

STRONGER TOGETHER
CONGRESS
Irish Congress of Trade Unions
Northern Ireland Committee

Labour
Relations
agency
improving employment relations

Safe at home **Safe at work**

Guidance for Employers and Trade Unions
on how to support employees affected by
domestic violence and abuse

August 2022

Key Takeaways

Employers should:

- Consult with employees and trade unions, where appropriate, to develop, implement and maintain a domestic violence and abuse policy taking into account the law and best practice.
- Publicise the policy, including sources of help and support for those experiencing domestic violence and abuse.
- Consider a programme of training for all employees but specifically managers and HR professionals.
- Foster a culture of openness that will help to break the silence around this important issue, encourage conversations to happen so that employees feel comfortable raising issues and seeking help.
- Review all other associated workplace policies that may interact with the domestic violence and abuse policy to ensure consistency across all policies.

Safe at home
Safe at work

Introduction

There is a considerable body of evidence which demonstrates that domestic violence and abuse is a workplace issue¹. Whilst the impact on the world of work has been acknowledged for many years, given the increase in incidents during the pandemic when victims were isolated at home with their perpetrator with little or no access to support, there has been a renewed focus on how those experiencing domestic violence and abuse can be supported.

Given the effect of domestic violence and abuse on the workplace, it is essential that employers are knowledgeable about both their obligations and best practice in terms of supporting employees. Due to the changing nature of work, specifically as working from home and hybrid working continue in many sectors, employers also need to consider how support can be maintained for employees regardless of their place of work.

The Northern Ireland Executive has directed that a strategy to End Violence Against Women and Girls be developed and has cross department support. Read more about this and the Bystander Approach² [here](#).

Furthermore, the Northern Ireland Executive is updating the Domestic and Sexual Violence and Abuse Strategy. Read more [here](#).

In addition to the Northern Ireland Executive's strategies, the recent Domestic Abuse (Safe Leave) Act will mean that employers in Northern Ireland will have a duty to offer at least 10 days' paid leave for victims of domestic abuse.

This practical guide developed by the Irish Congress of Trade Unions and the Labour Relations Agency aims to assist employers and trade unions navigate issues associated with domestic violence and abuse in the workplace. It provides an overview of why this has become a pressing workplace issue, the legal obligations and the importance of drawing up and putting in place a workplace policy as a 'good first step' in supporting employees experiencing domestic violence and abuse. There are signposts to additional information throughout the document.

The guide also includes a sample Domestic Violence and Abuse Policy for employers. The policy should be adapted to suit specific business needs, where appropriate and is suitable for employers regardless of sector, size and financial or other resources.

¹ <https://www.ictuni.org/publications/ictu-domestic-violence-survey-results> also <https://www.etuc.org/en/document/safe-home-safe-work-final-report-national-country-studies> <https://www.ilo.org/global/topics/violence-harassment/lang--en/index.htm>

² A Bystander is someone who might witness a problematic situation, they are not usually directly involved, but are present when either an incident occurs or they are informed after it has happened.

What is Domestic Violence and Abuse?

Domestic violence and abuse has been described as “Threatening, controlling, coercive behaviour, violence or abuse (psychological, virtual, physical, verbal, sexual, financial or emotional) inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability) by a current or former intimate partner or family member.”³

Anyone can experience domestic violence and abuse. Although it predominantly affects women with a male perpetrator, it is also important to remember that men can be the subject of domestic violence and abuse, and it can happen in same-sex relationships.

The enactment of the new domestic abuse offence within the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 means that the protection offered to victims is no longer limited to physical abuse. This legislation means that non-physical abuse, behaviour that is controlling or coercive in nature is now a crime. Watch: Justice Minister and Chief Constable reflect on the new domestic abuse offence [here](#).

The Police Service of Northern Ireland (PSNI) statistics show increasing levels of domestic abuse across Northern Ireland. For more information see [here](#).

³ [The DHSSPS and DOJ Stopping Domestic & Sexual Violence and Abuse in Northern Ireland Strategy 2016](#)

Why is Domestic Violence and Abuse a Workplace Issue?

