Career Break, Job-Sharing and Leave Policy

Introduction

This Policy is the result of the collaboration of the staff, together with the Board of Management of Navan Educate Together National School.

Rationale

The Board of Management identified the need for a policy to ensure procedures are in accordance with Circulars 0054/2019, 0041/2014, 22/2012 and 0035/2019.

Vision

The Career Break, Job-Sharing and Leave Policy will complement the overall ethos of our school. At Navan Educate Together NS we strive for a child centred approach and equal opportunities for all. We welcome applications for leave for a variety of reasons. This policy will endeavour to provide opportunities for staff while ensuring children are reaching their full potential with the staff in the school.

Aims

We aim to:

- Develop and maintain a policy specific to the needs of the school in relation to the approval of career breaks, job-sharing and other leave.
- Ensure the welfare and educational needs of the pupils takes precedence over all other considerations in relation to the sanctioning of career breaks, job-sharing and other leave.
- Ensure that the consideration of a career break, job-share or other leave application has due regard to the capacity of the school to meet its obligations to its pupils and therefore apply a reasonable limit to the number of teaching staff and SNAs that may be on leave at any one time.
- Clarify the school's procedures in relation to career breaks, job-sharing and other leave.

CAREER BREAKS

Definition:
A Career Break is a period of special leave without pay. The main objective of the Career Break Scheme is to facilitate applicants where possible, in relation to areas such as:

a) Personal Development
b) Voluntary Service Overseas
c) Accompany spouse/partner on Diplomatic/Military Posting
d) Educational purposes
e) Public Representation
f) Family Reasons
g) Self-employment

Eligibility:

- A teacher is eligible to apply for a Career Break where he/she will have satisfactorily completed, at the end of the school year in which they are applying, 12 months of continuous service with the current employer. This requirement is waived where a teacher is compulsorily redeployed into a school or where a school is amalgamated provided that he/she has worked at least one full year in his/her former school prior to redeployment/amalgamation.
- A special needs assistant may apply for a career break where he/she will have satisfactorily completed, at the end of the school year in which they are applying, 12 months of continuous service with the current employer.

Duration of Career Break:

1. A Career Break is for a period of not less than 1 school year and may be extended on an annual basis provided the total period of the Career Break does not exceed 5 years at any one time, subject to an overall maximum of 10-years absence in the course of the teacher's/SNAs career.
2. A subsequent Career Break may not be taken until the teacher/SNA 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.
3. A Career Break must commence at the start of a school year. A return to duty in the school which granted the Career Break or to the school where the teacher has been redeployed is not permitted other than at the beginning of a succeeding school year.
4. In exceptional circumstances, an employer may approve a Career Break to commence during the course of a school year and terminate not earlier than the end of that school year. This is deemed to be a 1-year Career Break.
5. The duration of a Career Break may not extend beyond:
   a) the date of termination of a fixed term contract
   b) the date of compulsory retirement
   c) the limits set out at point 1
   d) the end of the relevant school year (in cases where an application for extension has not been submitted/approved)

Application Procedures:

Teacher:

1. A teacher seeking a Career Break must submit the completed Application Form at Appendix A of circular 0054/2019 to the employer not later than 1st February of each school year.
2. A late application may be considered by the employer in exceptional circumstances.
3. A teacher who wishes to extend his/her Career Break must apply for this extension on an annual basis within the deadline set out at point 1.
4. Each application for, or extension of, a Career Break shall be considered on its own merits by the employer within the context of the school policy on teacher absences. The decision of the employer is final.
5. The employer's decision on the Career Break application must include a written notice of approval or refusal to the teacher no later than 1st March. Where an application is refused the employer must include the grounds for refusal.
6. The Career Break absence must be notified by the employer to the Department via the OLCS on or before 1st April. The employer must also list the names of all teachers availing of a Career Break on the annual Change of Staff form.
7. Taking account of the extent of arrangements to be put in place by the employer to accommodate the Career Break, the applicant is not permitted to withdraw his/her application after 14th April. In exceptional circumstances the employer may consider a later withdrawal of a Career Break application.

