

# **Woodbrook College Bray, Co. Wicklow**



## **Career Break Policy 2016-2017**

This policy was drafted in consultation with the education partners at Woodbrook College, Bray, Co. Wicklow having taken into account relevant DES Circulars. This policy was ratified by the Board of Management on September 21<sup>st</sup>, 2015.

## Introduction

The Board of Management of Woodbrook College, Bray has engaged with the relevant stakeholders involved in the education of our pupils in the formation of the school's policy on Career Breaks. In doing so, the Board of Management has made every effort to balance the legitimate expectations of teachers with the over-riding needs of pupils.

In order to achieve this balance the Board will consider all applications for Career-Break, taking into account its statutory obligations as outlined in the Department of Education and Skills Circulars 18/1998, 107/2006, 10/2011 and the Education Act 1998. In particular, the Board recognises that in drawing up this policy **the welfare and educational needs of the pupils shall take precedence over all other considerations.**

## Overview of Career Break Scheme

- The main objectives of this scheme, which are not exhaustive, is for employers, wherever possible to facilitate applicants in the areas of:
  - Personal Development
  - Voluntary Service Overseas
  - Accompany spouse/partner on Diplomatic/Military Posting
  - Education
  - Public Representation
  - Childcare/Dependent care
  - Self-employment
- All teachers (registered with the Teaching Council and whose posts are fully funded from monies provided by the Oireachtas) are eligible to participate in the scheme.
- A teacher 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 one 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 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, an employer may authorise a teacher 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.
- Applications for a career break from new or existing teachers on career break should be made in writing to the Board of Management by 1<sup>st</sup> March of the preceding school year. Applications which have been approved by the Board of Management will be forwarded to the DES not later than 1<sup>st</sup> May of that school year.
- Any teacher whose application for a career break in a particular school year is approved may not normally withdraw from the scheme after the 14<sup>th</sup> April of the preceding school year.
- A teacher on career break shall resume full-time employment at the end of the career break period. Teachers resuming full time employment shall be subject to the terms of any existing redeployment scheme or any redeployment scheme agreed from time to time between the

management authorities, teacher's representatives and the DES.

- The duration of a career break may not extend beyond:
  - a) the date of termination of a fixed term contract where the applicant is employed under such a contract or
  - b) the date of compulsory retirement age
- A teacher who wishes to extend his/her career break must apply for this extension on an annual basis.
- A teacher on a career break is precluded from taking up an appointment in any capacity in any school within the State. Schools must give priority to qualified teachers when making appointments for periods of substitution.
- Further specific information can be sourced in relevant DES Circulars relating to:
  - Teaching whilst on a career break
  - Posts of Responsibility
  - Resignation whilst on a career break
  - Social Welfare entitlements
  - Superannuation
  - Voluntary deductions at source
  - Public Holiday entitlements

## **Eligibility**

The following are the eligibility requirements for those wishing to apply for career breaks:

- Permanent, CID, TWT, RPT (with duration not extending beyond the date of termination of a fixed term contract) up to compulsory retirement age
- Registered with the Teaching Council
- Satisfactorily completed at least 12 months of continuous service with the school

## **Board of Management Considerations**

The Board of Management recognises the benefits of the Department of Education and Skills schemes for teachers in relation to career breaks. These schemes provide teachers with the opportunities to further their professional and personal development through the acquisition of professional skills, academic qualifications, and alternative experiences, which may directly benefit the pupils they teach in our school.

When considering applications for career breaks, the Board of Management shall carefully consider how the granting of career break might affect the standards and continuity in particular subject departments and subject provision within the overall curriculum. The granting of career breaks will be determined in accordance with Circular Letter 10/2011, other relevant circulars and directives **and** by the criteria outlined below.

- (1) The total number of teachers who are on career break at any one time shall not exceed 10% of the total number of whole-time equivalent teachers as defined on the schools allocation of staff rounded up to nearest whole number. The number may be varied from year to year, depending on the number of applications and the specific requirements.

### ***Reason***

The Board of Management must seek to strike a balance between the needs of teachers and

pupils and the long-term good of the school as a stable educational environment and work place. Such a balanced approach will prevent the tendency towards the casualisation of the school's teaching team and will provide the best learning environment for pupils

- (2) The effect on particular subject departments by granting a career breaks which would result in creating an imbalance in any subject department.

***Reason***

The Board of Management has a responsibility to ensure that particular subject departments are not weakened by granting career-breaks which would result in creating an imbalance in any subject department, leading to the undermining of the stability of a subject department or otherwise weakening that department.

