

St Anne's School



Policy on Staff Leave

Approved by Board of Management: 29th January 2024

Next Review date: Jan 2025

Signed: Catharine Maynard
(Chairperson of the Board of Management)



St Anne's Policy on Staff Leave

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St Anne's Policy on Staff Leave

Rationale

This Policy document sets to outline the agreed procedures and practices for notification of absences and requesting leave for all staff at St Anne's School. The success of this policy will allow for effective staff management, securing as far as practical relief staff and effective planning for staffing for school management.

The policy include procedures relating to:

- General absences
- Career breaks
- Job-sharing
- Assault Leave

This is a reference document for employees which at any time may be superseded by Circulars or other Legislative Guidelines issued to employers.

Roles and Responsibilities

For All DE Staff (Teachers & SNA's)

- It is a matter for the employee to familiarise themselves with the relevant DE circulars and submit leave requests and the necessary documentation including medical certificates within the relevant timeframes as outlined in the circulars and this policy.
- It is the responsibility of the employee to advise management of the reason for the leave and submit supporting documentation including medical certificates in good time

School Management

- As laid out by DE - School Management in considering applications for leave must first and foremost consider the impact on the education and welfare of the pupils at any given time throughout the school year.
- The BOM will keep a file on applications/approvals for leave.
- School Management must adhere to DE Procedures in relation to leave and must cooperate and refer staff as necessary to the Occupational Health Service (Medmark)

School Administration

- It is the responsibility of the school secretary to submit DE staff attendance and absences via the DE Online Claim System.
- In submitting such claims the school secretary must confirm that all paperwork required has been submitted by the employee.

General Absences

- Leave entitlements, deadlines and application forms are determined by the DE. At the time of publication the relevant circulars are: **Circular 0054/2019 (Teachers)** and **Circular(s) 0060/2019(Sick Leave SNA), 0041/2014(Job Sharing SNA), 0022/2012(Career Break SNA) & 0032/2010(Brief Absences SNA for Special Need's Assistants)**. These may be superseded by future circulars or information notices at any point by DE and the school as employer will comply with such arrangements.
- KARE staff have contracts with KARE and in as far as possible should try to take holidays in line with school closures.



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- A part day absence is considered a full day absence under DE rules. An employee who leaves school before 12pm due to illness will be considered absent for reporting procedures.
- Staff are encouraged to seek hospital/doctor appointments outside of school hours. However, where this is not possible management will try to grant this leave bearing in mind that the needs of pupils are paramount in all situations. A hospital appointment letter and attendance confirmation slip must be submitted in order for such leave to be certified.
- Elective surgical procedures should be arranged during school closures/holidays where possible
- Where an employee has been on sick leave up to a closure period they must either submit a medical cert confirming their fitness to return or their leave must be extended over the holiday period.

Notification of Absence

1. If for any reason you are unable to come to work you must phone the school mobile as soon as you are aware of your absence and no later than 7:30am. This is in order to give the school the best chance for a substitute to be sourced.
2. You must notify the school on the first day of your absence whether you intend to visit a doctor, failure to do so will result in the day being recorded as uncertified leave.
3. You must inform the school on your first day of absence of your expected return date to work. If you will be unable to return to school on your expected return date you must inform the school as soon as you are aware and provide an updated expected return date.
4. **Notification should be via phonecall to the school mobile which is held by Deputy Principal or Principal *if you have attempted to call with no answer should send a text to ensure the school is aware of your absence before 7:30am but you must follow up with a phonecall to discuss your absence with Principal/Deputy Principal on the morning of your absence.**
5. All leave over 2 days must be certified.
6. If you are certified off work for a period of time **you must notify the school of this on the date you visit the doctor**. The employee may send a picture of their cert to the school mobile on 0879357833.
7. The **original** doctor certificate must be submitted to the office on the date of your return. If you are absent on extended leave of more than 1 week you must arrange for your medical certificates to be sent to the school.
8. All staff must record their absence and leave type from school via the Aladdin system, to ensure that leave is submitted correctly on the Online Claim System.
9. The school submits returns to DE each Friday, if certs are not received in the office by 9am each Friday morning (or 9am on the last day before a school closure period) the leave will not be submitted as certified and could result in a loss of pay).

