

Colaiste Chríost Rí

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Policy in relation to Leave of Absence: Career Break, Job-Sharing, Secondment

May 2021

Leaves of absence: General Principles

- There are three forms of leave of absence available to teachers subject to the consent of the Board of Management: **Secondment, Career Break and Job Sharing**, and the school will look favorably on all applications for such forms of leave.
- In considering any application for any form of leave of absence, the educational interest of the student shall take precedence over all other considerations.
- In consenting to any request for a leave of absence the Board shall have regard to the overall number of teachers in the school who are availing of such forms of leave.
- All forms of leave shall be given for one year only though any such leave may be extended by further period(s) of one year at a time.
- Leave for cumulative periods of more than one year cannot be presumed but will be considered favorably, if at all possible.
- Notwithstanding the Board's favourable disposition to all forms of leaves of absence, it cannot enter any form of understanding, implicit or explicit, that sanction for leave of absence can be presumed for periods of time greater than one year.
- While leave is sanctioned by the Board and facilitated with goodwill by School Management, applicants need to be aware that there may be limitations and considerations about which the Board and/or in-house management must remain cognisant in the implementation of any successful request for leave of absence.
- The right to a leave of absence is not an absolute right and the success of an application will be dependent on the following conditions:
 - ✓ the annual approval by the B.O.M. of each application
 - ✓ the ability of the job-sharing arrangement to be accommodated within the school timetable without placing undue demands on the timetable or without significantly compromising the curricular needs of the school or the educational needs of the students
 - ✓ the eligibility of the applicant as specified in Circular 0054/19
- The applicant will be informed as to the Board's decision without delay once a decision on the matter has been made.
- A decision by the Board of Management shall be final. However, an unsuccessful applicant may appeal.

**Coláiste Chríost Rí Secondment Policy
School Year 2020/2021**

This Secondment Policy must be read in conjunction with Circular 0054/19 of the Dept of Education & Skills, the requirements of which form an essential core element of the Coláiste Chríost Rí Management Policy in relation to the secondment of a teacher to another employer.

The Board of Management welcomes in principle the secondment of a teacher to another employer. Its policy for operating the scheme is as follows: -

1. The Board of Management will consider favourably requests from permanent teachers to enable them to be seconded subject to the school's Secondment Policy and Circular 0029/2018.
2. The welfare and educational needs of the pupils will take precedence over all other considerations in the application of this policy.

3. Eligibility

Teachers eligible for secondment will:

- a. be registered by the Teachers Council
- b. have satisfactorily completed their probationary year and, where required, induction periods;
- c. not be in breach of the limits set out at paragraph 4(e) below.

A secondment must be based on mutual agreement between the teacher, the school authority and the host organisation. A secondment arrangement must:

- be demonstrated to be of clear benefit to the educational system and / or is in the public interest;
- specify the exact duration of the secondment and;
- specify that the seconded staff member will return to the school authority at the end of the fixed term.

4. Duration of secondment arrangement

- a. Not less than one school year (except in exceptional circumstances).
- b. Beginning on the 1st of September, and finishing on the 31st of August the following year.
- c. Is subject to annual application using the Application Form at Appendix A of Circular 0029/2018
- d. In exceptional circumstances where the secondment begins during the school year, the finishing date will be 31st August.
- e. The secondment may be extended in increments of one year subject to:
 - i) A maximum period of 5 school years for secondments to outside organisations.
 - ii) A maximum period of 5 school years for secondments to Department funded national programmes or school/staff representative bodies. This limit may only be extended in limited circumstances where the Department determines that retention of the secondee is necessary for leadership, continuity, quality planning or management purposes. Where these exceptions arise, in addition to the formal application, there must also be formal agreement between the relevant section of the Department and the host organisation

