



## Career Break Policy

### Introduction

This policy sets out the operation of the Teacher Career Break Scheme in St. Francis Special School. This policy was developed by the teaching staff and the Board of Management of St. Francis Special School. The policy complies with the Career Break Scheme for Teachers Employed in Recognised Primary and Post Primary Schools which is available to download on [www.education.ie](http://www.education.ie). This policy should be read and understood within the context of legislation relating to the Career Break Scheme for Teachers. It also sets out further information and procedures as outlined in **Circular 0054/2019** titled 'Leave Schemes for Recognised Teachers employed in Recognised Primary and Post Primary Schools', in particular Chapter 7, 'Career Break Scheme'.

### Definition

A Career Break is a period of special leave without pay for a period of not less than 1 school year. It may be extended on an annual basis provided the total period of the Career Break does not exceed 5 years at any onetime, subject to an overall maximum of 10 years absence in the course of the teacher's career.

The main objective of the Career Break Scheme is to facilitate applicants where possible, in relation to areas such as: personal development, voluntary service overseas, accompany spouse/partner on diplomatic/military posting, educational purposes, public representation, family reasons and self-employment.

### Aims

- To ensure compliance with relevant legislation relating to the implementation of the Career Break Scheme for Primary Teachers
- To ensure the welfare and educational needs of the pupils takes precedence over all other considerations in relation to the sanctioning of career breaks
- To ensure the continued effective operation of the school where a career break arrangement exists
- To ensure that career breaks, job-sharing and other leave have 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 its teaching/SNA staff that may be absent on career break or on leave at any one time
- To clarify issues in relation to the Career Break Scheme for Primary Teachers

### Eligibility

A teacher may apply for a Career Break where he/she;

- is registered with the Teaching Council and
- 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 and
- holds a full time permanent post for the following school year

A special needs assistant (SNA) may apply for a career break where he/she:

- has satisfactorily completed, at the end of the school year in which they are applying, 12 months of continuous service in the school

## **Posts of Responsibility**

- A teacher on career break will retain eligibility to apply for a Post of Responsibility which occurs in the school and s/he shall be notified of any vacancies by the Board of Management.

## **Duration of Career Break**

- A teacher/SNA may engage in this scheme subject to an overall maximum absence of 10 years in the course of his/her professional career
- A career break shall be 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
- 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
- A career break shall commence on the start of a school year and a return to duty in the school which granted the career break 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/SNA 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

## **Operation of the Scheme**

The details of the scheme are outlined below titled 'Career Break Scheme' and should be read in conjunction with **Circular 0054/2019**

## **CHAPTER 7 – CAREER BREAK SCHEME**

(Should be read in conjunction with the General Provisions for All Schemes, and Definitions)

### **1. Career Break Scheme**

1.1 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

### **2. Eligibility**

2.1 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.

### **3. Duration of Career Break**

3.1 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 career.

3.2 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.

3.3 A Career Break must commence at the start of a school year. A return to duty in the school/ETB which granted the Career Break or to the school/ETB where the teacher has been redeployed is not permitted other than at the beginning of a succeeding school year.

3.4 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.

3.5 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 paragraph 3.1
- d) the end of the relevant school year (in cases where an application for extension has not been submitted/approved)

### **4. Application Procedures**

4.1 A teacher seeking a Career Break must submit the completed Application Form at Appendix A to the employer not later than 1st February of each school year.

4.2 A late application may be considered by the employer in exceptional circumstances.

4.3 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 4.1.

4.4 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/ETB policy on teacher absences. The decision of the employer is final.

4.5 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.

4.6 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.

## **5. Notification and Recording of Leave**

5.1 The Career Break absence must be notified by the employer to the Department/ETB via theOLCS/relevant ETB system on or before 1st April.

The employer must also list the names of all teachers availing of a Career Break on the annual Change ofStaff form/relevant ETB system.

## **6. Status during Career Break**

6.1 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 Career Break absence will not affect a teacher's seniority.

## **7. Replacement Teacher**

7.1 The position of a replacement teacher must be filled in accordance with current rules for teacher recruitment. He/she shall be offered a fixed term contract. Such a contract must include a condition that the contract will terminate if the teacher on Career Break resigns or retires.

## **8. Employment while on Career Break**

8.1 A teacher absent on Career Break may not be employed in an approved teaching or special needs assistant post funded by monies provided by the Oireachtas. In exceptional circumstances, an employer may appoint a qualified teacher on Career Break for substitute teaching purposes subject

to the following limits:

- ☐ in Primary – for a maximum of 90 days in a school year
- ☐ in Post Primary – for a maximum of 300 hours in a school year

8.2 A teacher who is on 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.

8.3 A teacher who is on 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.

8.4 Such substitute teaching will count towards progression on the incremental salary scale and superannuation.

## **9. Return to Work following Career Break**

9.1 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.

9.2 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.