In line with Circular 0054/2019 and 0060/2019 5.4 Failure to adhere to the limit permitted for self-certified Sick Leave and failure to submit an acceptable medical certificate to the employer in the case of certified Sick Leave will result in the employer advising the teacher that their absence will be recorded by the Paymaster as a period of Unapproved Leave (unpaid). Repeated absences may then be dealt with by the employer under the agreed disciplinary procedures.

Unpaid Leave

- In line with DE guidelines unpaid leave must only be considered in the most exceptional of circumstances, where the employer is satisfied that there is a compelling obligation involving absence from duty. Absences under this heading must not be used to substitute other forms of leave, statutory or otherwise and must not be of a recurring nature.
- All requests for unpaid leave should be submitted to the BOM for approval six weeks in advance of the absence. While the BOM will consider all applications there is no automatic entitlement to unpaid leave. Decisions made will be based on the impact on the education and welfare of the pupils at any given time



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throughout the school year.

- Requests for unpaid leave should be submitted for the attention of the Board of Management using the standardized application forms (Teacher/SNA)

Force Majeure - Force Majeure Leave (i.e. paid 'emergency' leave)

- Force Majeure leave means that all employees have a limited right to paid time off (three days in any period of twelve consecutive months and five days in any period of thirty six consecutive months) for urgent family reasons owing to accident/illness of an immediate relative, or of a person "in a relationship of domestic dependency" with the employee.
- In order to be able to avail of force majeure leave, the event giving rise to it must be urgent, and the employee's immediate presence with the ill or injured person must be indispensable. The reason is urgent when the employee has to act without delay, there is no advance notice of the illness/injury and there is little time to plan or manage it or to make alternative arrangements. In this sense, a scheduled hospital appointment would not attract force majeure leave. An event might be urgent on the first day, but not on subsequent days if the initial urgency has passed.
- Where a force majeure day has been required the employee must complete a Force Majeure form outlining the reason for the absence which must be presented to the BOM at it's next meeting

Family Illness Leave (Teachers only) – Teachers have an allowance of 5 days family illness leave in 12 month period, this leave is inclusive of Force Majeure Leave. An ILL1 Form must be submitted by the employee taking this leave.

Career Breaks

- Teachers may apply for a career break, as per guidelines published on the DE website. Applications must be submitted to the Board of Management by February 1st for Teachers and March 1st for SNA's.
- Standardised application forms for Teachers and SNA's are available from school office and in Main staffroom.

Job Sharing

- Staff may apply to job share as per guidelines published on the DE website. Applications must be submitted to the Board of Management by February 1st for Teachers and March 1st for SNA's.
- Standardised application forms for Teachers and SNA's are available from school office and in Main staffroom.

Assessment of Applications under Non-Statutory Leave Schemes

- *Following Staff Consultation St. Anne's Board of Management recognises its duty to prioritise the welfare and educational needs of its students above all other considerations. Therefore, the BOM will not approve non-statutory leave schemes (career breaks, secondments, or job shares) that would reduce the regular teaching staff below 70% or SNA staff below 60% at any one time. This ensures the school can fulfill statutory leave entitlements without risking unfilled vacancies, maintaining staffing continuity and minimising disruptions to the learning environment.*
- *Exceptions may be considered on compassionate grounds or when the leave is deemed to be in the direct interest of the school. Such decisions are solely at the discretion of the BOM.*
- *In cases where the number of leave applications exceeds the thresholds based on the aforementioned percentages, the BOM will consider applications based on the following criteria:*

A. Personal circumstances disclosed by the employee in support of their application.

B. Past applications and their outcomes.

C. Seniority of the staff member.



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Assault Leave

At the time of publication of this document **Circulars 61/2017 (Teachers) and 62/2017 (SNA's)** are referenced for Assault Leave, this however, is subject to change by the Department of Education (DE).

