



Coláiste Iognáid S.J.

Bóthar na Mara, Gaillimh

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Statutory and Non-Statutory Leave Policy for Teaching Staff

This policy should be read in conjunction with the Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools published December 2019 published by the Department of Education and Skills (DOE) or any subsequent publication by the DOE affecting the Terms and Conditions of Teachers.

It should be noted that all requirements in relation to Teaching Council Registration, Garda Vetting and Occupational Health Requirements should be adhered to when applying for and returning from BOM approved leave.

Statutory Leave

The Board grants statutory leave in accordance with the Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools 2nd Edition 2017 published by the Department of Education (DOE) or any subsequent publication by the DOE affecting the Terms and Conditions of registered Teachers.

Parental Leave

The Board grants Parental Leave in accordance with the Terms and Conditions Publications and accordingly the Board reserves its right to authorise the postponement of Parental leave, for justifiable reasons related to the school. The justifiable reasons which may be considered by the Board in authorising the postponement of parental leave are outlined below. For details on the different types of leave available please refer to the following circulars 0050/2022 (Parents Leave), 0010/2023 (Parental Leave) & 0054/2019 (Paternity Leave)

Rationale underpinning the School's Leave Policy

The Board, as the employer of teaching staff, must develop and maintain a policy on absences including non-statutory schemes, specific to the needs of the school. In considering leave requests, the Board will have due regard to the Terms and Conditions publications and any other DOE publications which has been, or will be published, affecting statutory and non-statutory leave.

The Board has made every effort to balance the legitimate expectations of teachers with the needs of students in this policy. However, **the Board states that the health & safety, welfare and educational needs of students, shall take precedence** the following considerations will assist the decision-making process by the Board on each application.

Taking the statutory entitlements of teachers to take leave and the Board's commitment to provide for the welfare and the educational needs of the students in Coláiste Iognáid into

consideration.

Considerations

- The health & safety, welfare and educational needs of students take precedence over all other considerations.
- The likely recruitment of a suitably qualified replacement teacher to take up duty on the applicant's departure.
- The purpose of the DOE schemes in relation to Career Break and job-sharing being to assist teachers in combining work commitments and personal responsibilities/choices.
- The benefit of teacher engagement with SEC work. It provides teachers with opportunity for further professional development which will directly benefit students they teach and their colleagues. State examination work is also very necessary work which ensures the national system works for students.
- The individual personal circumstances and the purpose of the leave request
- The balance between the needs of teachers and students and the long-term good of the school as a stable educational environment and workplace. Important factors to be considered in maintaining a stable educational environment are the continuity of teaching for students, the professionalism and expertise of the staff.
- Maintaining the stability of the educational environment within individual subject departments by ensuring that the granting of non-statutory leave to members of any department does not create an imbalance between substitute teachers and permanent teachers in that department.
- The overall number of teachers who are available to teach their timetabled classes at any one time in the school.
- The number of suitably qualified and experienced teachers the school has to draw upon.
- the Board's right to authorise the postponement of parental leave as outlined in the Terms and Conditions of Circular 0054/2019 and/or any subsequent publications.
- The Board's efforts to honour the spirit of the job-sharing scheme in so far as is practicable given the timetabling constraints and the Board's desire to prioritise continuity of the learning experience for students. Teachers on job-share will be timetabled over 5 days.

The Board will endeavour to consider each application on its own merits while at the same time taking account of the above considerations.

Other Non-Statutory Leave not covered under the Terms and Conditions Publications

Circular Letter 19/00 and Circular letter 17/99, Circular 0078/2022 & Circular 0058/2023 outlines the Extension of Substitute Cover to include certain teacher absences arising out of Particular Family Events i.e., Force Majeure Leave/Illness of a family member and Bereavement leave entitlements

A school authority, may engage a substitute teacher to replace a member of its teaching staff whose absence is approved by the school authority arising out of the following:

- Force Majeure Leave within the terms of Circular 0058/2023.
- Illness of a family member who is certified by a medical practitioner as requiring constant care and attention for the period of recuperation from the illness.

- Bereavement leave as per Appendix A of circular 0078/2022.

Please note that in the case of bereavement leave the leave must be taken immediately following the date of the bereavement. Substitute cover is provided by the Department in such cases.

When applying for Force Majeure Leave/Illness in Family Leave, the teacher should provide certification from a medical practitioner stating that the family member concerned is in need of significant care or support for a serious medical reason.

Secondment Leave

The Board shall consider leave applications as set out in Circular Letter 0029/2018 or any further DOE Publications. The Board will consider this leave in line with the considerations and conditions outlined above for Non-Statutory Leave and in line with the terms of circular letter 0029/2018.

State Examinations Work during Term Time

All applications will be considered in line with the considerations outlined above:

The Board fully accepts the professional development which work carried out for the State Examination Commission provides for teachers and the subsequent experience this affords their students and colleagues.

In addition to the considerations set out above relating to all forms of non-statutory leave the Board sets out the following conditions and considerations which may be considered in approving leave to undertake paid work for the State Examinations Commission (hereinafter call the SEC):

- All applications for leave to undertake paid/contracted employment with the SEC must be made to the Board of Management.
- In the case of oral examinations, practical examinations, LCA task examinations and any other future forms of examination work where teacher need to absent themselves from school: Where more than one teacher from the same subject area wish to undertake work for the SEC at the same time teachers are asked to ensure that requests are rotated between teachers wishing to avail of this. Where agreement cannot be reached the matter can be referred to the Board of Management.

