

Domestic Violence Policy



Policy Owner: An Post HR
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Version	Date Released / Reviewed	Contributor(s)	Description
1.0	29th March 2023	An Post HR, Group of Unions, LGBT Ireland, Men's Aid, Safe Ireland, Women's Aid	Domestic Abuse & Coercive Control Policy: Policy confirming the workplace is a safe place to access meaningful supports in a sensitive manner.
2.0	21st December 2023	An Post HR, Data Privacy Office, Security Services, Group of Unions, Safe Ireland, Women's Aid.	<ul style="list-style-type: none">• Amended policy title and content to align with language in statutory developments.• Revised content regarding domestic violence leave and record-keeping in line with the Work Life Balance & Miscellaneous Provisions 2023 Act & the associated Guide for Employers.• Accounted for alignment with the ratified ILO Convention 190.• Revised wording to enhance readability and accessibility of policy.

Table of Contents

Introduction	4
Understanding Domestic Violence	5
• What is Domestic Violence?	5
• What is Coercive Control?	6
Domestic Violence as a Workplace Issue	7
Disciplinary Issues	7
Disclosing Domestic Violence	8
Domestic Violence Action Framework at An Post: The 3 R's	9
REASSURE	9
RESPOND	10
REFER	11
Special Paid Domestic Violence Leave	12
Confidentiality	13
Communications & Ongoing Learning	14
Monitoring	14
List of Supports	15

Introduction

An Post acknowledges the severe impact that domestic violence can have on our employees and their families. The impact of domestic violence can carry over into the workplace. An Post recognises that the workplace offers a safe space for employees to access confidential supports.

As outlined in this policy, An Post is committed to facilitating these supports for our employees.

The purpose of this policy is to:

- Break the silence about domestic violence
- Assure all employees that the workplace is a safe environment to access help
- Assist employees in obtaining informed and meaningful supports as early as possible
- Confirm that all disclosures will be managed in a sensitive manner
- Support the retention, safety and wellbeing of staff affected by domestic violence
- Promote a respectful and safe work environment that does not condone or excuse domestic violence.

An Post opposes all forms of violence, harassment, and coercive control. This policy is aligned with our duty of care regarding the safety of our employees, and with our public sector duty to protect human rights, eliminate discrimination and promote equality of opportunity.

An Post consulted with LGBT Ireland, Men's Aid, Safe Ireland, Women's Aid, and our trade union partners in agreeing this policy. It has been revised to incorporate the provisions of relevant legislation as well as ILO Convention 190 on Violence and Harassment in the World of Work

This policy applies to all An Post employees.

Understanding Domestic Violence

An Post's definition of domestic violence is aligned with the Istanbul Convention on Preventing and Combating Violence Against Women and Domestic Violence, and with recent legislative developments in Ireland.

What is Domestic Violence?

An Post understands domestic violence as an umbrella term for many different forms of physical and non-physical abuse. Domestic violence refers to all acts or threats of physical, sexual, emotional, psychological or economic abuse that occur within the family or domestic unit, or between former or current spouses or partners.

Domestic violence is a serious human rights issue. It can happen to anyone of any race, nationality, socio-economic status, age, sexual orientation, religion, sex, or gender identity.

Domestic violence can take many forms including;

- physical or sexual assault
- control of finances
- intimidation
- coercion or coercive control
- threats
- stalking
- cyber harassment
- degradation
- isolation
- deprivation of basic needs such as food, clothing, or heating

An individual who has experienced or who is experiencing domestic violence may suffer from a range of conditions.

Examples of the impact of domestic violence:

- Physical injury
- Psychological trauma
- Chronic pain
- Unwanted pregnancy
- Homelessness
- Isolation
- Sleep deprivation
- Increased stress
- Anxiety
- Inability to concentrate
- Difficulty retaining employment
- Low self-esteem
- Varying states of depression

Understanding Domestic Violence

What is Coercive Control?

Coercive control is a form of domestic violence. It is behaviour that seeks to intimidate, degrade, isolate and control individuals.

An Post recognises that domestic abuse isn't always physical. Coercive control is a persistent and deliberate pattern of behaviour by an abuser. It is designed to achieve obedience and create fear. It may include threats, stalking, humiliation, isolation, degradation and intimidation, or other abuse that is used to harm, punish, or frighten an individual.

A controlling abuser may shut out an individual's friends and family, control their movements and micro-manage what they eat or wear. The abuser may monitor the individual online via spyware, deprive them of support including medical services or restrict their access to money. This controlling behaviour seeks to make a person dependent by isolating them, exploiting them, depriving them of independence and regulating their everyday behaviour.

