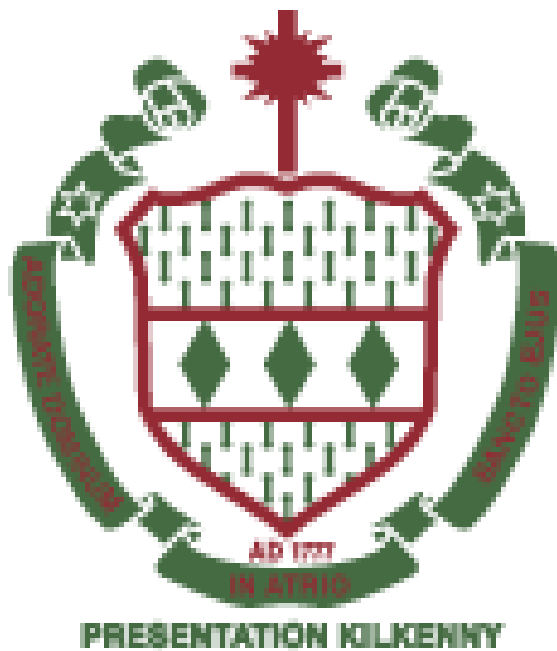


Staff Leave Policy

Presentation Secondary School, Kilkenny



Date of adoption by BOM:

Date for next review:

Leave Policy

School Name: Presentation Secondary School, Kilkenny.

School Address: Loughboy, Kilkenny.

School Roll Number: 61590S

This policy is informed by “Terms & Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools” and other relevant DES circulars.

In drawing up this policy, the welfare and educational needs of the pupils shall take precedence over all other considerations. With this in mind teachers are requested to make work available for students in their absence where possible.

This policy shall have due regard to the capacity of the school to meet its obligations to its pupils and may therefore apply a limit to the number of teaching staff that may avail of non-statutory leave schemes at any one time. Employers must consider applications in the context of other non-statutory leave and statutory leave and also take into account the availability of an appropriately qualified replacement teacher.

The employer will address all necessary correspondence to the teacher at the email/home address last notified. No fault shall lie with the employer in the event that the teacher does not receive such correspondence.

Note:

Absence for part of a school day constitutes an absence for a full school day.

Any unpaid absence without the approval of the employer will be dealt with under disciplinary procedures.

Personal Leave:

Voluntary secondary schools may grant special leave to a teacher for up to five school days in a school year for any reason which they may consider sufficient. Personal leave will not be granted to extend a holiday period.

Substitute cover is not paid by the Department of Education.

Teachers must submit a written application to the Board of Management when they become aware they have a need for a personal day. A time table for the absence will be signed by the principal and submitted to the deputy principal in charge of leave before departure. Work will be left for all students with the teacher who has volunteered to cover the affected classes. The Principal must be informed of any personal leave. This leave is completely at the discretion of the Board of Management.

Sick Leave:

Sick Leave may be granted to a teacher who is unable to perform his/her duties

- because of illness, injury or
- when absent for the purpose of obtaining health-related services (e.g. Doctor/Dentist) provided such appointments could not have been arranged outside of regular working hours or working days.

It would be contrary to the express purpose of this scheme, to engage in any activity (e.g. travel abroad, gainful employment or self-employment) which in the opinion of the OHS could be regarded as impeding that teacher’s progress to recovery.

Sick Leave periods are calculated retrospectively and include weekends, school closures and days on which a teacher is not timetabled for attendance (e.g. job sharers), occurring within the period of absence.

A teacher who is absent from duty because of personal illness or injury, may be granted paid Sick Leave of:

- A maximum of 3 months (92 days) on full pay in a four year period.
- Followed by a maximum of 3 months (91 days) on half pay

Critical illness:

Please refer to Circular 0025/2018 “Sick Leave Scheme for Teachers - Changes to Critical Illness Provisions (CIP) from 31st March, 2018”

Temporary Rehabilitation Remuneration (TRR)

Where the relevant period of paid Sick Leave has been exhausted, a teacher with a minimum of 5 years’ service (in a pensionable position either in a whole-time or part-time capacity) at the end of the period of paid Sick Leave may be granted TRR subject to certain conditions.