Domestic violence and abuse are workplace issues for a number of reasons:

1. Domestic violence and abuse that an individual experiences at home is likely to have a direct impact on every aspect of their life, including their work life.
2. Staff members who work from home, whether for all or some of their working hours, may lack a safe space away from the perpetrator of the domestic violence and abuse. In addition, domestic violence and abuse may extend to the workplace itself, as the perpetrator may harass the victim at work (for example, by attending the workplace in person or by telephoning or sending messages to the workplace). Harassment and/or physical violence may also extend to other employees.
3. Coercive control is a systematic pattern of behaviour with the purpose of undermining a victim and creating fear through threats, humiliation and intimidation and depriving an individual of support and independence. It is a psychological or emotional form of abuse used to control and limit the freedom of an intimate partner. This has the effect of spilling over into the workplace and can negatively affect a victim's productivity, absenteeism and employment prospects.

4. Technological or digital abuse can provide a perpetrator with even more ways to threaten and control virtually through email, text messages, telephone messages, online, social media, etc. The perpetrator may for example, send abusive texts or emails, demand access to the victim's .
5. Economic abuse is one of the most prevalent forms of domestic violence and abuse. It may include attempts to interfere with the victim's work by, among other things:
 - i. Damaging job security and career prospects.
 - ii. Controlling working hours or ability to participate in work-related activities.
 - iii. Causing the victim to be late for work or insisting on driving them to and from work.
 - iv. Destroying work clothes.
 - v. Isolating the victim from colleagues.
 - vi. Demanding that earnings be paid into a specific bank account or diverting monies paid into a joint account.
 - vii. Destroying the victim's confidence so that they feel unable to work.
 - viii. Causing injuries that result in sickness absence.

Domestic violence and abuse can happen to anyone and it is important to remember that employees at all levels of an organisation or company from 'shop floor' to Managing Director can be victims. Domestic violence and abuse can affect a victim's ability to concentrate and perform at work with the potential of capability, absence or conduct issues arising.

In 2014, the Irish Congress of Trade Unions conducted a survey to explore the impact of domestic and sexual abuse against women in the workplace⁴.

The results were striking and proved that although this type of violence most often takes place behind closed doors, that the impact is felt throughout society, including in work.

Of the nearly 1800 respondents, almost a third had experienced domestic violence with over 40% of those reporting that it affected their ability to get into work for reasons including financial control, threats, physical injury and restraint. Respondents also reported that the abuse continued at their workplace including being harassed through phone calls and emails. Many people also said that their partner physically turned up to their workplace. Disturbingly, fewer than one in three of those experiencing domestic violence discussed the violence with anyone at work. The main reasons for not disclosing were "shame" and "privacy".

⁴ <https://www.ictuni.org/publications/ictu-domestic-violence-survey-results>

The Legal Context

Domestic Abuse (Safe Leave) Act

The legal landscape is set to change in Northern Ireland in the near future with the passing into law of the Domestic Abuse (Safe Leave) Act⁵. The commencement date of the legislation is yet to be confirmed. The Act entitles victims of domestic abuse to no less than 10 days' paid leave in each leave year for the purposes of dealing with issues related to domestic abuse. Issues relating to domestic abuse are noted as including:

- a. Obtaining legal advice and pursuing legal proceedings and remedies;
- b. Finding alternative accommodation;
- c. Taking advantage of healthcare (including mental health care);
- d. Obtaining welfare support;
- e. Protecting family members; and
- f. Such other matters as may be specified in the regulations.

Northern Ireland is the first UK jurisdiction to pass legislation of this kind that will enable victims of domestic abuse to avail of statutory entitlements without having to consider unpaid or sick leave, or utilising holidays. It is hoped that the introduction of the legislation will also open up dialogue between employers, trade unions and employees, to facilitate a supportive working environment for employees experiencing domestic abuse.

⁵ [Dom Abuse \(Safe Leave\) \(niassembly.gov.uk\)](https://niassembly.gov.uk/legislation/domestic-abuse-safe-leave-act)

International Labour Organization⁶ (ILO) Convention 190 on the Elimination of Violence and Harassment in the World of Work

On the 7th March 2022, the UK Government ratified the ILO Convention 190 on the Elimination of Violence and Harassment in the World of Work. This binding treaty and its accompanying recommendation outlines measures and actions which should be taken by Government, employers and trade unions. The convention sets out responsibilities on Governments to recognise the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work.