<https://www.gov.ie/en/service/9d6d99-leave-of-absence-following-assault/>

Assault leave is not granted by the School, it must be granted by the DE. The School initially enters the leave as certified leave. Only absences medically certified as a physical injury qualify for leave under this scheme.

The DE on receipt of the paperwork from the School then amends this record to Assault leave. To ensure this requirement is met, all paperwork must be submitted to the Department **within (7) seven days of the Assault**. Where in exceptional cases a teacher/SNA is unable to complete his/her part of the application within a week of the incident due to physical incapacity, this period may be extended by the employer –applications **must be forwarded to the Department within a reasonable period in this event**. (as per Section 4.1 of Circulars)

Obligations for Teachers/SNA's:-

- Seek immediate medical attention (Nurse)
- Immediately report the incident the School Management (Deputy Principal/Principal)
- Record the incident on the Schools incident Report Form before leaving work on the day of the incident - in event the staff member is incapable of doing so this must be completed on that persons behalf by the person in charge at the time of the incident and signed by the employee and a member of school management.
- Complete Appendix A – Application Form for Leave of Absence following Assault
- Submit Doctors Cert to the School - ensuring it states “assaulted at work”

The Principal/Deputy Principal to:-

- record the Assault leave in the Absence book and notify the School Secretary.
- report to the Health and Safety Authority (HSA) if staff member absent for over 3 days OR reported to the Gardai where appropriate.

The School Secretary on receipt of the paperwork must ensure it is processed in a timely manner to meet the DE deadlines.

Where paperwork is not submitted within the DE time frame the School cannot guarantee the DE will process the Assault leave.

Claiming Illness Benefit

1. When teachers, special need assistants and other staff are absent on sick leave (certified, critical and pregnancy-related at full/ half rate of pay) for more than three days, they must submit a DEASP illness benefit claim. The employee should obtain and complete the application form for illness/injury benefit (IB1). The certificate of incapacity for work (MED1) is completed by the doctor and either returned to the employee or submitted to DEASP directly. The teachers, special need assistants/staff member's bank account details must be included on the form IB1. The completed application form (IB1) and certificate of incapacity for work (MED1) form should be forwarded directly to DEASP at the address referenced on the forms.

2. Ensure the school receives the medical certificates and enters the absences in a timely manner through the On-Line Claims System (OLCS).

3. DE Payroll will calculate the number of eligible days for illness benefit based on the sick leave record entered by the school and will deduct the amount from the salary. Deductions from salary will continue until the full amount due



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based on dates of absence on OLCS has been recouped.

4. DEASP will notify the Revenue Commissioners after the illness benefit is paid and tax credits will be adjusted automatically by Revenue to take account of the income.

It is very important that schools are advised of the sick leave absence by the staff member and that the school authorities enter the absences on the OLCS system as soon as possible after the absence starts. If an absence is not notified in time or if a number of weeks have elapsed before the absence is entered on the OLCS, the recoupment of illness benefit due to the Department for the full period of the absence will be deducted over a number of payrolls. Deductions will be made in line with the DEASP (Department of Social Protection) rules governing eligibility for receipt of illness benefit. The payment received by the claimant from DEASP will compensate for this deduction.

Where a teacher, special need assistant or other staff member is in receipt of reduced rate of illness benefit due to income levels or insufficient contributions and not eligible to receive illness benefit, they should notify the Department of Education of this by forwarding a copy of the DEASP decision letter to Illness Benefit Unit, Department of Education and Skills, Athlone, Co. Westmeath, N37 X659 as soon as possible. The daily deduction rate will be adjusted on receipt of this notification.

Please ensure your Bank Details are up to date and included on the IB1 form. The illness benefit payments will be issued to your account directly by DEASP.