Entitlement to Unpaid Sick Leave

A teacher who, on having exhausted the maximum period of paid Sick Leave (and does not qualify for TRR) is still medically unfit to resume duty and wishes to retain his/her position in the school/scheme must notify the employer of his/her intention to avail of a period of unpaid Sick Leave within which he/she may resume teaching if certified.

Self-Certified Sick Leave

The maximum number of self-certified Sick Leave days allowable in any rolling period of 2 consecutive years of teaching service counting backwards from the latest self-certified Sick Leave absence is 7. Any self-certified Sick Leave absence in excess of the maximum 7 days provided for under this paragraph will be unpaid and may be dealt with under the agreed disciplinary procedures.

A teacher shall not avail of a period of self-certified Sick Leave immediately after certified Sick Leave.

Certified Sick Leave

Where a teacher is absent on continuous Sick Leave of more than the authorised number of days, four in our case, a medical certificate is required.

Should a teacher fail to provide a medical certificate to the employer in respect of an absence on Sick Leave in accordance with the scheme, the employer should contact the teacher to advise that if he/she fails to submit the required medical certification, the employer, following due process, should record the leave as a period of unapproved Sick Leave and payment to the teacher will be withdrawn pending a return to duty or compliance with the scheme and may be dealt with under the agreed disciplinary procedures.

Notification and Recording of Sick Leave

Any teacher who is absent due to illness must notify the principal, or make suitable arrangements to notify, the employer as early as possible on the first day of the absence. Contact must be made with the Principal. An electronic message will not suffice. If the teacher is unable to contact the principal, a missed call must be evident on the principal’s phone and in these circumstances a message must be left. The teacher should, where possible, indicate the likely duration of the absence and whether it is certified or not.

Report

A detailed statement of all Sick Leave absences should be supplied to each teacher by the employer on request and at least one report should be provided annually.

Sport Leave:

Leave for teachers who wish to take part in sporting activities must primarily be sanctioned by the relevant school authority. Formal application should then be made to the Department of Education and Skills. Sport leave is normally approved by the Department only in circumstances where the teacher is participating at international (or similar) level and an affiliation to the Irish Sports Council exists.

The following applies in connection with the release of teachers from school duties, in order to enable them to tour with GAA teams and similar conditions apply for other sports:

The tour must be one of those that has been specified by the Department of Education and Skills and the GAA Central Council, as an approved tour,

The teacher must have secured the prior approval of the Principal,

The teacher will be paid full salary and allowances for the period of the absence,

The teacher must arrange for the employment of a qualified substitute where possible at his/her own expense

Bereavement leave:

Circular Letter 0078/2022 informs the process. The appendices in this Circular detail the time allowed and have a template application form.

Other Leave:

Detailed descriptions of other statutory leave is covered in the “Terms and Conditions” Circular. These include:

CHAPTER FOUR – MATERNITY PROTECTION ENTITLEMENTS (page 34)

CHAPTER FIVE – PATERNITY LEAVE SCHEME (page 43)

CHAPTER SIX – ADOPTIVE LEAVE ENTITLEMENTS (page 53)

CHAPTER SEVEN – PARENTAL LEAVE ENTITLEMENTS (page 66)

Application for Parental Leave should be made by a teacher to his/her employer at least 6 weeks in advance of commencement of the leave on the prescribed application form.

Parental Leave may be postponed in circumstances where granting the leave at that time would have a substantial adverse effect on the operation of the school and ordinarily the leave may only be postponed once.

CHAPTER EIGHT – CAREER BREAK SCHEME (page 75)

CHAPTER NINE – JOB SHARING SCHEME (page 80)

CHAPTER TEN – CARER’S LEAVE SCHEME (page 89)

CHAPTER ELEVEN – UNPAID LEAVE (page 95)

The maximum amount of unpaid leave which may be taken is 10 school days in a school year.

Scheme for Leave of Absence Following Assault:

Leave is granted in accordance with the provisions of the scheme outlined in the [Circulars 0061/2017](#) and [0062/2017](#)

Force Majeure Leave/Illness of Family Member Leave:

[Circular 17/99](#) covers Force Majeure Leave which allows for a maximum of 3 days in each 12 month rolling period or 5 days in each 36 month rolling period.