Following on from these provisions in the Convention, Paragraph 18 of Recommendation No. 206 sets out a number of measures that could be adopted to respond to and mitigate the impacts of domestic violence, such as:

- a. Leave for victims of domestic violence.
- b. Flexible work arrangements and protection for victims of domestic violence.
- c. Temporary protection against dismissal for victims of domestic violence, as appropriate, except on grounds unrelated to domestic violence and its consequences.
- d. The inclusion of domestic violence in workplace risk assessments.
- e. A referral system to public mitigation measures for domestic violence, where they exist.
- f. Awareness raising about the effects of domestic violence.

⁶ The International Labour Organization (ILO) is a United Nations agency bringing together Governments, employers and trade unions to advance social and economic justice through international labour standards.

Employers' existing legal obligations include:

Health and Safety

Employers have a duty to take reasonable care of the health and safety of employees, arising from common law, [the Health and Safety at Work \(Northern Ireland Order 1978\)](#) and other health and safety regulations. [The Management of Health and Safety at Work Regulations \(Northern Ireland\) 2000](#) oblige employers to conduct a suitable risk assessment and identify preventative measures. Employers' obligations in relation to health and safety apply, irrespective of whether the employee works from the workplace or from another remote location for example, home or designated hub. Where there is a known risk of domestic violence and abuse, the starting point would be a risk assessment, taking account of risks when working remotely and identifying measures to minimise those risks. Breach of health and safety obligations could give rise to a personal injury or enforcement by the Health and Safety Executive Northern Ireland, including criminal sanctions in serious cases. Further information is available [here](#).

Discrimination

Given that statistically more women than men are likely to experience domestic violence and abuse, an employer may face claims of discrimination if it has in place policies that put women (or those with other protected equality grounds ⁷) at a particular disadvantage.

Furthermore, if physical or mental injuries arising from domestic violence and abuse have a substantial and long-term adverse effect on the victim's ability to carry out normal day-to-day activities, they may satisfy the definition of a disability under the Disability Discrimination Act 1995. If an employee is disabled, the employer should make reasonable adjustments to remove substantial disadvantage, including potentially to performance or absence management processes. Failure to make reasonable adjustments could result in a discrimination claim.

Other legal rights may be relevant depending on the specific circumstances. For example, if the victim and perpetrator were co-workers, the employer would need to be alive to other potential claims. This may, for example include harassment if the perpetrator's conduct towards the victim is related to a protected equality ground.

It is worth remembering that each case will be fact specific and specialist legal advice should be taken in circumstances where this is deemed appropriate.

The website link to the Equality Commission for Northern Ireland is [here](#).

⁷ The protected equality grounds are sex; pregnancy and maternity; gender reassignment; marital or civil partnership status; religious or similar philosophical belief; political opinion; race, colour, ethnic or national origins, nationality; sexual orientation; disability; age.

Unfair Dismissal

In circumstances where an employee is experiencing domestic violence and abuse, their performance or attendance may be affected. When contemplating dismissal for capability or conduct reasons, an employer should attempt to explore with the employee the underlying reasons for any poor performance or poor attendance. Given that an employee may not be willing to disclose the reasons, an employer should consider if there are any signs that domestic violence and abuse may be an issue. If domestic violence and abuse is suspected, an employer should consider adjustments to its disciplinary, capability or absence procedures and signpost the employee to appropriate support. Employers should be reminded of the need for a fair process in the exceptional cases where dismissal is being considered. The Labour Relations Agency Code of Practice on Disciplinary and Grievance Procedures can be found [here](#).

Constructive Dismissal

Employers have a duty not to treat employees in a way that is calculated or likely to breach the implied term of mutual trust and confidence in the employment contract. An employee with one year's service could potentially bring a claim for constructive dismissal if they allege breach of the implied term – for example, because they feel the employer failed to support them – and resign in response to the alleged breach.

Human Rights

Under the Human Rights Act 1998, all public bodies have an obligation to protect the human rights of individuals and to ensure that their human rights are not being violated. If an employer fails to tackle incidents of violence and abuse against employees, this could lead to an infringement of the Human Rights Act. The website link to the Northern Ireland Human Rights Commission is [here](#).

Other Relevant Statutes

[Protection from Harassment \(NI\) Order 1997](#) and the [Domestic Abuse and Civil Proceedings Act \(Northern Ireland\) 2021](#).