Casual Personal Leave

Note: This type of leave is generally assumed by the Department to cater for such absences as weddings, funerals, graduations, etc.

The Board may grant special leave to a teacher for up to five school days in a school year for events which are scheduled for dates **which are outside the control of the teacher** and for any reason which the Board consider sufficient. Given the number of annual leave days

available to teachers, personal leave may not be granted to make provision for an event e.g., a family holiday.

An application in writing should be submitted to the Board in respect of personal leave applications as soon as the applicant becomes aware of the date of the proposed leave, outlining the reason for the leave and outlining the cover provided. The leave may be granted if the reason is considered sufficient and subject to cover being in place and work being assigned to the class during the period of absence.

Such absence or absences should be notified to the Department of Education by the school beforehand, or if this is not possible, immediately afterwards.

Marriage Leave

There are no Department provisions for the payment of a substitute to cover the teacher taking marriage leave. Teachers should arrange their own cover.

Seven consecutive calendar days leave may be granted to those teachers who get married during the school term. These seven days include Saturday and Sunday and should include the date of marriage.

The week cannot be extended on the grounds that the school was closed during the week for a Church Holiday, public holiday, etc., i.e., if the first day of marriage leave absence is on a Monday and the school is closed on the following day for a Church Holiday, the teacher should resume duty on the following Monday.

In the case of a teacher marrying during the vacation period he/she should resume duty one week following the date of marriage, or the day on which the school re-opens after vacation, whichever is the later.

A signed letter of application to the Board should be submitted before commencement of the leave.

Jury Service Leave

Under legislation, a secondary teacher is obliged to serve on a jury, if summoned, unless he/she can produce a letter for the County Registrar that the school authorities deem that the teacher's presence in school is essential for the purpose of teaching and supervising his/her classes. The acceptance of such a letter is at the discretion of the Registrar. A substitute may be employed for the period of jury service and Department recoupment will be made.

Notification of Absences from School

If a teacher needs to absent themselves from class during the day due to unforeseen circumstances, they are obliged to speak to a member of the Senior Management Team

(SMT) beforehand in order to ensure that adequate provision is made for students.

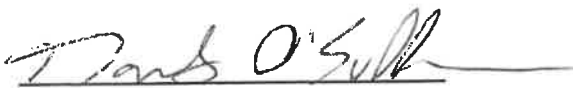
If a teacher is unable to attend work on any particular day, they must notify a member of the SMT as soon as they become aware of the likelihood of their absence. If a teacher or SNA is unable to attend work due to unforeseen circumstances including self-certified illness, the teacher must contact a member of the SMT before 8am on the morning of the absence, to ensure that adequate provision is made for students. Please note that the type of leave (e.g., Certified/Self Certified/Bereavement) should be communicated.

Please note that medical leave will be entered on Online Claim Service (OLCS) as self-certified until the medical certificate(s) are received by the principal with the exact dates of certification. If a teacher returns to work before the expiry of the medical certificate a revised certificate will be necessary.

Teachers who unexpectedly find themselves late for work should notify a member of the SMT as soon as is practicable. In the absence of a response the teacher should contact another member of the SMT until they receive a response. The reason for the late arrival should be communicated to the Principal on arrival to school.

Applications for Non-Statutory Leave

Applications should be made in writing on the approved forms, by the prescribed dates as detailed in the Terms and Conditions Publications. Where no such DOE approved form exists for the particular form of leave, the application should be made by means of a signed letter outlining the purpose of the leave etc. well in advance of the proposed leave.

Signed: 
Principal

Signed: 
Chairperson of Board of Management

Date: 16/12/2024.

Appendix 1 – List of Circulars

Teacher Employment Terms and Conditions Web Book Archive

<https://www.gov.ie/en/collection/9bfbaa-teacher-employment-terms-and-conditions-web-book-archive/>

Parents Leave

<https://www.gov.ie/en/circular/cb1c5-parents-leave-scheme-for-registered-teachers-employed-in-recognised-primary-and-post-primary-schools/>

Parental Leave

<https://www.gov.ie/en/service/8339e2-parental-leave/>

Paternity Leave

<https://www.gov.ie/en/service/e71fd8-paternity-leave/>

Force Majeure Leave

<https://www.gov.ie/en/circular/45fbf-force-majeure-leave-and-illness-in-family-leave-for-registered-teachers-employed-in-recognised-primary-and-post-primary-schools/>

Illness in Family Leave

<https://www.gov.ie/en/circular/45fbf-force-majeure-leave-and-illness-in-family-leave-for-registered-teachers-employed-in-recognised-primary-and-post-primary-schools/>

Bereavement Leave Scheme

<https://www.gov.ie/en/circular/5a5a3-bereavement-leave-scheme-for-registered-teachers-employed-in-recognised-primary-and-post-primary-schools/>

Secondment Leave

<https://www.gov.ie/en/service/051a70-secondment-scheme-for-teachers-employed-in-recognised-primary-and-po/>

Casual Personal Leave

<https://www.gov.ie/en/service/fece79-personal-days/>