Further information on the illness benefit process is available on the DEASP website - www.welfare.ie

Accidents/Incidents at work (excluding Assault Leave)

Where an employee as a result of their work sustains an injury they may wish to seek 'work related injury benefit' on the IB1 Form from the Department of Social Protection. In this case the school as employer must verify an accident occurred. The following obligations apply to all employees where an injury occurs during work:

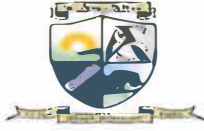
Obligations for Teachers/SNA's/Nurses:-

- Seek immediate medical attention (Nurse). Nurse to complete Nurse Report.
- Record the injury on the Schools incident Report Form before leaving work on the day of the incident - in event the staff member is incapable of doing so this must be completed on that persons behalf by the person in charge at the time of the incident and signed by the employee and a member of school management.
- Submit Doctors Cert to the School - ensuring it states "injured at work"

The Principal/Deputy Principal to:-

- record the leave in the Absence book and notify the School Secretary.
- report to the Health and Safety Authority (HSA) if staff member absent for over 3 days OR reported to the Gardai where appropriate.

Where necessary paperwork is not submitted the School cannot sign or guarantee the DEASP will process the claim.



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Review and Ratification

This policy has been made available to school personnel and is readily accessible on school website. A copy of this policy can be made available to the Department and the patron if requested.

This policy was originally reviewed on 23rd February 2023 subject to further consultation with staff on 'Assessment of Applications under Non-Statutory Leave Schemes' in the 2023-2024 school year

This policy was reviewed and updated by the Board of Management on **29th January 2024**.

This policy will undergo annual review for the first two years and then every two years thereafter

Signed : *Catherine Maynard*
Chairperson, Board of Management

Signed : *Adele Wall*
Principal

Date: *29. Jan 2024*

Date: *29/1/24*



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Appendix 1 Notification Process for absences Quick Reference

Notification Process
<p>1. Inform school via phonecall to school mobile 087 935 7833 as soon as absence known but no later than 7:30am. Include the following</p> <ul style="list-style-type: none"> - Reason for absence - Certified/uncertified/Other - Expected return date - <i>*if you have attempted to call with no answer should send a text to ensure the school is aware of your absence before 7:30am but you must follow up with a phonecall to discuss your absence with Principal/Deputy Principal on the morning of your absence.</i> <p>2. If attending Dr. send a picture of the medical cert to school mobile and bring original in to school on your return</p> <p>3. Submit absence on Aladdin</p> <p>4. If unable to return on expected return date notify school ASAP to arrange cover.</p> <p>5. Bring original certs in to office on your first day back (or post if on long term leave)</p>

Medical Certs must be submitted to the school office no later than 9am each Friday*

***or 9am on the last day before a closure period**

In line with DE guidelines where a cert has not been received by the office the leave will not be recorded as certified on the Online Claims System which may impact pay

Leave Type	Notification forms required
Self Certified leave	Maximum 2 consecutive days – notification via call school mobile no later than 7:30am on first morning of absence
Certified Leave	May only be submitted upon receipt of medical cert or hospital letter & attendance slip, by 9am each Friday or 9am on last day before a school closure period. Expected absences due to hospital appointments should be organized outside school hours where possible but where not possible maximum notice should be given when requesting the date. Hospital letter & Attendance slip must be submitted
Unpaid Leave	Apply to BOM on standard application form to BOM at least 6 weeks in advance of date
Parental leave & Parents Leave	DE application form and birth cert of child submitted at least 6 weeks in advance of leave
Covid Special leave	Staff must submit a picture of positive antigen in addition to covid leave form.
Force Majeure (including family illness for teachers)	Force majeure form required
Career Break	Apply to BOM on DE application form prior to 1 st February (Teachers) or 1 st March (SNAs)
Job Sharing	Apply to BOM on DE application form prior to 1 st February or 1 st March (SNAs)
Assault Leave	Only applies when granted by DE and submitted within 1 week of incident