Section 75 Equality Duties

Under the Section 75 Equality Duty public authorities must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity for protected groups; and foster good relations. The scale and impact of domestic violence and abuse is so significant that it would be important for public authorities to prioritise this issue and have as a specific action the development of a workplace policy. More information is available from the Equality Commission NI website [here](#).

In addition to the above legal obligations, an employer has an ethical and moral duty to protect and support employees experiencing domestic violence and abuse. For the victims, the workplace must be a place of safety, a place for help and support.

How can employers support those experiencing domestic violence and abuse?

Victims of domestic violence and abuse cannot leave this at the door of the workplace. This is a particularly important issue when it comes to addressing the 'social' aspects of ESG⁸, which focuses on the way an organisation treats people. It includes employee relations, health and safety, workplace policies, employee wellbeing and training, the current political atmosphere including equality, diversity and inclusion (EDI), data privacy and community relations.

Furthermore, employers should create a safe and confidential space in the workplace for respectful conversations and discussions, which has parameters, boundaries and is with a view to helping in practical ways.

The Labour Relations Agency and Irish Congress of Trade Unions recommend that employers work with trade unions, where appropriate, to develop a domestic violence and abuse workplace policy. Not only does an agreed workplace policy send an important message that domestic violence and abuse is never acceptable, but also demonstrates a clear commitment from an employer that employees who are victims of such violence and abuse will be supported.

A workplace policy should be regularly reviewed and should be available to all existing staff and new recruits as part of an induction process. Employers should also develop mandatory awareness training for all staff.

By implementing a domestic violence and abuse policy, responding sensitively to disclosures and providing effective support, employers could provide genuinely life-changing and saving supports for victims of domestic violence and abuse.

⁸ Environmental, Social and Governance - three key disciplines each with their own set of standards and practices that together indicate an organisation's commitment to achieving the greater good.

Sample Domestic Violence and Abuse Policy

Domestic Violence and Abuse Policy

The sample policy below helps you to demonstrate your organisation's commitment, and sets out your approach to dealing with workplace issues relating to domestic violence and abuse. Various clauses are included in each section of the policy. You can choose those clauses that suit your specific organisation and amend them as necessary.

1. Introduction and overview

- 1.1 Anyone can experience domestic violence and abuse. It can take many forms and is often characterised as a personal rather than a workplace issue.
- 1.2 However, incidences of domestic violence and abuse can spill over into a workplace and can negatively affect a victim's productivity, absenteeism and employment prospects as well as their workplace colleagues. This is why *[insert name of organisation]* believes it is important to have a Domestic Violence and Abuse Policy
- 1.3 This policy sets out *[insert name of organisation]* commitment to recognising the existence of this issue and the steps we will take to support staff experiencing domestic violence and abuse through the provision of a safe and healthy working environment, information and help, where appropriate.
- 1.4 On occasions, throughout this policy we use the term "victim" to refer to the individual who has been, or is being, subjected to domestic violence or abuse. However, we acknowledge that an individual may not identify as a victim and prefer to be described differently. We use the term "perpetrator" to describe the individual who has committed, or is committing, domestic violence and abuse.
- 1.5 This policy has been *[agreed OR implemented following consultation]* with the *[Name of Trade Union(s), Staff Representative]*.
- 1.6 This policy can be made available in alternative formats such as large print, Braille, audio recording or in an ethnic minority language upon request. Requests for alternative formats can be made to *[your line manager OR the HR Department]*.
- 1.7 This policy should be read in conjunction with *[list other relevant workplace policies for example equal opportunities, flexible working, absence, disciplinary etc.]*.

Sample Domestic Violence and Abuse Policy

2. Scope and application of the policy

- 2.1 The purpose of this policy is to:
- Recognise domestic violence and abuse as a workplace issue.
 - Provide appropriate support for employees who have or are experiencing domestic violence and abuse.
 - Raise awareness of domestic violence and abuse and its impact on work.
 - Encourage open and transparent conversations between line managers and staff.
 - Educate and train line managers to respond appropriately to disclosures and offer timely support.
 - Signpost staff to specialist services and available help.
- 2.2 This policy applies to all *[employees, agency workers, consultants, contractors, volunteers, casual workers]*.
- 2.3 This policy does not form part of any contract of employment and may be amended at any time.
- 2.4 Any information you provide to us about your health will be processed in accordance with our Data Protection Policy which is available from *[the intranet and] [your line manager OR HR Department]*. We recognise that this data is sensitive and will handle it in a confidential manner.