Special Needs Assistant:

- A special needs assistant seeking a career break must submit a written application to the employer not later than the 1st March of the school year prior to that in which he/she 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.
- A special needs assistant who wishes to extend his/her career break must apply for this extension on an annual basis not later than the 1st March.
- Each application for a career break shall be considered on its own merits by the employer within the context of the school's policy statement. The decision of the employer shall be final.
- The employer shall issue a written notice of approval or refusal to the special needs assistant by 1st April at the latest and submit notice of the career break absence to the Department (via the OLCS) on or before 1st May. In the case of special needs assistants paid on the Departments payroll the employer must also indicate the names of those availing of a career break on the NTS Appointment Position Form.
- Taking account of the extent of arrangements to be put in place by the employer to cater for the career break, the applicant shall not be permitted to withdraw his/her application after 14th April. In exceptional circumstances the employer in its sole discretion may consider a later withdrawal of a career break application.

Return to Work following Career Break:

- A teacher must notify the employer by 1st February of his/her intention to return to work from a Career Break at the beginning of the next school year. A special needs assistant must notify the employer by the 1st March of 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 from a Career Break to ensure that he/she is registered with the Teaching Council on the intended date of resumption. Please note that the Teaching Council registration process, which includes vetting, may take up to 12 weeks during the peak period of July and August. Additional police clearance requirements may also be applicable where teachers have lived abroad. Teachers are therefore advised to commence the registration process once they have notified the school of their intention to return to work.
- A special needs assistant returning from a career break must comply with the vetting regulations in operation at the time of return.
- A teacher/SNA returning from a Career Break following an absence greater than 2 school years must undergo a medical assessment and be certified medically fit by the OHS prior to returning to work.
- The terms and conditions of teachers/SNAs in general including the terms of any redeployment scheme existing at the time of return shall apply to those resuming duty after a Career Break.

Resignation while on Career Break:

- A teacher/SNA on a Career Break who wishes to resign from his/her teaching post must notify the employer in writing in accordance with the teacher's/SNAs terms of employment. If a teacher resigns from the Career Break during the course of the school year, that year will be deemed to be a full school year should the teacher/SNA re-enter teaching service at a later date.
- In the event that a teacher/SNA fails to resume duty at the end of an approved period of Career Break, the employer shall immediately notify the Paymaster so that salary will not be restored. The employer shall also take timely action to establish the position and take appropriate action.

Please see Circulars 0054/2019, 22/2012 and 0035/2019 for full details of the Career Break Scheme.

JOB SHARING

Definition:

The purpose of the Job Sharing Scheme is to assist teachers/SNAs in combining work commitments and personal responsibilities/choices. A Job Sharing teacher means a teacher who,

i) is sharing a whole-time post on a 50:50 basis or

ii) has applied to reduce their hours to 50% of a whole-time post.

A whole-time teacher means a teacher who is contracted for 28 hours 20 minutes per week in a Primary School.

A special needs assistant may make an application to share a whole-time post on a 50:50 basis i.e. 16 hours per week.

Eligibility

- A teacher may apply for a Job Sharing arrangement where he/she:-
    i. will have satisfactorily completed, at the end of the school year in which they are applying, 12 months of continuous service with the current employer.
    ii. holds a post for the following school year which is equivalent to or over 50% of a whole-time teacher (i.e. 14 hours 10 minutes per week in the case of a Primary teacher).
- A special needs assistant may apply to job-share where he/she will have satisfactorily completed at the end of the school year in which they are applying 12 months of continuous service with the current employer.
- In Primary schools, Job Sharing is not available to the Principal, Home School Liaison Co-ordinator or teacher on secondment.
- A teacher/SNA on a Career Break or other approved leave of absence may apply to resume duties on a Job Sharing basis.

Leadership and Management Posts

- The entitlement to fill a Leadership and Management Post and/or appointment to and payment in respect of Acting Leadership and Management Posts will be in accordance with relevant Department publications and/or other regulations.
- The employer should keep the operation of Leadership and Management posts held by Job Sharing teachers under review to ensure responsibilities are adequately discharged.
- Where a Primary school Deputy Principal is approved for Job Sharing he/she must relinquish his/her Leadership and Management post and the appropriate allowance for the duration of the Job Sharing arrangement.
- An Assistant Principal I or Assistant Principal II may retain his/her Leadership and Management post allowance while Job Sharing provided the employer decides that the roles and responsibilities of the post can be performed in full.
- Where an employer decides that it is not possible for the Job Sharing teacher to perform the full roles and responsibilities of the Assistant Principal I or Assistant Principal II post, an acting Assistant Principal I or Assistant Principal II may be appointed and the allowance will be shared equally between the two teachers (i.e. the acting post holder and the Job Sharing teacher). The

allowance shall be restored to the actual post holder on resumption of full-time roles and responsibilities.

