



etbi
Education and Training
Boards Ireland
*Boird Oideachais agus
Oiliúna Éireann*

LEAVE FOR MEDICAL CARE PURPOSES POLICY

*For all staff in
Education and
Training Boards
Ireland*

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I. INTRODUCTION

1.1 This policy outlines the procedures and guidelines for our people within Education and Training Boards Ireland (ETBI) who require leave for medical care purposes. This leave, termed as short-term unpaid leave, is designed to accommodate staff members who need to provide personal care or support to specific individuals as outlined herein.

1.2 The Work Life Balance and Miscellaneous Provisions Act 2023 introduced an entitlement to 5 days unpaid leave over a consecutive 12 month period to provide personal care/support to a care recipient for serious medical reasons. This entitlement is in addition to existing statutory entitlements to carer's leave and force majeure leave.

2. PRINCIPLES

2.1 A staff member is entitled to unpaid leave where one of the following persons is in need of significant care or support for a serious medical reason:

- i. a person of whom the staff member is the relevant parent;
- ii. the spouse or civil partner of the staff member;
- iii. the cohabitant of the staff member;
- iv. a parent or grandparent of the staff member;
- v. a brother or sister of the staff member;
- vi. a person, other than one specified in any of subparagraphs (i) to (v), who resides in the same household as the staff member.

2.2 A person is considered to be in need of significant care or support for a serious medical reason where, owing to the person's disability, injury or illness, they require such care or support that includes the presence of the staff member at the place where the person is.

2.3 *Leave for medical care purposes* shall consist of one or more days on which, but for the leave, the staff member would be working. The entitlement applies when the presence of the staff member is required at the place where the disabled/ill/injured person is located.

2.4 The leave shall not exceed 5 days in any period of 12 consecutive months and shall not be taken in a period of less than one day. Part days shall be regarded as full days for the purposes of the maximum number of days an staff member can take. There is no minimum service requirement for the leave.

2.5 A staff member must inform ETBI as soon as reasonably practicable that they have taken the leave or intend to take the leave. Confirmation document must be completed.

2.6 Annual leave and public holidays accrue during leave.

2.7 An staff member may be required to provide relevant evidence in relation to the person for whom the relevant care or support is or is proposed to be provided.

2.8 All staff members of ETBI, regardless of employment status or position, are eligible for leave under this policy.

3. APPLYING FOR THE LEAVE

3.1 Due to the nature of leave for medical care purposes it may not be possible to apply for the leave in advance. However, where it is possible to provide advance notice of an intention to take leave for medical care purposes, staff members are encouraged to do so.

3.2 When the staff member takes or intends to take the leave, the staff member is required to inform their line manager as soon as reasonably practicable. The staff member must complete and sign the “Confirmation to ETBI of leave for medical care purposes” (Appendix A) specifying the date of the commencement of the leave for medical care purposes, its duration and outlining the facts entitling the staff member to the leave and their relationship to the specified person. The staff member may also be required to provide relevant evidence in relation to the person for whom the relevant care or support is or is proposed to be provided. This may include a certificate signed by a medical practitioner or such other evidence as ETBI may require in order to show that the person concerned was in need of significant care or support for a serious medical reason.

3.3 This leave must be applied for through Zoho People with the relevant form and proof provided.

3.4 On receipt of a confirmation document in Zoho People, the Human Resources Department will retain the confirmation and will provide a written email acknowledgement of the receipt of the confirmation.

4. EMPLOYMENT RIGHTS PROTECTION

5.1 All your employment rights, except remuneration, are protected while you are on leave for medical care purposes. You will return to your normal job on completion of the period of leave.

5. REVIEW OF POLICY

5.2 There will be a review of this policy two years after its introduction or earlier if deemed necessary by ETBI management.

Appendix 1

Confirmation to ETBI of leave for medical care purposes Form

***Note:** This form may contain medical information. Adequate security measures and safeguards must therefore be implemented to ensure that the security of the data is protected.*

To be completed by an staff member who takes or intends to take *leave for medical care purposes* as soon as reasonably practicable before the leave is intended to be taken or after the leave is taken.

Name of staff member: _____

Department: _____

Name and address of person in need of significant care or support for a serious medical reason:

Relationship of staff member to the person specified above:

Please outline a statement of the facts relating to the events of requiring the leave:

Dates of leave for medical care purposes: _____

Evidence

ETBI reserves the right to request relevant evidence relating to the need of the person for the significant care or support concerned. Such relevant evidence may include:

- A medical certificate stating that the person named in the certificate is (or where the leave has already been taken) was in need of significant care or support for a serious medical reason and signed by a registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007, or;

- If the staff member does not have a medical certificate such evidence as ETBI concerned may reasonably require in order to show that the person concerned is or was in need of significant care or support for a serious medical reason.

Data Protection

The information contained in this document will be processed in accordance with our obligations under data protection law.

As this document may contain special categories of personal data, it will be stored in Zoho People (only HR Staff have access to this). This is done to ensure the highest level of confidentiality and to ensure that only authorised personnel have access to it.

For further information regarding the processing by the organisation of personal data, please see our data protection policy. For further information regarding the retention periods applicable to this document and other personal data held by the organisation, please see our data retention policy.

Declaration

I declare that the information given by me above is true, accurate and complete.

Signed: _____ Date: _____
(Staff member)