3. Roles and responsibilities

- 3.1 The *[Board of Directors OR Position OR Committee]* has overall responsibility for the effective operation of this policy. The *[Director OR Head of HR Department OR Position]* has delegated responsibility for overseeing its implementation.
- 3.2 Overall day-to-day responsibility for the management of this policy within *[insert name of organisation]* rests with the *[line manager OR the HR Department]*.
- 3.3 This policy is reviewed *[annually]* by *[Head of HR Department OR Position]* in consultation with the *[Name of Trade Union(s), Staff Representative]*.

4. Confidentiality

- 4.1 As an employer, we will do our utmost to respect the privacy and wishes of individuals who request information to remain confidential.
- 4.2 Information shared with a line manager about reports of domestic violence and abuse will be treated sensitively and handled confidentially in accordance with our Data Protection Policy, and not shared internally, including to Human Resources, except in circumstances where it is necessary to do so, and on a “need-to-know” basis. In addition, information about reports of domestic violence and abuse will not form part of an employee’s personnel record.

Sample Domestic Violence and Abuse Policy

4.3 There may be occasions when it is appropriate for a line manager or others to share information disclosed to them about reports of domestic violence and abuse (whether internally, externally or both). Refer to paragraph 8.3 of this policy for further details on when and how information might be shared. Employees should not hesitate to speak with their line manager [*or Domestic Violence and Abuse Champion*] if they have any concerns about how their information might be shared.

5. What is domestic violence and abuse?

5.1 For the purpose of this policy, domestic violence and abuse is essentially a pattern of behaviour, characterised by the exercise of control and the misuse of power by one person over another. The Department of Health, Social Services and Public Safety (DHSSPS) and Department of Justice (DOJ) describe domestic violence and abuse as:

“Threatening, controlling, coercive behaviour, violence or abuse (psychological, virtual, physical, verbal, sexual, financial or emotional) inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability) by a current or former intimate partner or family member.”

5.2 We recognise that domestic violence and abuse is complex. It can take many forms and may involve a single incident or pattern of abusive behaviour/incidents. Examples of domestic abuse include but are not limited to:

- (a) Psychological, emotional or economic abuse.
- (b) Physical or sexual abuse.
- (c) Controlling or coercive behaviour; and
- (d) Violence or threats of violence.

Domestic violence and abuse can involve, among other things, exploitation, subordination, manipulation, humiliation, harassment (including online harassment), isolation or intimidation. It is extremely serious and may result in criminal proceedings.

5.3 The signs of domestic violence and abuse are not always visible or obvious, and individuals experiencing this may attempt to hide the effects of that violence and abuse. They may also provide an explanation for any signs that are apparent to colleagues or be reluctant to engage in conversation. Some victims may not identify their experiences as those of domestic violence and abuse at all.

5.4 We recognise that anyone can experience domestic violence and abuse irrespective of gender, sexual orientation, gender reassignment, disability, race, religious or political beliefs, age or any other protected characteristic. However, it is commonly accepted that women are more likely to be victims of domestic violence and abuse and men are more likely to be perpetrators.

Sample Domestic Violence and Abuse Policy

6. Domestic violence and abuse is a workplace issue

6.1 We recognise that domestic violence and abuse are workplace issues for a number of reasons:

- (a) Domestic violence and abuse that an individual experiences at home is likely to have a direct impact on every aspect of their life, including their work life.
- (b) Staff members, who work from home, whether for all or some of their working hours, may lack a safe space away from the perpetrator of the domestic violence and abuse. In addition, domestic violence and abuse may extend to the workplace itself, as the perpetrator may harass the victim, and/or their colleagues at work (for example, by attending the workplace in person or by telephoning or sending messages to the workplace).
- (c) Economic abuse is one of the most prevalent forms of domestic violence and abuse. It may include attempts to interfere with the victim's work by, among other things:
 - i. Damaging job security and career prospects.
 - ii. Controlling working hours or ability to participate in work-related activities.
 - iii. Causing the victim to be late for work or insisting on driving them to and from work.
 - iv. Destroying work clothes.
 - v. Isolating the victim from colleagues.