- prior to the secondment being extended beyond the 5 years.
- iii) Secondment to European schools is governed specifically by the Regulations of Seconded Staff of European Schools (see www.eursec.eu). The aforementioned regulations take precedence in matters relating to but not limited to:
 - Duration of employment
 - All leave entitlements and arrangements
 - Termination/cessation arrangements
 - Resumption to duty following a secondment
 - Salary payment
 - iv) Secondment to Director of Education Support Centers are governed by the Statutory Instrument No. 394/2017 Education Support Centers Regulations 2017 (see www.irishstatutebook.ie). The aforementioned regulations take precedence in matters relating to but not limited to: Eligibility & Duration of secondment 4
 - v) The maximum permitted secondment period is 5 school years in total except as outlined above.
- f. The Board may decide to place a limit beyond which it will not grant extensions to secondments.
- g. Where a former secondee subsequently serves as a teacher in an approved teaching post, he/she shall only be eligible for a further secondment where the period of that teaching service is equal to, or greater than, the previous secondment period.
- h. A secondee is normally required to notify their employer as early as possible, but no later than the 1st April of their intention to return from a secondment to an approved teaching post at the beginning of the next school year.
- i. A secondment arrangement may only be terminated, prior to 31st August, in the following circumstances:
- ☒ Where the employer is aware that the secondment arrangement is not operating in the best interests of the pupils.
 - ☒ Where the secondee is retiring or resigning their teaching post/ending their contract of employment with their school.
 - ☒ Where the Department determines that the terms of the scheme and the secondment arrangements are not being complied with.
 - ☒ In the event of the termination of the host organisation of National Programme/Project.
- j. Where a secondee continues in the employment of the host organisation beyond the limits set out in this circular, the College shall take such action as it deems appropriate and immediately notify the Department regarding payment of salary.

5. Applications procedures

- a. The Board of Management alone approves a secondment.
- b. A letter of application for a secondment should be submitted to the Secretary of the Board of Management. As stated above, the Application Form can be found in Appendix A of Circular 0029/2018.
- c. The letter of application should specifically state that the teacher has read and accepted the terms of this Secondment Policy and the DES Circular 0029/2018.
- d. The latest date for applications for secondment to the Board of Management is the 1st of April of the preceding year, and the Form must be returned by the employer to the relevant section in the Department by 1st May for approval.
- e. Late applications may only be considered in very exceptional circumstances.
- f. The Board of Management's decision is final.

6. Factors for consideration in granting a secondment

- The welfare and educational needs of the pupils will take precedence over all other considerations. This may include: i. continuity of teaching staff; ii. subject and programme planning and provision.
- The number of teachers on career break / secondment / job sharing during the year in question.
- Availability of a suitably qualified substitute teacher.
- The reason for the secondment.

7. Posts of responsibility

a. A teacher on secondment is entitled to apply for any vacant post of responsibility which arises during the course of the secondment. The teacher will be informed of the vacancy by the Principal. Seniority will not be affected by participation in a secondment arrangement.

b. If the teacher is successful, the post may be filled in an acting capacity until the teacher returns from secondment. Allowances will only be paid when the teacher returns to their approved teaching post.

8. Resumption of duty

a. A teacher who intends to return to teaching from a secondment must notify the Board of Management not later than 1st March of the calendar year in which he / she intends to return.

b. A teacher is entitled to return to his / her post in a permanent capacity.

9. Other issues

a. A teacher on secondment is not entitled to participate on the supervision / substitution scheme for the duration of the secondment.

b. The period of secondment remains pensionable.

c. Teachers on secondments are entitled to the statutory leave of absence for maternity leave, etc.

d. Sick leave is a matter for the host organisation subject to the time limits for teachers' sick leave.

e. Records of sick leave must be forwarded by the host organisation to the DES.

f. It is not permissible for a secondee to engage in employment other than with the host organisation without the consent of the host organisation, the College and the Department.

10. Resignation

A teacher wishing to resign his / her teaching post whilst on secondment must do so in writing to the Board of Management.

11. It is the responsibility of the individual teacher to make whatever enquiries and arrangements as are necessary regarding issues such as social welfare entitlements, superannuation, incremental credit, voluntary deductions, etc.

**Coláiste Chríost Rí Career Break Policy
School Year 2020/2021**

This Career Break Policy must be read in conjunction with Circular 0054/19 of the Dept of Education & Skills, the requirements of which form an essential core element of the Coláiste Chríost Rí Management Policy in relation to the career breaks for teachers on the staff.

The Board of Management welcomes in principle the Career Break Scheme outlined by the Department of Education and Science (Circular 0054/19). Its policy for operating the scheme is as follows: -

1. The Board of Management will consider favourably requests from permanent, CID and fixed contract teachers to enable them to avail of a career break subject to the school's Career Break Policy and Circular 0054/2019 (Chapter 7 – Career Break Scheme).
2. The welfare and educational needs of the pupils will take precedence over all other considerations in the application of this policy.
3. **Teachers eligible for career break will** be registered with the Teaching Council and; will have satisfactorily completed, at the end of the school year in which they are applying, twelve months of continuous service in Coláiste Chríost Rí.

