



CATHOLIC PRIMARY SCHOOL
MANAGEMENT ASSOCIATION

Carer's Leave

This Fact Sheet relates to:

- 1. Teachers*
- 2. Non Teaching Staff*

Carer's Leave

Notice: This resource is intended to assist schools in devising their own policy statement for Leave, in the context of other statutory and non-statutory (Job Sharing, Parental Leave, Teacher Exchange and Secondment etc.) leave of absence. While every effort has been made to ensure the accuracy of the information provided, schools are advised to consult relevant circulars, legislation and/or guidelines, if they have specific queries regarding this topic.

This note is for guidance only and does not purport to be a legal interpretation.

The terms and conditions for Carer's Leave for all staff members, teaching and non-teaching, derives from the Carer's Leave Act 2001.

Carer's Leave is a statutory unpaid leave of absence providing the option to employees to absent themselves from their employment temporarily to provide care for someone in need of full-time care and attention. The employee may apply for Carer's Benefit during this unpaid absence. A Temporary/Specified Purpose appointment must be made to cover the staff member's absence. This guide should be read in conjunction with the following circulars or updates thereof: [Circular 05/03 \(Carer's Leave\)](#), [0032/2007 \(Teacher Absences\)](#)

"Relevant Person" (i.e. the person for whom care is required)

The "relevant person" must first be deemed to be in need of full-time care and attention by the [Department of Social Protection](#). The "relevant person" may or may not be a relative of the person applying for carer's leave. A copy of the decision of a deciding officer of the Department of Social Protection should accompany the staff member's application to the Board of Management.

Carer's Benefit

The two schemes, **Carer's Leave** and **Carer's Benefit**, are administered in tandem as regards conditions relating to (i) the provision of full time care and attention, and (ii) the requirement for a decision to be made by a deciding officer (or appeals officer) of the Department of Social Protection that the relevant person is medically certified as being in need of full-time care and attention. **It is a matter for the employee** to establish his/her entitlement to **Carer's Benefit** by applying to the Department of Social Protection.

Eligibility

To be eligible to apply for carer's leave, an employee requires 12 months continuous employment with the Board of Management. This condition may be waived only in exceptional circumstances and subject to the educational and welfare needs of the pupils. This requirement is waived in the case of a teacher compulsorily redeployed into a school provided that s/he has worked for at least one full year in her/his former school before being redeployed. The requirement is also waived in the case where a teacher seeking carer's leave is teaching in a school that was amalgamated within a year of the application date for carer's leave.

Period of Carer's Leave

Minimum 13 weeks: Applications for periods of less than 13 weeks will be considered by the B.O.M. on their own merit.

Maximum 104 weeks: As each period of carer's leave must be 13 weeks or greater, potentially, an employee could apply for a maximum of eight periods of 13 weeks (104 weeks in total). If not taken in a continuous 104 week period, gaps of 6 weeks should be taken between periods of carer's leave. The maximum leave *may* increase to 208 weeks, in the event that a second relevant person resides with the first relevant person (subject to Department of Social Protection qualification and Board of Management approval).

Notification Required

Application to the Board of Management, using standard application form, as soon as is reasonably practicable but not later than six weeks prior to the proposed commencement date. In exceptional circumstances, an application may be made later than six weeks prior to the proposed commencement date.