Coercive control is a criminal offence in Ireland as per section 39 of the Domestic Violence Act 2018.

Domestic Violence as a Workplace Issue

The effects of domestic violence do not subside during working hours. The consequences can seep into every part of a person's life, including work.

In the workplace domestic violence can impact productivity, morale, wellbeing, attendance, and workplace relationships. It puts limitations on an employee's full and active participation at work.

Domestic violence may also continue during work hours. The perpetrator may turn up at an individual's workplace or send abusive messaging via phone or email while the individual is at work.

Colleagues may also be affected and face direct threats or intimidation. Colleagues may be aware that abuse is taking place but may not know how to help.

The perpetrator may also be employed in the same workplace (Section "Disciplinary Issues" refers). An Post will engage with employees who reach out to HR in need of guidance to address their own abusive behaviour.

An Post seeks to support employees in keeping their employment to help ensure financial independence. Early communication with the Company will prevent employees from becoming involved in unwarranted disciplinary action and will facilitate swift access to supports.

Disciplinary Issues

If the perpetrator of domestic violence is an employee of An Post and uses Company time or property to abuse an individual, the Company will commence disciplinary procedures. This may lead to a disciplinary sanction up to and including dismissal.

In circumstances where both involved parties are employees of An Post and either party makes a workplace complaint, the Company's dignity at work policy may be invoked.

An Post will not tolerate disrespectful behaviour in the workplace such as offensive jokes, aggressive or demeaning behaviour, or discrimination. Employees are expected to demonstrate behaviour that does not support or promote any form of domestic violence.

Any threats to co-worker safety will be taken very seriously by the Company.

An Post acknowledges that domestic violence can lead to a criminal conviction as per the Domestic Violence Act 2018.

Disclosing Domestic Violence

An Post is committed to maintaining a safe environment in which employees can comfortably discuss their concerns related to domestic violence. An Post is seeking to foster a positive partnership with all employees to raise awareness, eliminate stigma and reinforce safe channels of communication.

Employees experiencing domestic violence are encouraged to seek support from our trained and trusted contacts across the Company whose details will be regularly circulated in communications (Section "**List of Supports**" also refers).

An Post recognises that disclosure may not be a single event but a process that takes place over a series of encounters with our trained and trusted contacts. Employees experiencing domestic violence will have control of their disclosure process. If an employee does not wish to take action after disclosing experiences of abuse, this will be respected as much as possible.

The role of An Post's trusted internal contacts is not to address the domestic violence directly. Their responsibility is to help employees access safe workplace supports and connect with external specialised support organisations. An Post's action framework below explains this in further detail.

Domestic Violence Action Framework at An Post: The 3 R's

An Post upholds an action framework to support all employees facing domestic violence. It encompasses the following three key steps:

- 1. REASSURE** employees that the Company respects & values their right to dignity, safety and welfare
- 2. RESPOND** appropriately to disclosure by providing supports
- 3. REFER** employees experiencing domestic violence to the appropriate help

REASSURE

Many employees may find the issue of domestic violence in their own private life difficult to discuss. The first step in the An Post action framework highlights the Company's commitment to reassuring all employees that the workplace is a safe place to get help.

The following assurances are to be clearly communicated to all employees who may be affected by domestic violence:

- An Post fully recognises that domestic violence can affect people of all gender identities, sexual orientations, ages and backgrounds.
- An Post will respond sensitively, sympathetically and in a non-judgemental manner to all employee disclosures.
- An Post acknowledges the employee's right to privacy.
- An Post will not ask the employee for proof to validate a disclosure of domestic violence.
- An Post will respect the employee's boundaries.
- An Post acknowledges the right of staff to make their own decision on the course of action.
- When domestic violence is disclosed, line managers will treat attendance issues related to domestic violence confidentially and with understanding.
- Regular reviews of Company policies and processes will be undertaken in line with best practice and relevant legislation to ensure ongoing provision of a supportive workplace that can effectively respond to such disclosures.

Domestic Violence Action Framework at An Post: The 3 R's

RESPOND

To ensure a safe working environment, An Post offers employees who are experiencing domestic violence a broad range of supports where available.