4. Duration of Career Break:

- a. A teacher may engage in this scheme subject to an overall maximum absence of ten years in the course of his / her professional career.
- b. A career break shall be a period of not less than one school year and may be extended on an annual basis provided the total period of the career break does not exceed five years at any one time.
- c. A subsequent career break may not be taken until the teacher has served for a period equal to the duration of the previous career break. In the case of a teacher wishing to avail of a career break to undertake voluntary service abroad – missionary, diplomatic, military, Oireachtas or study leave this requirement will be waived.
- d. A career break shall commence on the start of a school year and a return to duty in the school shall not be permitted other than on the start of a succeeding school year. In exceptional circumstances, the Board of Management may authorise a teacher to commence a career break during the course of a school year and terminate not earlier than the end of that school year. This is deemed to be a one-year career break.
- e. The duration of a career break may not extend beyond:
 - the date of termination of a fixed term contract where the applicant is employed under such a contract or;
 - the date of compulsory retirement age;
 - the above limits set out at the end of the relevant school year.

5. Applications Procedures:

- a. A teacher seeking a career break must submit a written application to the Secretary of the Board of Management not later than the 1st of February of each school year prior to that in which s/he proposes to commence / continue the career break. The application must provide clear details of the exact purpose of the career break. A late application may be considered by the employer in exceptional circumstances.
- b. The application should specifically state that the teacher has read and accepted the terms of this Career Break Policy and the DES Circular 0054/2019 (Chapter 7 – Career Break Scheme). Chapter 7. The Application Form can be found in Chapter 7, Appendix A. A teacher who wishes to extend his / her career break must apply for this extension on an annual basis.
- c. The Board of Management’s decision is final.
- d. The Secretary of the Board of Management will issue a written notice of approval or refusal to the teacher by 1st of March at the latest.
- e. The career break absence must be notified to the DES on or before 1st of April.
- f. The applicant will not be permitted to withdraw his / her application after the 14th of April. In exceptional circumstances the Board may consider a later withdrawal of a career break application.

6. Reasons for Granting a Career Break

A career break may be allowed for most purposes such as child rearing, other domestic responsibilities, starting a business, educational purposes, and travel abroad. The applicant must furnish the Board of Management with precise details of:

- the duration of the career break and;
- the purpose for which it is required.

7. Employment while on Career Break

- a. A teacher on a career break is precluded from taking up an appointment in any capacity in any school funded by monies from the Oireachtas. The DES requires schools to give priority to qualified teachers when making appointments for periods of substitution. In exceptional circumstances a teacher on a career break may be employed by the school for a maximum of 300 hours in a school year.
- b. A teacher who is on a career break and is employed in a substitute capacity as a teacher in a primary school, shall be regarded as working on a casual basis until he/she has worked for a period in excess of 40 days in a recognised school. Substitute days worked as a teacher in excess of 40 days will be paid at the teacher’s personal rate.
- c. A teacher who is on a career break and is employed in a substitute capacity as a teacher in a post-primary school shall be regarded as working on a casual basis until he/she has worked for a period in excess of 150 hours in a recognised school/Further Education Centre. Substitute hours worked as a teacher in excess of 150 hours will be paid at the teacher’s personal rate.
- d. Such substitute teaching will count towards progression on the incremental salary scale and superannuation.

8. Factors for Consideration in Granting a Career Break

The welfare and educational needs of the pupils will take precedence over all other considerations. This may include:

- continuity of teaching staff;
- subject and programme planning and provision;
- the number of teachers on career break / secondment / job sharing during the year in question;
- whether the DES will allow the employment of a substitute for the teacher applying for a career break;
- availability of suitable substitutes;
- any potential conflicts of interest between the employment in which the teacher wishes to engage and the educational purposes of recognised schools;
- the length of service of the teacher;
- the reason for the career break.

9. Where an application for a career break is refused the Secretary of the Board of Management will inform the applicant in writing setting out the grounds for such a refusal.

10. The school will address all necessary correspondence to the teacher on career break at the address last notified by the teacher and no fault shall lie with the school in the event that the teacher does not receive such correspondence.

11. A teacher on career break is deemed for all purposes to be in employment with the exception of remuneration, superannuation or the service requirement for promotion. A teacher on career break will be informed by the Principal of any vacancies arising for promotion in the school. A career break absence will not affect a teacher's seniority.