- vi. Demanding that earnings be paid into a specific bank account or diverting monies paid into a joint account.
- vii. Destroying the victim's confidence so that they feel unable to work.
- viii. Causing injuries that result in sickness absence.

6.2 We acknowledge that any staff member can experience domestic violence and abuse, irrespective of their seniority or role within the organisation. Whatever the individual's role we recognise that this can affect their ability to concentrate and perform at work with the potential of capability, absence or conduct issues arising. In these circumstances, we encourage individuals to let their manager know so that adjustments to our usual procedures can be put in place, where appropriate.

6.3 We want all our staff members to be able to remain in, and be productive at work and are particularly keen to provide support to staff members who may be at risk. We will seek to find ways to help these individuals to remain in work. If a perpetrator contacts our workplace and attempts to undermine a staff member's name, position or reputation, we will speak with the staff member directly and discuss with them how we can protect their position. This may involve blocking calls from the perpetrator or denying them access to our premises.

Sample Domestic Violence and Abuse Policy

7. Encouraging open conversations

- 7.1 *[Insert name of organisation]* fosters a supportive work culture in which colleagues are encouraged and feel comfortable having open conversations about domestic violence and abuse without fear of stigma or harassment. We will treat all reports of domestic violence and abuse seriously.
- 7.2 While we do not expect staff members to be experts on domestic violence and abuse, our staff should have an awareness of the issues so they can be supportive of an individual who is experiencing it. We also encourage staff to be familiar with some of the signs of domestic violence and abuse, while recognising that these signs may also be indicative of other issues. These signs may include but are not limited to:
- Persistent lateness, absenteeism or presenteeism.
 - Uncharacteristic behaviour.
 - Spending an increased number of hours at work for no obvious reason.
 - Reduced quantity or quality of work.
 - Regular interruptions during the working day – repeated calls or emails.
 - Changes in an employee's appearance, for example wearing long sleeved clothing to cover up.
 - Withdrawal from or lack of participation in work-related meetings and events.

- Repeated injuries, or unexplained bruising or explanations that do not fit the injuries displayed.

We will provide appropriate awareness training on domestic violence and abuse to all staff, trade union and/or staff representatives, where appropriate, with specific training for line managers. Suitable refresher training will be provided annually.

8. Who to speak with if you are experiencing domestic violence and abuse

- 8.1 Anyone affected by domestic violence and abuse should feel confident to speak with their line manager, a member of Human Resources, their trade union or staff representative, where appropriate, about the support they need in relation to work. *[Alternatively, they may contact one of our Domestic Violence and Abuse Champions].* Contact details of our Champions *[all of whom have received appropriate training]* are available *[on the intranet **OR** from your line manager **OR** from the HR Department].*
- 8.2 We expect line managers to be prepared to have conversations with staff members about domestic violence and abuse and outline what support is available. The role of the line manager is not to deal with the violence or abuse itself but to provide support related to work and to signpost an individual to further external help. Any conversation must be treated sensitively and handled confidentially in accordance with our Data Protection Policy. Refer to paragraph 4 of this policy for more information on the confidential treatment of reports.

Sample Domestic Violence and Abuse Policy

- 8.3 Line managers or colleagues approached by a staff member in relation to domestic violence and abuse should attempt to agree next steps and maintain confidentiality. There may be occasions where it is appropriate for the matter to be escalated internally or to an external organisation where there are concerns about the safety of the individual or others connected to them, such as family members or work colleagues. Information will only be disclosed with the express permission of the individual, unless there are legal requirements connected to the disclosure (for example domestic abuse is linked to child abuse, and where a risk to children or vulnerable adults is identified, then the employer's responsibility for public protection may lead them to notify social services or an equivalent regulatory authority). If this happens, the individual will be informed.
- 8.4 We will keep records of any incidents at work related to domestic violence and abuse (for example, persistent telephone calls or visits) and note any actions taken. We will also keep a record of any reports of domestic violence and abuse. These records will be handled confidentially in accordance with our Data Protection Policy and will not form part of a victim's personnel record.