[Circular 19/00](#) allows for illness of a family member leave of 5 days in a school year in the case of a spouse, child or parent OR 3 days in a school year in the case of a brother, sister, grand-parent, aunt, uncle, or parent-in law.

The first day of each absence due to Force Majeure leave / Illness of a family member leave is covered under the Supervision and Substitution

It should be noted that the maximum periods of leave between Force Majeure Leave and Illness of a Family Member Leave cannot exceed 5 days in a school year.

Leave for Marriage or Civil Partnership:

On marriage or civil partnership during the school year, the teacher is entitled to 7 days special leave after the marriage or civil partnership with pay including the day of the marriage or civil partnership and a further 7 days without pay, at the discretion of the principal. These 7 days includes Saturdays and Sundays.

There are no Department provisions for the payment of a substitute to cover the teacher taking marriage leave.

State Examination Supervision Leave:

During periods of State Examinations Commission examination periods, teachers often apply to work as supervisors. This normally happens for LCA, for some practical subjects and during LC Oral examination periods. It is the policy of the Board of Management to restrict the number of teachers allowed out during an exam period to two.

In an incident that a teacher has been appointed to the position of Advising Examiner, this teacher may be allowed fulfil the duties of the post subject to them arranging suitable supervision for students in their absence.

Secondment Leave:

It is the policy of the Board of management to facilitate secondment leave, when requested. As there are numerous requests to be seconded to different organisations each request will be taken on its merit. Arrangements will be made with the seconding organisation according to their policy.

Career Break Implementation:

The Board of Management welcomes, in principle, the career break scheme as per Circular 0054/2019. Presentation Secondary School, Kilkenny, in operating the scheme outlined by the Department of Education and Skills, is as follows:

1. The welfare and educational needs of the students shall take precedence over all other considerations.
2. Any permanent member of staff or holder of a CID contract who wishes to be considered for a career break must make application to the Board of Management on or before 1st February of the school year preceding that to which the application refers. The applicant must be registered with the Teaching Council. A career break may be granted for a period of not less than one year and not more than five school years.
3. A career break shall normally be granted for one year, starting with the new school year. Applications for an extension must be made to the Board of Management on or before the 1st February of the school year preceding that to which the extension refers.
4. The number of teachers granted career-breaks in any one year shall not exceed 10% of the permanent teaching staff.
5. The Board of Management shall carefully consider how the granting of a career break might affect the standards and continuity in particular subject departments and subject provision within the overall curriculum. To facilitate the curricular needs of the school, the availability of a suitable substitute teacher is essential. Where the school has surplus teacher/teachers the Department of Education and Skills will not sanction the replacement of a teacher on leave on an incremental basis.
6. The Board of Management must issue a written note of approval or refusal to a member of staff with regard to his/her request for a career break by 1st April at the latest. Where an application for a career break is refused, the Board of Management will inform the applicant in writing, setting out the grounds for such a refusal.
7. In order to facilitate the curricular planning of the school, each applicant for a career break will be requested to indicate his/her future intentions vis a vis returning to work.
8. The Board of Management shall examine each application in light of this policy. The following shall be considered only in exceptional circumstances:
 - the granting of a request in excess of the specified percentage (see 4 above)
 - a late application (see 2 and 3 above).

9. The Board of Management reserves the right to review or amend this policy in accordance with the needs of this school. Amendments shall be made known to staff as early as possible or by 1st April and shall relate to the following school year.

Applicants have the right to appeal the decision of the Board of Management.

10. Taking account of the extent of arrangements to be put in place by the school to cater for a career break, the applicant will not be permitted to withdraw his/her application after 14th April, or from once the replacement teacher's contract has been signed, whichever happens first.

11. Return to Work following a Career Break: The teacher must notify the BOM by February 1st, if his/her intention to return to work from a Career Break at the beginning of the next school year. It is the responsibility of the teacher returning to work from a Career Break to ensure that he/she is registered with the teaching Council and holds valid vetting certification on the intended date of resumption. A teacher returning from Career Break after two or more years must undergo medical assessment and be certified medically fit by the OHS prior to returning to work.