12. Resumption of Duty

- a. A teacher must notify the Secretary of the Board of Management by the 1st of February of his / her intention to return to teaching from a career break at the beginning of the next school year. Failure to do so may result in the return being deferred for a further school year.
- b. It is the responsibility of the teacher returning from a career break to ensure that s/he is registered with the Teaching Council on the intended date of resumption.
- c. A teacher returning from a career break in excess of two school years shall be screened by the Occupational Health Service (OHS). It is a pre-requisite for the restoration of salary that the teacher is deemed medically fit for teaching duties by the OHS before s/he is permitted to resume his / her teaching post.
- d. A teacher returning from career break must comply with the vetting regulations in operation at the time of return.
- e. The terms and conditions of teachers in general including the terms of any redeployment scheme existing at time of return shall apply to a teacher resuming duty after a career break.

13. Resignation

- a. A teacher wishing to resign his / her teaching post whilst on career break must do so in writing to the Board of Management.
- b. In the event that a teacher fails to resume duty at the end of an approved period of career break, the Secretary of the Board of Management shall immediately notify the Department so that incremental salary will not issue. The Board shall also take action to establish the position.

14. It is the responsibility of the individual teacher to make enquiries and arrangements as are necessary regarding issues such as social welfare entitlements, superannuation, incremental credit, voluntary deductions, etc.

**Coláiste Chríost Rí Job-sharing Policy
School Year 2020/2021**

This Job-sharing Policy must be read in conjunction with Circular 0054/19 of the Dept of Education & Skills, the requirements of which form an essential core element of the Coláiste Chríost Rí Management Policy in relation to the Job-sharing Scheme for teachers on the staff.

The Board of Management welcomes in principle the Job-sharing Scheme outlined by the Department of Education and Science (Circular 0054/19). Its policy for operating the scheme is as follows:

1. The Board of Management will consider favourably requests from permanent, CID and fixed contract teachers to enable them to job-share subject to the school's Job-Sharing Policy and Circular 0054/2019 (Chapter 8 – Job Sharing Scheme).

2. **The welfare and educational needs of the pupils** will take precedence over all other considerations in the application of this policy.

3. 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 any non-statutory leave scheme at any one time.

4. **Eligibility** - A teacher may make an application reduce their hours to 50% of a whole-time teacher i.e. 11 hours per week teaching where he/she:

- a) is registered with the Teaching Council and;
- b) will have satisfactorily completed at the end of the school year in which they are applying 12 months of continuous service with the school and;
- c) holds a post for the following school year greater than 50% of a whole-time teacher. (i.e. 11 hours per week teaching). The Principal, Deputy Principal, and teachers on secondment are not eligible for job-sharing.

5. Duration of Job-Sharing Arrangement

- a. Not less than one school year, from the beginning of a school year.
- b. In exceptional circumstances the Board may authorise a job-sharing arrangement to commence during the course of the school year and terminate not earlier than the end of that same school year.

6. Applications Procedures

- a. The Board of Management alone approves job-sharing.
- b. A teacher seeking to job share must submit, on an annual basis, The completed Application Form at Appendix A Chapter 8 of Circular 0054/2019, to the Board of Management not later than

1st February prior to the school year in which he/she proposes to commence or (in the case of a teacher wishing to extend an existing arrangement) continue Job Sharing.

c. Each application to job share shall be considered on its own merits by the Board within the context of the school's policy statement. The decision of the Board shall be final.

d. A teacher on a career break or other approved leave of absence may apply to resume teaching duties on a job-sharing basis.

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

f. 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. This will be included in the notice from the school to the teacher.

g. In exceptional circumstances, if the applicant can be accommodated within the approved staffing allocation and subject to contractual arrangements, an application for withdrawal from a job-sharing scheme and/or an earlier return to full-time employment may be considered by the Board. Such an application may not be considered beyond 1st November.

7. Duties of the Job-Sharing Teacher

a. The job-sharing teacher must make themselves available for relevant parent teacher meetings, staff meetings, etc. in accordance with school policy and arrangements.

b. The obligation to provide additional hours under the existing Public Service Agreements is pro-rata for teachers who are job sharing.

8. Outside Employment

a. Job sharing teachers may not:

i. engage in any substitute teaching;

ii. act as a special needs assistant in the school in which he/she is employed or any other school or;

b. It is not permissible for a job-sharing teacher to engage in outside employment without the consent of the Board. It shall be a matter for the Board to determine whether or not any such employment is in conflict with their ability to carry out their duties as an employee of the school. If such a conflict is deemed to exist, the approval of the Board will be withheld.