9. Support and adjustments

- 9.1. We recognise that there is support we can offer to help victims of domestic abuse at work. While victims' needs will vary, we are committed to offering the following where possible and appropriate in the circumstances:
- (a) [Paid time off work, up to a maximum of [Number] days each calendar year, to deal with issues such as moving to a safe house, refuge or new home, settling children into a new school or attending appointments with support providers.]

Drafting note: The Domestic Abuse (Safe Leave) Bill was passed by the Assembly on 24th March 2022 and received Royal Assent on 12th May 2022. This new Act will provide employees in Northern Ireland who are victims of domestic abuse with the right to at least ten days of paid leave a year, to be known as "safe leave". Future regulations will set out the exact details of how the right to safe leave will work, including when it will be introduced and how it will be enforced. Northern Ireland is the first nation in the UK to take legislative steps to support victims of domestic abuse at work.

Sample Domestic Violence and Abuse Policy

- (b) [Temporary adjustments to work patterns, hours or duties.]
- (c) [Safe methods of communication (for example, providing a new work email address or telephone number).]
- (d) [An agreed code work or hand signal, so an individual can discreetly alert colleagues that they are experiencing domestic abuse.]
- (e) [A quiet room to make and receive confidential telephone calls during working hours.]
- (f) [Access to counselling.]
- (g) [Removal of the victim's work contact details from our company website and other public platforms.]
- (h) [Temporary redeployment to another role or work location.]
- (i) [Access to the office when the individual would otherwise be working from home.]
- (j) [Changes to office-based seating arrangements to ensure that a victim is sitting in a safe place and not in an isolated area on their own.]
- (k) [Payment of wages into a different bank account.]
- (l) [Adjustments to disciplinary, capability and absence procedures where domestic abuse is a factor in any performance, conduct or absence issues.]
- (m) [Early payment of salary.]
- (n) [Other.]

This list is not exhaustive, and we encourage staff members to let their line managers know what other arrangements or adjustments may be helpful given their circumstances. Decisions about what support can be offered will be made on a case-by-case basis, taking into account the needs of the victim and business requirements.

- 9.2 We encourage victims of domestic violence and abuse to let us have emergency contact details for a trusted friend or family member and to let us know if personal information (for example, in relation to work-related benefits provided by us) should be updated. An individual's line manager should be contacted to provide this information in the first instance.
- 9.3 If an individual has left a domestic violence and abuse situation and is trying to ensure that the perpetrator of the abuse cannot find them, we encourage the individual to speak with their line manager about what steps can be taken by us to reduce this risk.
- 9.4 Where the victim and perpetrator both work for us, we will discuss appropriate steps with the victim and consider whether a temporary change of role or relocation to a different workplace may be appropriate. We will also consider what, if any, investigation is required. During an investigation, the perpetrator will have an opportunity to respond to the allegations against them. Where possible, and if deemed appropriate following discussion with the victim, we will seek to ensure that it is the perpetrator's not the victim's, work arrangements that are changed.

Sample Domestic Violence and Abuse Policy

- 9.5 In circumstances, where an individual normally works from a remote location, such as home or designated hub for all or part of the working week, and we have genuine concerns that they may be experiencing domestic violence and abuse, we will seek to ensure that the individual is part of at least one telephone or video call with a colleague on each working day. If contact is lost, we will consider what steps may be appropriate in the circumstances.
- 9.6 We will always seek to agree with the staff member experiencing domestic violence and abuse what will be communicated to colleagues, if any changes are obvious and may require explanation.

10. Risk assessments

- 10.1 As an employer, we are committed to ensuring the health, safety and welfare of all our staff and will consider any aspects of the working environment that may negatively affect those experiencing domestic violence and abuse. This will include conducting regular risk assessments, identifying and addressing specific risks to the health and well-being of those experiencing domestic violence and abuse, including those risks where an individual works from a remote location, such as home or designated hub.