- The acting post holder will not establish personal entitlement to the allowance and will therefore relinquish same when the Job Sharer resumes full-time roles and responsibilities.
- A teacher who holds a Leadership and Management post allowance (including holders on a personal basis), on an inter-school Job Sharing Scheme must relinquish his/her Leadership and Management post for the duration of the inter-school Job Sharing arrangement. The Leadership and Management post vacated by a teacher is subject to the terms as outlined in Department Circulars.
- A teacher on an inter-school Job Sharing Scheme may apply for Leadership and Management posts arising in his/her base school but is not eligible to apply for post(s) in the host school. If successful in obtaining a Leadership and Management post in their former school, an acting Leadership and Management post is appointed subject to the post still being warranted and subject to the terms as directed from time to time by Department Circulars.
- If a teacher who holds a Leadership and Management post allowance enters into an inter-school Job Sharing arrangement, he/she must relinquish the allowance for duration of the Job Sharing arrangement. An acting post holder may be appointed if required, subject to the need for the post being warranted.
- Where an acting Leadership and Management post is warranted, the filling of such a post will be subject to the terms as directed from time to time by Department Circulars.

Duration of Job Sharing Arrangement

- The minimum period for a Job Sharing arrangement is one school year.
- In exceptional circumstances, an employer may authorise a Job Sharing arrangement to commence during the course of the school year and to terminate no earlier than the end of the same school year i.e. 31st August.

Job Sharing Options

- A teacher may make an application to share a whole-time post on a 50:50 basis or may apply to reduce their hours to 50% of a whole-time teacher. This amounts to 14 hours 10 minutes per week in the case of a Primary teacher.
- There are 2 options for a Job Sharing arrangement for teachers:
    1. Option 1: Share a whole-time post on a 50:50 basis with an existing whole-time teacher in the same school or in another school under an inter-school Job Sharing arrangement.
    2. Option 2: Reduction of whole-time teaching hours to 50% with a teacher recruited by the employer for the balance of the available hours on a (fixed term) contract which will terminate at the end of the school year.
- There are 2 options for a Job Sharing arrangement for SNAs:
    1. Option 1: Two SNAs in the same school apply to job share.
    2. Option 2: One SNA in a school applies to job share and the employer is willing to recruit a SNA for the available hours on a specified purpose (fixed term) contract.

Operation of the Scheme

- In the case of an inter-school Job Sharing arrangement at Primary level, the hosting employer (the school to which the teacher is temporarily assigned for the purposes and duration of the Job Sharing arrangement) is considered to be the employer for both Job Sharers for the duration of the Job Sharing arrangement.
- Schools hosting teachers for inter-school Job Sharing purposes must meet their statutory vetting obligations in accordance with The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016 and relevant Department Circulars.
- It is a matter for the employer to decide the Job-Sharing arrangement(s) which it is prepared to endorse e.g. week on/week off, split week.
- In the case of Primary schools, the employer, having approved a Job Sharing arrangement, should inform parents, at the earliest opportunity by way of a meeting with the Principal/employer and the Job Sharing teachers that their child(ren) will be taught by Job Sharing teachers in the relevant school year. The meeting should not be replaced by any other means of communication.

Application Procedures

Teacher:

- A teacher seeking to Job Share must submit, on an annual basis, the completed Application Form at Appendix A of circular 0054/2019, to his/her employer 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.
- Each Job Sharing application must be considered on its own merits by the employer within the context of the school's policy on teacher absences.
- The employer must issue a decision in writing to approve or refuse the application (including the basis for refusal, where applicable), to the teacher no later than 1st March. The decision of the employer is final.
- Taking account of the extent of arrangements to be put in place by the employer to cater for a Job Sharing post, the teacher should 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.
- The employer must list the names of all teachers availing of Job Sharing arrangements on the annual Change of Staff form.

Special Needs Assistant:

- A special needs assistant seeking to job-share must submit the prescribed application form JS1 from circular 0041/2014 to the employer not later than the 1st March prior to the school year in which he/she proposes to commence/continue job-sharing.
- Job-sharing arrangements are sanctioned for a period of one school year only and a special needs assistant shall re-apply if he/she is seeking to avail of a job sharing arrangement for a further year.

