**Staff Leave Policy :**

**School Name:** Edmund Rice Secondary School, Carrick-on-Suir.

**School Address:** Mount St. Nicholas, Carrick-on- Suir, Co. Tipperary.

**School Details:** ERSS Carrick-on-Suir is a Voluntary Roman Catholic Secondary School under the trusteeship and the patronage of the Edmund Rice Schools Trust. The School is grant aided by the Department of Education & Skills and is a single sex (boys) school.

**School Management:** The Board of Management of ERSS Carrick-on-Suir is a statutory Board appointed pursuant to the provisions of the Education Act 1998.

**Mission Statement:**

Inspired by its founder, ERSS Carrick-on-Suir’s mission is to “*To provide a caring Christian community which celebrates effort and talent in an environment of hope and happiness"* , with a vision to *“Learn together, succeed together in a respectful environment.”*

**Ethos**:

As an Edmund Rice School ERSS Carrick-on-Suir seeks to promote the five key elements of an Edmund Rice School as espoused by the ERST Charter:

● Nurturing faith, Christian spirituality and Gospel-based values

● Promoting partnership in the school community

● Excelling in teaching and learning

● Creating a caring school community

● Inspiring transformational leadership

Please Note:

Personal data collected about prospective students/students and their parents/guardians will be retained and used strictly in accordance with the provisions of GDPR legislation as introduced 25th. May 2018. Further details on data protection are set out in the school’s Data Protection Policy.

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

**Absence for part of a school day constitutes an absence for a full school day.** (page 98Terms & Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools**”)**

It is the individual teachers responsibly to inform the office of all absences and the nature of the absences. This is required in the week of the absence as the information is required on the OLCS system before the next processing period.

**Sick Leave Scheme for Registered Teachers effective from 1st September 2014**

Teachers are entitled to self-certified and certified sick leave.  Certified sick leave is divided into “ordinary illness” leave and “critical illness” leave. Ordinary illness is any illness which is not regarded as critical illness. Critical illness is a serious illness or physical injury which results in the teacher being seriously debilitated. Teachers may also be entitled to a period of Temporary Rehabilitation Remuneration or TRR at the end of paid sick leave entitlement (see Terms and Conditions for further information).

**Self-certified Sick Leave**

Teachers have an entitlement to seven days paid self-certified sick leave over a two year rolling period (previously called uncertified sick leave). Self-certified sick leave is subject to certain criteria. A teachers’ self-certified sick leave is included when calculating entitlements to ordinary illness leave and critical illness 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 21 Edition 2, 27th June, 2017 maximum 7 days provided for under this paragraph will be unpaid and may be dealt with under the agreed disciplinary procedures.

Payment for self-certified Sick Leave may be modified or withdrawn, following due process, in cases where absences are unduly frequent or the maximum number of days is regularly approached or taken year after year.

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

**Requirement for Medical Certificate / Social Welfare Certificate (MC1)**

Eligible teachers may take a maximum of 4 consecutive school days sick leave without providing a medical certificate in Secondary schools before presenting a medical cert.  In the case of Class A PRSI contributors the MC1 Social Welfare Certificate must be submitted to the Department of Education and Skills after more than 6 days of sick leave for referral to the Department of Social Protection.

The MC1 provides illness benefit payment from the Department of Social Protection, but as the Department of Education & Skills provides paid sick leave, the illness benefit payment will be paid to them instead. In order for this to be possible, upon completion of the form, the MC1 should be forwarded to the Department of Education & Skills Payroll Section who will in turn complete the account details section and return it to the Department of Social Protection on your behalf.  The MC1 form is required for PRSI compliance.  Such Class A PRSI contributors must see your doctor and send in an intermediate medical certificate called the MC2 each week for as long as you are ill, unless you are told otherwise.  These forms are available from your doctor.

**Certified Sick Leave**

A teacher who is absent from duty because of personal illness or injury may be granted paid ordinary sick leave as follows:

* A maximum of three months (92 days) fully paid in a year.
* Followed by a maximum of three months (91 days) on half pay.

This is subject to a maximum of six months (183) days paid sick leave in a rolling four year period.

**Force Majeure 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.

This leave covers situations where, for urgent family reasons, the immediate presence of the employee is indispensably required at the place where the family member is.

**Illness of a Family Member Leave**

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.

When applying for this type of leave the teacher must provide certification from a medical practitioner stating that the family member concerned requires constant care and attention for the period of recuperation from the illness

**Personal/Casual Leave**

**Note:** The welfare and educational needs of the pupils shall take precedence over all other considerations and absences should be kept to a minimum to avoid disruption to the teaching duties and to guarantee continuity of teaching and learning for all pupils.

School authorities may grant special leave to a teacher for up to five school days in a school year for any reason which the school may consider sufficient, such absence or absences to be notified to the Department of Education and Science by the school beforehand, or if this is not possible, immediately afterwards.

A teacher can take five personal leave days in one school year. Permission is granted at the discretion of school management. Personal leave is generally to cater for such absences as weddings, funerals, graduations, confirmations and appointments which cannot normally take place outside school hours.

Normally, teachers should apply in writing to the Principal requesting the personal leave. Adequate notice should be given, where possible. The Board of Management through the Principal has the discretion to grant leave. Applications for leave should be brought to the attention of the BOM.

Depending on the need, the teacher may take them altogether or in single days. Personal leave **should** not be granted to extend a period of school closures e.g. mid-term, Christmas/ Easter holidays. There are no Department provisions for the payment of a substitute in such cases. Teachers are required to arrange their own cover with colleagues. In arranging leave teachers must arrange for a teacher who is not teaching at a particular class period to cover the class period in question. Teachers are advised that if they are listed on the substitution roster they are unavailable to cover a personal day leave class for a colleague.

The school may refuse to approve leave proposals where the purpose of the leave-taking is not justifiable. (Example; to extend a holiday such as immediately before or after a school holiday closure, or mid-term break, may be refused) Also, leave to transact business which a teacher could attend to outside of school hours or the school week should not be approved by school management.

**Unpaid Leave**

Unpaid Leave must only be considered in the most exceptional 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.

Applications for unpaid leave must be approved by the employer six weeks in advance of the absence.

The employer must submit notice of all unpaid leave to the Department via the OLCS system regardless of whether or not a substitute teacher was employed. Unpaid leave should be entered via the OLCS system as early as possible after they are approved by the employer to ensure that deductions from pay are made at the correct time. It should be noted that an absence for unpaid leave cannot be changed once it is processed on the OLCS.

The maximum amount of unpaid leave which may be taken is 10 school days in a school year. Substitution will be paid by the Department.

Pro-rata entitlements to absences under this chapter will apply to teachers employed on a part-time basis. Any unpaid absence without the approval of the employer will be dealt with under disciplinary procedures. Absences under this heading do not impinge on entitlements under Statutory Leave.

A teacher absent on unpaid leave cannot be employed in another recognised primary or post primary school to undertake teaching in any capacity or undertake the duties of a special needs assistant.

**Approval:**

This policy has been distributed to staff for their approval.

Amendments have been made after consultation with these stakeholders.

This policy has been ratified by the Board of Management of ERSS Carrick-on-Suir;

Chairperson: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

This policy will be due for review on:

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_