11. Disciplinary action against perpetrators of domestic violence and abuse

- 11.1 We will not tolerate domestic violence and abuse in any form. Any employee alleged to have committed an act of violence and abuse in the workplace, during working hours or using our equipment will be subject to disciplinary proceedings in accordance with our Disciplinary Policy. Where an employee's conduct is subject of a criminal investigation, we will not usually await the outcome of any prosecution before deciding what action, if any, to take.
- 11.2 Conduct outside of working hours may also be treated as a disciplinary matter if we consider that is it relevant to the individual's employment with us, regardless of whether that conduct is subject to criminal investigation or not.
- 11.3 Where a staff member discloses their violent and abusive behaviour to us, we will engage with that individual to identify sources of external help and support. We encourage all staff members to address their abusive behaviours of any kind and recognise that change may only be possible with the provision of external help.
- 11.4 In circumstances where an employee either maliciously or deliberately makes a false allegation of domestic violence and abuse, we will consider what disciplinary action, if any, is appropriate.

Sample Domestic Violence and Abuse Policy

12. Other places you can go for help

12.1 While we are committed to supporting victims of domestic violence and abuse at work, we are not experts and recognise that not all staff members may feel comfortable speaking with their line manager [one of our Domestic Abuse Champions] or a colleague about domestic violence and abuse. The following offer a range of help and support:

- Domestic & Sexual Violence and Abuse Partnership Information:
[Belfast Area](#)
[Northern Area](#)
[Western Area](#)
[South Eastern Area](#)
[Southern Area](#)

Haven: Belfast - Domestic and Sexual Violence App. Available from the App Store or Google Play



- Domestic & Sexual Abuse Helpline – 24/7 support for women and men affected by domestic and sexual abuse
 Freephone 0808 802 1414
 Email: help@dsahelpline.org
 Web: www.dsahelpline.org
- **Nexus NI** - Northern Ireland's leading charity in supporting people affected by sexual trauma.
- **Men's Advisory Project NI** – Helps male victims of domestic abuse.
- **Respect** – A pioneering domestic abuse organisation developing safe, effective work with male perpetrators, male victims and young people who use violence.
- **The Rainbow Project** – A health organisation that works to improve the physical, mental and emotional health and well-being of lesbian, gay, bisexual, transgender, queer, intersex and asexual people (LGBTQIA+) and their families in Northern Ireland.
- **Women's Aid Federation Northern Ireland** – Lead voluntary organisation in Northern Ireland addressing domestic abuse and providing services for women and children.

Safe at home
 Safe at work

Sample Domestic Violence and Abuse Policy

Local Women's Aid Groups	Telephone Number
Antrim, Ballymena, Carrickfergus, Larne & Newtownabbey	028 2563 2136
Armagh & Down	028 3025 0765
Belfast & Lisburn	028 9066 6049
Causeway & Mid Ulster (Mid-Ulster Office)	028 8676 9300
Causeway & Mid Ulster (Causeway Office)	028 7035 6573
Fermanagh	028 6632 8898
Foyle	028 7141 6800
North Down & Ards	028 9127 3196
Omagh	028 8224 1414

12.2 We encourage all line managers to direct staff members who make disclosures of domestic violence and abuse to these sources of external help and support, where appropriate.

13. Contacting the police when you cannot speak, are deaf or hard of hearing

- 13.1 If you are experiencing domestic violence and abuse and are in danger, but you are unable to speak on the telephone, call 999, listen to the questions from the operator and, if you can, respond by coughing or tapping the keys on your phone.
- 13.2 If you are calling from a mobile telephone there is the *Silent Solution*. Pressing 55 after dialling 999 leads the call operator to transfer the call to the local police, allowing those in danger to get help without having to speak.
- 13.3 If you are deaf or hard of hearing, text REGISTER to 999 to register with the emergency SMS service.



Irish Congress of Trade Unions

The ICTU is the trade union federation representing affiliated trade unions across the island of Ireland. Trade unions can bargain collectively for their members on salary and important terms and conditions as well as workplace policies. Trade unions can also provide advice to members as well as representation when engaging with employers.

Website: www.ictuni.org

Telephone: 028 9024 7940

Email: info@ictuni.net

Twitter: @NIC_ICTU



Labour Relations Agency

We provide an impartial and confidential employment relations service to those engaged in industry, commerce and the public services. Our services include the provision of advice on good employment practices and assistance with the development and implementation of employment policies and procedures. The Agency offers a wide range of training.

Website: www.lra.org.uk

Telephone: 03300 552 220
(Switchboard)
03300 555 300
(Workplace Information Service)

Email: info@lra.org.uk

Twitter: @LRA_Ireland

Safe at home
Safe at work