- Each application to job-share shall be considered on its own merits by the employer within the context of the school's policy statement. The decision of the employer shall be final.
- The employer shall issue a written notice of approval or refusal, which will set out the basis of the refusal to the special needs assistant by 31st March at the latest.
- Taking account of the extent of arrangements to be put in place by the employer to cater for a job-sharing post the applicant shall not be permitted to withdraw his/her application after 14th April and this shall be included in the notice from the school to the special needs assistant.
- A copy of the approved job-sharing application should be submitted to the Non-Teaching Payroll Section of the Department by 1st May. In addition, the employer must list the names of all special needs assistants availing of job sharing arrangements on the Non-Teaching Staff Appointment Position Form.

Duties:

- Appropriate communication processes must be in place between the two teachers or two SNAs sharing a post in order for them to fulfil the responsibilities of the post.
- A Job Sharing teacher/SNA must be available for relevant staff and parent meetings in accordance with school policy and agreements.
- The obligation to provide additional hours under the existing Public Service Agreements is pro-rata for teachers/SNAs who are Job Sharing.
- A Job Sharing teacher who is required to attend courses/school planning days on days he/she is not rostered shall be granted leave in lieu for such days. Leave in lieu will not be granted where the teacher's attendance on such days is part of the additional hours commitment under the current Public Service Agreements. Where leave in lieu is granted, confirmation of attendance at the course/school planning day should be submitted in writing to the employer who must notify the Department via the OLCS. Substitution for such days is not paid by the Department.

Termination of Job Sharing arrangement

- Employers must ensure that teachers/SNAs 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 the pupils.
- In exceptional circumstances, the employer may permit a Job Sharing teacher/SNA to withdraw from the Job Sharing Scheme and return to his/her original teaching post earlier than expected if he/she can be accommodated within the approved staffing allocation, subject to contractual arrangements. However, such an application may not be considered beyond 1st November.

Resignation while Job Sharing

A teacher/SNA engaged in a Job Sharing arrangement who wishes to resign from his/her post must notify the employer in writing in accordance with the terms and conditions of employment.

Please see Circulars 0054/2019 and 0041/2014 for full details of the Job Sharing Scheme.

OTHER LEAVE

LEAVE OF ABSENCES INCLUDED UNDER 'OTHER LEAVE'

Type A:

- Adoptive Leave
- Assault Leave
- Carer's Leave
- Maternity Leave
- Paternity Leave
- Parental Leave
- Temporary Re-Assignment
- Unpaid Leave

Type B:

- Brief Absences
- Extra Personal Vacation Days
- Sick Leave

TYPE A LEAVE

- All of the above Type A leaves will be subject to their relevant circulars as per the Department of Education and Skills website (www.education.ie)
- They require direct notification to the Board of Management.

TYBE B LEAVE

- All of the above Type B leaves will be subject to their relevant circulars as per the Department of Education and Skills website (www.education.ie)
- They require direct notification to the Principal.

Limitations of Sanctioning Career Breaks, Job-Sharing and other Leave

- As a general principle, every effort will be made by the Board of Management to facilitate applications for career breaks, job-sharing and other forms of leave from members of the teaching staff and SNAs.
- The maximum number of teachers on leave in any school year shall not exceed 20% of the teaching staff. Exceptions to this quota may be made where specific personal/family circumstances prevail.
- The maximum number of SNAs on leave in any school year shall not exceed 20% of the SNA staff. Exceptions to this quota may be made where specific personal/family circumstances prevail.
- The Board of management will consider applications in the context of other statutory and non-statutory leave and will take into account the availability of an appropriately qualified replacement teacher.

Success Criteria

Our Career Break, Job-sharing and Leave Policy will be seen to be working well when;

- Positive feedback from members of the school community is received
- The school community are clear about and are committed to the principles that are outlined in this policy and correct procedures are being implemented
- A policy statement specific to the needs of the school in relation to the approval of career breaks, job-sharing and other leave is developed and maintained
- The welfare and educational needs of the pupils takes precedence over all other considerations in relation to the sanctioning of career breaks, job-sharing or other leave

Roles and Responsibilities

The Board of Management, Principal, Teachers and SNAs have both a role and a responsibility in successfully implementing this policy.

Implementation Date

This policy was implemented in January 2021

Timetable for Review

This policy will be reviewed periodically.

Ratification and Communication

This policy will be communicated to members of the Board of Management prior to the meeting of the BoM on 13/01/2021. Parents will be made aware in the next school communication after ratification by the Board of Management that the policy is available for viewing by appointment in school or on the school website navaneducatetogether.ie

Date of ratification:

Signed: Anthony Mackey Date: 13th January 2021 .

Chairperson BoM