety. Examples: • Change/vary start/finish times and/or shift pattern • Relocate to different work site • Domestic violence leave / Special leave
Financial/economic needs	Establish ways of supporting the employee to retain/regain financial independence. Examples: • Reroute some or all of the employee's pay to a different account • Support employee to engage with financial institution(s) regarding economic abuse • Assist with short term accommodation and relocation options • Provide family rooms for employees attending work with children
Performance and behaviour	Establish whether the employee requires employment protection measures if their work performance and behaviour are impacted by the abuse.. Examples: • Temporary protection from dismissal and other disciplinary actions • Reduced workload • Reassignment to less demanding work responsibilities

Area of consideration	Examples of potential support options
Employee absence	Establish how to respond to the employee being unexpectedly absent from work. Examples: • Develop response system if employee unexpectedly does not show up for work • Ask for permission to check in with employee while on domestic violence leave (includes establishing frequency and method)
Perpetrator presence/contact	Establish a process for safely responding to the perpetrator's presence or contact attempts. Examples: • Develop response system if perpetrator shows up at work or contacts workplace • Review workplace security measures and procedures • Provide perpetrator's photo, car make/model/license plate number, etc. to security/front of house employees
Specialist support	Connect employee to specialist support services for sustained and expert support. Examples: • Offer information to access additional, specialist support (see ‘Referrals’ section of domestic violence policy) • Provide safe location and device to contact specialist support services
Ongoing workplace support	Determine employee's preferred approach to ongoing workplace support following a disclosure. Examples: • Establish preferred frequency/approach to follow-up conversations about the issue • Schedule review of workplace safety plan
Sharing information	Depending on the outcome of each section of the workplace safety plan, information about the employee's disclosure may need to be shared with others. • Determine which employees information may need to be shared with to implement workplace safety plan and request consent to do so • Establish a secondary contact for the safety plan in case the primary contact is unavailable

Appendix B: Additional Resources

Statutory domestic violence leave

- Support materials and services for employers developing domestic violence workplace policies: www.dvatwork.ie
- [Work Life Balance and Miscellaneous Provisions Act 2023](#) (section 7)
- [Third National Strategy on Domestic, Sexual and Gender-Based Violence](#) (action 2.4.10 on p.27 of the Implementation Plan)
- [Government campaign: Zero Tolerance for Domestic, Sexual and Gender-Based Violence](#)
- [Prescribed Daily Rate of Domestic Violence Leave Pay - Regulations 2023](#)

Information on domestic violence and abuse

Women's Aid

<https://www.womensaid.ie/get-informed/facts/>

<https://www.womensaid.ie/what-is-abuse/types-of-abuse/>

<https://www.womensaid.ie/get-help/your-rights-options/coercive-control-law/>

<https://www.womensaid.ie/get-help/talk-to-us/other-languages/>

<https://www.womensaid.ie/what-is-abuse/real-stories/>

<https://www.womensaid.ie/get-help/lgbti-support/>

Too Into You

<https://www.toointoyou.ie/what-is-abuse/>

<https://www.toointoyou.ie/stories-from-survivors/>

Surviving Economic Abuse

<https://survivingeconomicabuse.org/>

An Garda Síochána

<https://www.garda.ie/en/crime/domestic-abuse/what-is-coercive-control-.html>

Men's Development Network

<https://mensnetwork.ie/mal>

OSHA EU

<https://osha.europa.eu/en/publications/building-safe-spaces-domestic-violence-and-workplace>

Responding to domestic violence and abuse

Women's Aid

<https://www.womensaid.ie/get-help/>

<https://www.womensaid.ie/get-help/helping-someone-else/>

Safe Ireland

<https://www.safeireland.ie/get-help/>

The following resources have been produced for another jurisdiction. The resources are provided here as support but all elements might not be applicable to this jurisdiction.

<https://www.workplacesrespond.org/quiz/virtual-training-exercise-supervisor-responds-employees-experience-domestic-violence/>

Video: [Supervisors Can Make a Difference: The Workplace Impact of Domestic and Sexual Violence and Stalking](#)

Workplace awareness raising and training on domestic abuse

Women's Aid

<https://www.womensaid.ie/get-training/support-for-employers/>

<https://www.womensaid.ie/get-help/support-services/find-support-locally/>





An Roinn Leanaí, Comhionannais,
Míchumais, Lánpháirtíochta agus Óige
Department of Children, Equality,
Disability, Integration and Youth

Women's  Aid