9. Factors for Consideration in Granting Job-Sharing

a. The welfare and educational needs of the pupils will take precedence over all other considerations. This may include:

i. continuity of teaching staff;

ii. subject and programme planning and provision.

b. The number of teachers on career break / secondment / job sharing during the year in question

c. The particular needs of teaching posts will largely determine what patterns of job-sharing are possible.

d. Whether the DES will allow the employment of a substitute for the teacher applying for job-sharing.

e. Availability of suitable substitutes.

f. Any potential conflicts of interest or competition between any other employment in which the teacher wishes to engage and the educational purposes of the Board of Management.

g. The length of service of the teacher.

h. The reason for the request.

10. Decision to Grant Job-Sharing

- a. The timetable arrangements for job-sharing teachers will be designed within the spirit of the scheme to facilitate the teacher so far as is practicable. The Board of Management can require a teacher to work throughout five days. However, timetable arrangements for Job Sharing teachers will be designed to facilitate the teacher, so far as is practicable.
- b. Every effort will be made to notify job-sharing teachers in advance of their timetabled hours and the pattern of job-sharing.

11. Appointment of a Replacement Teacher

- a. Where a replacement teacher is to be employed, the position will be filled in accordance with current rules for teacher recruitment. This teacher may apply for any available hours within the school's allocation up to the maximum of a whole-time post.
- b. Where a replacement teacher is to be employed, he/she will be offered a fixed term contract which will must include a condition that the contract will terminate on the job-sharing teacher resigning, retiring or returning to full time employment or the following 31st August whichever happens first.

12. Posts of Responsibility

- a. An Assistant Principal I or Assistant Principal II may retain his/her Leadership and Management post allowance while job sharing provided the Board decides that the duties of the post can be performed in full.
- b. Where the Board decides that it is not possible for the job-sharing teacher to perform the full duties of the Assistant Principal I or Assistant Principal II, he/she shall forfeit the allowance for the duration of the arrangement. The allowance will be restored on resumption of fulltime duties.
- c. The acting post holder will not establish personal title to the allowance and will relinquish same when the Job Sharer resumes full time duties.
- d. Appointment to and payment in respect of Acting Posts of Responsibility will be in accordance with the applicable Circular Letters and/or other regulations.
- e. The Board will keep the operation of posts of responsibility held by job sharing teachers under review to ensure responsibilities are adequately discharged.
- f. Any queries regarding the entitlement to fill a Post of Responsibility is a matter for the Teacher Allocations Section of the Department.

13. Redeployment Job sharing teachers will be subject to the same conditions of re-deployment as full-time teachers.

14. Termination/Resumption of Duty

- a. A teacher who intends to return to full-time teaching from job-sharing must notify the Board of Management not later than the 1st February of the preceding school year.
- b. A teacher is entitled to return to his/her post in a full-time capacity, subject to any redeployment scheme in place.
- c. The Board will ensure that teachers participating in the job-sharing scheme are aware that the arrangement may be terminated at any time if it is not operating in the best interests of pupils.

15. Leave

- a. Certain arrangements and requirements regarding leave are outlined in Circular 0054/2019.
- b. The Board of Management will consider all applications for leave from job-sharing teachers in accordance with conditions laid down by the Department of Education and Skills, and the terms of Circular 0054/2019.

16. It is the responsibility of the individual teacher to make whatever enquiries and arrangements as are necessary regarding issues such as, superannuation, incremental credit, promotion, leave, etc. Guidelines on these issues are to be found in Circular 0054/2019.

17. The Board of Management shall take considerations such as the following into account when allocating job-sharing places:

- personal ill-health of the applicant or of a close family member who is a dependant of the applicant;
- bereavement ;
- the desire to devote more time to pre-school or school-going children;
- proximity to retirement;
- other life-style considerations or personal circumstances.

Arrangements for 2020/21

For the current school year 2020-2021 the following was agreed to assist schools with the pandemic. There is not agreement that a JS teacher will be allowed to do substitute work next year. The substitution is limited to the teachers own school.

^[1]**Current year exception:** [TTC/005/2020](#) Changes to the Job-sharing Scheme for Registered Teachers employed in Recognised Primary and Post Primary Schools – 2020/2021 School Year. Paragraph 11.1(a), Chapter 8 of Circular 54/2019 will be suspended for the 2020/21 school year. A Job-sharing teacher may now be employed in a substitute capacity, during the period he/she **is rostered off duty**. The Job-sharing teacher **is limited to carrying out substitute work in his/her own school** and will be paid the personal rate of pay. Job-sharing teachers are not permitted to exceed the maximum number of weekly contracted hours of a full-time teacher.

Ratification and activation of Policy

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

- This Policy was formally approved by the Teaching Staff on
- This Policy was formally approved and adopted by the Board of Management on
- The Board of Management decided that this Policy will come into force on