**Thornleigh Educate Together N.S.**

**Policy on Career Breaks and other non-statutory/discretionary leaves of absence.**

**Background:**

While maternity, adoptive, carer’s and parental leave are statutory entitlements with clearly defined rights and obligations, other types of leave (e.g. career break ) are non-statutory, and are available to teachers and special needs assistants at the discretion of the Board of Management.

Circulars 0010/2011 and 0022/2012 advise that boards shall develop and maintain a policy statement specific to the needs of the school in relation to the approval of career breaks.

**Policy:**

The Board of Management recognise that teachers and special needs assistants (only) may avail of certain non-statutory leave in accordance with Department of Education and Skills Circulars 10/2011 and 22/20112 and subject to this policy and the primordial needs of the school. All applications for non-statutory leave will only be considered if received by the due dates as set out by the Minister.

The Board sets out below the considerations under which it shall grant any non-statutory leaves:

* The welfare and educational needs of the pupils shall take precedence over all other considerations in the granting of Career Breaks or other non-statutory leaves.
* The granting of non-statutory leave is at the sole discretion of the Board of Management.
* An annual limit of three teachers and one Special Needs Assistant may avail of discretionary leave at one time. This limit may at the discretion of the Board be reduced due to number of teachers/special needs assistants in the school, who are likely to be on approved statutory leave of absence, such as Maternity, Adoptive, Carer’s and Parental Leave in the school year for which an application is received. In considering the annual limit, the Board of Management must ensure that all decisions of the Board in respect of non statutory leave will be decided on the basis of what is in the best interests of the pupils' education and welfare and the teaching resources available to the Board at any given time.
* The following factors will also be considered prior to the granting of non-statutory/discretionary leave:
	+ The availability of appropriately experienced teachers for specific class levels.
	+ The availability of appropriately trained SNA staff to meet specific care needs.
	+ The decision of the Board shall be weighted in favour of those applying for the first time.
	+ The decision of the Board shall also be weighted in favour of those who had previously applied but were refused.
	+ Impact on middle management/Senior Management.

While on approved leave, the teacher/special needs assistant remains a member of staff. The teacher should be informed about vacancies for Posts of Responsibility. The special needs assistant should be advised of any changes in the school’s SNA allocation that will have an impact on his/her hours. Note: it is the responsibility of the teacher/special needs assistant on Career Break to advise the Board of Management of up to date contact details.

Staff seeking to avail of discretionary leave should familiarise themselves with the Department of Education and Skills ‘Career break scheme guidance’. See appendix 1.

**Requirements for Resumption of duties:**

A teacher/special needs assistant must notify the employer by the 1st March of his/her intention to return from a career break at the beginning of the next school year.

A teacher/special needs assistant returning from a career break in excess of two school years shall be screened by the Occupational Health Service (OHS).

A teacher/special needs assistant returning from career break must comply with the relevant vetting circulars in operation at the time of return. Currently, a teacher or special needs assistant returning after a two year absence must be vetted (Recruitment procedures – requirements for Garda Vetting Circular 0063/2010). 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.

**Special Circumstances:**

Notwithstanding the provisions set out above, the Board reserves the right to grant leave to staff experiencing urgent family reasons, subject to the consent of the Minister, and in accordance with Circulars 10/2011 and 22/20112.

Review:

This policy shall be subject to review every four years or sooner as the needs of the school require.