9.3 A teacher 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

procedures to

be followed are available in the Employers Procedures Manual (Chapter 2) which is located at Appendix A of the Sick Leave Scheme.

9.4 The terms and conditions of teachers in general including the terms of any redeployment scheme existing at the time of return shall apply to a teacher resuming duty after a Career Break.

## **10. Resignation while on Career Break**

10.1 A teacher 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 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 for the purposes of paragraph 3 of the Career Break Scheme should the teacher re-enter teaching service at a later date.

10.2 In the event that a teacher 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.

## **11. PRSI Arrangements**

11.1 A teacher on a Career Break remains an employee of the employer for the duration of the absence and the absence does not constitute a break in service for PRSI purposes.

11.2 Teachers seeking to maintain their Social Welfare entitlements during a Career Break should, therefore, contact the DEASP for advice prior to commencement of a Career Break.

## **12. Pension**

12.1 A period of unpaid leave of absence does not reckon for pension purposes. However, depending on the rules of the relevant pension scheme contributions at full actuarial cost for the duration of the approved initial absence may be paid. These payments may be made either by quarterly instalments during the initial Career Break (by making arrangements with the Pension Section of the Department/ETB prior to the commencement of the Career Break) or following a return to teaching. It is recommended that confirmation of individual pension position is obtained by the teacher prior to the commencement of unpaid leave from the Pensions Section of the Department/ETB.

12.2 Where a pension scheme member is granted approved unpaid leave of absence to work as a Volunteer Development Worker (VDW), in a developing country, under the auspices of Comhlamh, it may be possible for that agency to pay the full actuarial cost to the public service pension provider for a maximum period of 2 years, subject to conditions in place from time to time. Further information is available from the Comhlamh.

## **13. Voluntary Deductions**

13.1 Voluntary deductions from salary cease when a teacher commences on Career Break. While a teacher is on Career Break, details of the voluntary deductions will remain on his/her payroll record and therefore, any deductions in place prior to the teacher's Career Break will recommence on his/her return to the payroll unless it has been end dated at the request of the teacher via the deduction agency. The Paymaster will not make any deduction in respect of any accumulated unpaid amounts for the period of the Career Break.

13.2 It is the sole responsibility of a teacher availing of a Career Break to ensure that voluntary deductions at source such as medical insurance policies, income continuance insurance, union subscriptions, credit union and local property tax payments do not lapse.

13.3 No liability rests with the Paymaster for policies of any nature which lapse. Further details in relation to voluntary deductions can be found on the Department's website under Education Staff – Services -

Payroll / Financial - Voluntary Deductions - Conditions of operation of a Deduction At Source (DAS) facility for Voluntary Deductions. ETB teachers should contact their employer in this regard.



13.4 Any outstanding balances owed by a teacher participating in the Cycle to Work or the Travel PassScheme must be cleared before commencing a Career Break.

### **Other Leave**

#### **Leave of absences included under 'Other Leave'**

##### **Type A**

- Adoptive Leave
- Assault Leave
- Carers Leave
- Maternity Leave
- Paternity Leave
- Parental Leave
- 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 & Skills website ([www.education.ie](http://www.education.ie))
- They require direct notification to the Board of Management

##### **Type B Leave**

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

#### **Limitations of sanctioning of career breaks, job-sharing & 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
- The maximum number of teachers on leave (including career break, exchange, job sharing, secondment and Type A 'Other Leave') in any school year shall not exceed one quarter of the teaching staff. Exceptions to this quota may be made where specific personal/family circumstances prevail
- The maximum number of SNAs on leave (including career break, job-sharing and Type A 'Other Leave') in any school year shall not exceed one quarter of the SNA staff. Exceptions to this quota may be made where specific personal/family circumstances prevail
- Where the number of applications for any form of long-term Leave (including the extension of existing arrangements) exceed the available quota, such applications will be considered on their merit by the Board of Management. The Board of Management may enlist the help of an independent assessor/advisor

## Success Criteria

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

- we receive positive feedback from members of the school community
- the school community are clear about and are committed to the principles are outlined in this policy and correct procedures are being implemented
- develop and maintain a policy statement specific to the needs of the school in relation to the approval of career breaks, job-sharing and other leave 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
- the sanctioning of career breaks, job-sharing and other leave have due regard to the capacity of the school to meet its obligations to its pupils and a reasonable limit to the number of its teaching/SNA staff that may be absent on career break or on leave at any one time is applied
- clarify the school's procedures in relation to career breaks, job-sharing and other leave

## Roles and Responsibility

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

The policy will be monitored and evaluated on an ongoing basis.

## Review and Ratification

This policy was ratified by the Board of Management of St. Francis Special School on \_\_\_\_\_.

The policy will be reviewed regularly in the light of experience. It will be reviewed by the full staff and Board of Management every two years. Next review of this policy will occur during the school year of 2023/2024.

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Chairperson of Board of Management

Principal

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

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