These supports may include, but are not limited to:

- A designated contact for further information on Company policy & available supports with whom the individual feels comfortable.
- Assistance developing a personal safety plan where appropriate.
- A change in working hours and/or provision of flexible working as per the Company's flexible working arrangements.
- A change of work phone number, mobile number or email address as appropriate.
- Redeployment, relocation, remote working, return to the office (if working remotely) or change of specific duties e.g. to avoid potential contact with an abuser in a customer facing role.
- Financial assistance upon request in the form of advances to salary.
- Speedy change of arrangements and/or method for payment of salary (e.g. banking details)
- Access to up to 2 weeks of special paid leave in any period of 12 consecutive months. Further information is outlined in the next section, Special Paid Domestic Violence Leave.
- Support advising colleagues of the situation on a need-to-know basis and agreeing a response if the office receives inappropriate communications.
- Provision of updated confirmation regarding workplace security protocols in place.
- Maintaining records of abuse in the workplace: An Post may put in place appropriate measures to maintain records of a perpetrator harassing or stalking the employee at work. Where possible, these records will be made available to the employee upon request, should they be required for legal proceedings. Such actions may include keeping a record of emails, texts, calls or available CCTV footage. The section below on Confidentiality refers.

The Company also recognises that it may be appropriate to support an employee who is seeking help to address and stop their abusive behaviour. In that regard, An Post will put the employee in contact with relevant support providers.

An Post is committed to nurturing the relationship that exists between the health, welfare and work of our employees, and the Company promotes practical supports to sustain all aspects of wellbeing.

Domestic Violence Action Framework at An Post: The 3 R's

An Post's dedicated **Occupational Health and Support team** of qualified professionals provides enduring supports to An Post employees on both personal and workplace health issues including mental health, trauma, bereavement, retirement and addiction. Employees can contact the OHS team directly or they can be referred by their manager or via Human Resources.

Complementing this service, An Post has an **Employee Assistance Programme** with a **dedicated 24/7 confidential helpline**. It offers wellbeing support, financial advice, legal assistance, counselling, life coaching, parent and carer coaching, health information and career guidance. This free service is available to An Post employees and their families with unlimited access every day of the year.

Contact details for the Occupational Health and Support team and the Employee Assistance Programme are outlined below under "**List of Supports**". Both services are available to assist An Post employees who are experiencing domestic violence.

REFER

Help is available. While actively assisting with the implementation of workplace safety measures and flexible accommodations, An Post will also assist in ensuring that employees are fully informed of the contact details of specialist third party organisations who are dedicated to supporting all individuals affected by domestic violence.

Where possible An Post will offer safe and private spaces on our premises for the employee to contact support services as needed. Upon request, An Post may make this referral on the employee's behalf, as the individual may find it difficult to make multiple disclosures to different parties on a given day.

An Post recognises that not every person experiencing domestic violence will want to exit an abusive relationship. The Company therefore acknowledges that it is important to manage risks and ensure that as many safeguards are in place as possible.

The final section of this policy outlines a list of supportive organisations and services across Ireland that provide informed support and advice to individuals experiencing domestic violence.

Special Paid Domestic Violence Leave

Ireland has introduced a statutory entitlement to up to 5 days of paid Domestic Violence Leave in any period of 12 months for employees who are or who have been targets of domestic violence.

An Post, in agreement with the group of unions, provides up to 2 weeks of paid Domestic Violence Leave in a 12-month period, on a case by case basis in confidential consultation with the Company Occupational Support Services.

Employees who are supporting a 'relevant person' who is experiencing domestic violence are also entitled to avail of the statutory 5 days paid Domestic Violence Leave.

A 'relevant person' in relation to an employee seeking to avail of this leave includes;

- a cohabitant of the employee
- a person with whom the employee is in an intimate relationship
- a child of the employee who is under 18
- a person who in relation to the employee is a dependent person

The purpose of this leave is to facilitate the following actions in response to experiences of domestic abuse:

- Seek medical attention
- Obtain services from a victim service organisation
- Obtain psychological or professional counselling
- Relocate temporarily or permanently
- Obtain an order under the Domestic Violence Act 2018
- Seek legal advice or assistance
- Seek assistance from the Garda Síochána
- Seek or obtain any other relevant services

There is no minimum service required to qualify for statutory domestic violence leave.

Employees must notify their managers that they are taking domestic violence leave as soon as reasonably practicable and specify the dates of the leave. While advance notice of the leave is preferable, An Post recognises that in certain circumstances, this may not be possible.

Employees are not required to provide evidence of domestic abuse to support their request for this type of paid special leave. The decision to not require supporting evidence was agreed to make paid domestic violence leave more accessible for employees.

Confidentiality

All information regarding domestic violence will be treated as confidential and will be strictly managed on a need-to-know basis.

An Post may retain the following records:

- Confidential data regarding paid domestic violence leave (which shall be reflected as Paid Special Leave for confidentiality via attendance platforms)
- Details of an agreed Personal Safety Plan.
- Records of abuse occurring in/near the workplace, or in the course of work where possible, such as CCTV footage under the Company's control, emails, texts or calls.