- (3) The effect any such arrangements would have on the balance between the number of long-serving members of staff and those who may be inexperienced or novice teachers.

***Reason***

The Board of Management has a responsibility to ensure that all students benefit from the availability of a mix of experienced teachers and teachers who are new to the profession or to the school

- (4) The need for the school to maintain continuity of teaching for students affected by such arrangements.

***Reason***

Since replacement teachers will always be appointed as temporary, if ongoing replacements are required the school may have to substitute further replacements in the event that the temporary teachers seek more permanent employment elsewhere.

- (5) The effect any such arrangements might have on the ability of the school to replace the teachers availing of such schemes.

***Reason***

The moratorium on Posts of Responsibility in place since 2009 means that the Board of Management cannot temporarily replace an absent post holder. The Board of Management has a responsibility to ensure that there is an effective and adequate middle management structure in the school.

- (6) The likely availability of a suitably qualified replacement teacher to take up duty on the applicant's departure.

***Reason***

From time to time and for various reasons, certain subject disciplines are difficult to replace and could leave the school in a situation where they are unable to find a suitable replacement.

The Board of Management will endeavour to consider favourably applications for career breaks, bearing in mind that the welfare and educational needs of the pupils will take precedence over all other considerations. In the event that some applications will have to be declined, the Board will take all of the above into account in addition to:

- The case made for the teacher's application.
- The balance between the individual needs of the teacher applicants, and the number of applications received.
- The anticipated benefit to be gained by the teacher and, consequently the students taught by that teacher.

- The amount of leave previously granted to applicant teachers.

## Criteria

- 1) A teacher must participate in the scheme for a minimum period of twelve months from the beginning of the school year. Each career break arrangement must be approved annually by the Board of Management and sanctioned by the Department of Education and Skills. Each approval is for one year only and does not carry with it any expectation of tenure.
- 2) Teachers resuming full time employment shall be subject to the terms of any existing redeployment scheme or any redeployment scheme agreed from time to time between the management authorities, teacher's representatives and the Department of Education and Skills.
- 3) The Board of Management reserves the right to review or amend this policy in accordance with the needs of the school. Amendments shall be made known to the staff by the start of the second term and shall relate to the following school year.
- 4) It is the responsibility of the individual teacher to make whatever enquiries and arrangements as are necessary regarding issues such as, Superannuation, Incremental Credit, Promotion, Leave etc. Guidelines on these are to be found in relevant circulars.
- 5) A teacher whose career break application has been approved may not normally withdraw from the scheme after the 14<sup>th</sup> April of the preceding school year.

## Application

- Applicants for a career break must submit a written application to the school not later than March 1<sup>st</sup> of each school year prior to that in which s/he proposes to commence / continue the career break arrangement. The applicant must provide clear details of the exact purpose of the career break.
- If necessary, applications may be initially screened by a subcommittee of the Board of Management, who will then make recommendations to the Board of Management in accordance with relevant circular letters.
- Applications approved by the Board of Management will be submitted to the Department of Education and Skills by May 1<sup>st</sup> of that school year.
- Prior to the submission of applications to the Department of Education and Skills, the Board of Management will inform candidates of its decision whether to support such applications.
- Teachers approved for career breaks must respond in writing to an offer made. It will be understood that an acceptance is based on the conditions contained in CL 10/2011 for Career Break and also on the Board of Management's policy as outlined in this document.
- 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's policy statement. The decision of the employer shall be final
- Where an application for a career break is refused the Board of Management will inform the applicant in writing setting out the grounds for such a refusal by April 1<sup>st</sup> at the latest.

## **Resumption of duties**

In relation to the resumption of duty following a career break:

- A teacher on career break must notify the employer by the 1<sup>st</sup> March of his/her intention to return to teaching from a career break at the beginning of the next school year. Failure to do so may result in the return being deferred for a further school year (e.g. in the event that the late notification resulted in contractual difficulties for the employer).
- 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.
- A teacher returning from a career break in excess of two school years shall be screened by the Occupational Health Service (OHS). It is a pre-requisite for the restoration of salary that the teacher is deemed medically fit for teaching duties by the OHS before s/he is permitted to resume his/her teaching post.
- A teacher returning from career break must comply with the vetting regulations in operation at the time of return.
- The terms and conditions of teachers in general including the terms of any redeployment scheme existing at time of return shall apply to a teacher resuming duty after a career break.