12. All applicants for Career Break must familiarise themselves all aspects of Circular 0054/2019.

Job-share Implementation:

The Board of Management recognises the job-sharing scheme as per Circular 0054/2019 Teachers who are considering an application for Job-Sharing should familiarise themselves with this Circular in its entirety.

1. The welfare and educational needs of the students shall take precedence over all other considerations.
2. Any permanent member of staff (with exceptions as outlined in Circular 0054/2019) or holder of a CID contract, who wishes to be considered for job-sharing must make an application to the Board of Management, on or before the 1st February of the school year preceding that to which the extension refers. The applicant must be registered with the Teaching Council.
3. The Board shall consider each individual application on the basis of the following criteria:
 - The impact of the job share on the welfare and educational needs of the students
 - The case made by the individual applicant
 - The availability of suitably qualified teachers to job share
 - Is the scheme fairly available to all eligible members of staff?
4. A job-sharing agreement shall be entered into for one year. A job-sharer who wishes to be considered for an extension of another year must make an application to the Board of Management, on or before the 1st February of the school year preceding that to which the extension refers. The application must adhere to the same deadlines and conditions as first time applicants.
5. The number of teachers allowed to participate in the job-sharing scheme in any one year shall not exceed 10% of the permanent/CID teaching staff. The Board of Management shall carefully consider how the granting of a job-sharing request might affect the standards and continuity in particular subject departments and subject provision within the overall curriculum. While ensuring equitable timetabling arrangements for the staff as a whole, the timetable arrangements for job-sharing teachers will attempt to facilitate the teacher as far as is practicable.
6. A job-sharing agreement shall not exceed one year and may be extended at the discretion of the Board. In the interest of equity and fairness vis-a-vis colleagues who may wish to avail of the scheme, no one job-sharer may expect to job-share indefinitely. To facilitate the curricular needs of the school the availability of a suitable partner for the scheme is essential.
7. While the educational needs of the students take priority in timetabling, due regard shall be shown for the welfare of all teachers, including the job-sharer. After consultation with the Principal who shall consider the legitimate needs of all members of the school community, timetables should be accepted in the spirit of co-operation.

8. The Board of Management shall issue a written notice of approval or refusal, which will set out the basis of the refusal, to the teacher by 1st April at the latest.

9. Taking account of the extent of arrangements to be put in place by the school to cater for a job sharing post, the applicant will not be permitted to withdraw his/her application after 14th April, or from once the replacement teacher's contract has been signed, whichever happens first.

10. The Board of Management shall examine each application in the light of this policy.

The following shall be considered only in exceptional circumstances:

- the granting of a request in excess of the specified number
- a late application.

11. The Board of Management reserves the right to review or amend this policy in accordance with the needs of this school. Amendments shall be made known to staff by March 1st and shall relate to the following school year. Applicants have the right to appeal the decision of the Board of Management.

12. A job-sharing teacher must be available for Parent-Teacher meetings, staff meetings, staff in-service, school planning sessions, etc.

13. If a job-sharing teacher wishes to engage in outside employment permission must be obtained from the Board of Management. The Board's permission will be given only where it is clear that such employment will not affect the teacher's work or be in conflict or competition with it. A job-sharing teacher may not engage in regular part-time or long-term substitute teaching.

14. It is the responsibility of the individual teacher to make whatever enquiries and arrangements that are necessary regarding issues such as: posts of responsibility, superannuation, incremental credit, promotion, leave etc.

Review and Ratification

This policy was adopted by the Board of Management on *13th December 2023*

This policy has been made available to school personnel, published on the school website and provided to the Parents' Association . A copy of this policy will be made available to the Department and the patron if requested.

This policy and its implementation will be reviewed by the Board of Management once in every school year. Written notification that the review has been completed will be made available to school personnel, published on the school website (or where none exists, be otherwise readily accessible to parents and pupils on request) and provided to the Parents' Association (where one exists). A record of the review and its outcome will be made available, if requested, to the patron and the Department.

Signed: _____
(Chairperson of Board of Management)

Signed: _____
(Principal)

Date: _____

Date: _____