The above records will be stored securely, kept strictly confidential, and retained only for as long as necessary, in line with the associated Data Retention Schedule.

Employees who disclose that they are experiencing domestic violence can be assured that the information they provide is confidential and will not ordinarily be shared with other members of staff without the employee's permission.

There are however exceptional circumstances in which confidentiality cannot be assured, such as when there are safeguarding concerns about children, vulnerable adults or when An Post is required to act to protect the safety of employees. In such circumstances the applicable employee will be advised in advance where possible.

Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.

Communications & Ongoing Learning

An Post aims to raise awareness of this policy and of the impact of domestic violence with all managers and staff to fortify the supports extended to affected individuals. The Company will host regular awareness campaigns and circulate relevant learning resources through a range of methods including induction, training, appraisals, special events, leaflets and posters.

All managers will be supported in undertaking the following:

- Reassuring employees that An Post seeks to support them
- Responding to disclosures in a sensitive and effective manner
- Signposting to specialist organisations and other recognised external sources of support
- Assisting with the implementation of agreed actions to support ongoing workplace safety planning with regard to domestic violence.

All managers are encouraged to make themselves aware of this policy and to commit to engaging with associated learning and development offerings.

Monitoring

This policy has been agreed between the Company and the staff trade unions on foot of consultation with key community partners and in alignment with best practice guidelines. The policy will be monitored and reviewed on a regular basis by the Company in consultation with the trade unions to reflect developments in best practice and legislation.

List of Supports

An Post Internal Contact Details:

- **Occupational Health & Support**
Tel: 01 705 7801 Email: ohsreferrals@anpost.ie
- **Northwest, West & South Occupational Support Specialist**
Tel: 071 915 1989
- **Northeast, East & Midlands Occupational Support Specialist**
Tel: 01 705 8568
- **East, South & Southeast Occupational Support Specialist**
Tel: 01 705 8587
- **Occupational Safety Advisors**
Tel: 01 705 8398 Email: SafetyManager@anpost.ie
- **An Post Employee Assistance Programme with Spectrum Life**
Freephone: **1800 903 542**
Website: <https://anpost.spectrum.life/eap> Organisation Code: **An Post**

External Support Services:

- **An Garda Síochána**
Emergency Tel: 999/112
Report/Advice: Contact a Local Garda Station
Visit: www.garda.ie
- **Women's Aid**
Freephone Number: 1800 341 900 (24-hour National Freephone Helpline)
Visit: www.womensaid.ie
Email: helpline@womensaid.ie
- **Men's Aid**
Tel: 01 554 3811 (Dedicated Support Service for Male Victims)
Visit: www.anyman.ie
Email: crisis@anyman.ie
- **Men's Development Network & Male Advice Line**
Freephone Number: 1800 816 588 (Male Victims National Helpline)
Visit: www.mensnetwork.ie
Email: men@mens-network.net
- **Safe Ireland**
Tel: 090 6479078
Visit: www.safeireland.ie
Email: info@safeireland.ie

List of Supports

- **LGBT Helpline**
Tel: 1890 929 539
Visit: www.lgbt.ie
Email: info@lgbt.ie
- **Transgender Equality Network Ireland**
Tel: 01 873 35 75
Visit Website: www.teni.ie
- **Gay Switchboard Ireland**
Tel: 01 872 1055
Visit Website: <http://www.gayswitchboard.ie>
- **Rape Crisis Help**
Freephone Number: 1800 778888
Visit: www.rapecrisishelp.ie
Email: info@rcc.ie
- **MOVE - Men Overcoming Violent Emotions**
Tel: 065 684 8689
Visit: <https://www.moveireland.ie/>
Email: move@moveireland.ie
- **Samaritans**
Tel: 116 123 (24-hour Helpline)
Visit: www.samaritans.org
Email: jo@samaritans.ie
- **BelongTo**
Tel: 01 670 6223 (Supporting LGBT young people in Ireland)
Visit: <https://www.belongto.org/youngpeople/support-services/>
Email: 01 670 6223

Where to get Legal Advice?

- **Legal Aid Board**
Tel: 066 947 1000 or 1890 615 200
Visit: www.legalaidboard.ie
Email: info@legalaidboard.ie
- **Free Legal Advice Centres (FLAC)**
Tel: 1890 350 250 or 01 8745690
Visit: www.flac.ie
- **Courts - Family Law**
Visit: www.courts.ie for local court contact details



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