



Circular Letter 0059/2023

**To: The Managerial Authorities of Recognised Primary,
Secondary, Community and Comprehensive Schools and
The Chief Executives of Education and Training Boards**

**Domestic Violence Leave for Registered Teachers employed in
Recognised Primary and Post Primary Schools**

The Minister for Education, pursuant to the power contained in Section 24 of the Education Act (as amended), directs employers to implement the regulations and procedures, as stated in this Circular, for eligible registered teachers employed in approved teaching posts funded by monies provided by the Oireachtas.

All employers and teachers must adhere to the agreed terms and conditions as stated with immediate effect.

Please ensure that the contents of this Circular are brought to the attention of all members of the Board of Management/Education and Training Boards and all teachers in your employment, including those on leave of absence.

All queries should initially be brought to the attention of the employer who may wish to consult with their representative organisation. Any further queries may be directed to the Department at the following email addresses:

- a) Queries on terms and conditions for Domestic Violence Leave:- teachersna@education.gov.ie
- b) Queries on recording of leave on OLCS:- onlineclaims@education.gov.ie
- c) Queries on salary:- [Payroll Query Form \(education.gov.ie\)](#)

This Circular can be accessed on the Department's website at www.gov.ie.

**James Walsh
Principal Officer
Teacher/SNA Terms and Conditions Section**

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Contents

Definitions and Abbreviations	3
1. Domestic Violence Leave	4
2. Eligibility for Domestic Violence Leave	4
3. Entitlement to Domestic Violence Leave.....	4
4. Arrangements whilst on Domestic Violence Leave.....	4
5. Application Procedures	4
6. Recording of Leave.....	5
7. Status during Domestic Violence Leave	5
8. Replacement Teacher	5
9. Employment while on Domestic Violence Leave	5
10. Leave Entitlements for Fixed Term/Fixed Purpose Appointments	6
11. Data Protection	6
12. Compliance	6
13. Employee Assistance Service.....	6
14. Child Protection.....	6
15. Useful Information.....	6
Appendix A - Application for Domestic Violence Leave.....	7
Appendix B – Contacts.....	9

Definitions and Abbreviations

For the purposes of this Circular, the following terms shall have the meanings assigned to them here unless the context indicates otherwise:

Cohabitant - means one of 2 adults (whether of the same or the opposite sex) who live together as a couple in an intimate and committed relationship and who are not related to each other within the prohibited degrees of relationship or married to each other or civil partners of each other.

Employer – means an Education and Training Board (ETB) for vocational schools/community colleges, community national schools, and a Board of Management/Manager in the case of primary (excluding community national schools), voluntary secondary, community, and comprehensive schools. The ETB or Board of Management/Manager may delegate as appropriate responsibility for matters set out in this Circular.

ETB – means an Education and Training Board, established under and governed according to the Education and Training Boards Act 2013.

On Line Claims System (OLCS) – means the system for recording absences and claiming substitution currently operating in primary, voluntary secondary, community and comprehensive schools.

Paymaster – means the organisation in charge of paying salaries. This is the Department of Education in the case of primary (including community national schools), voluntary secondary, community and comprehensive teachers, and the ETBs in the case of ETB/vocational/community college teachers.

Recognised School – means a school which is recognised by the Minister for Education in accordance with Section 10 of the Education Act 1998.

Teacher – means a person registered with the [Teaching Council](#).

The Department – means the [Department of Education](#).

1. Domestic Violence Leave

1.1 Domestic Violence Leave is statutory leave regulated by the Work Life Balance and Miscellaneous Provisions Act 2023.

1.2 A teacher, who is a victim of domestic violence, or a teacher who is assisting a relevant person (as defined in paragraph 2.1), is entitled to apply for Domestic Violence Leave for the following reasons:

- seek medical attention;
- obtain services from a victim services organisation;
- obtain psychological or other professional counselling;
- relocate residence temporarily or permanently;
- obtain an order from a court under the Domestic Violence Act 2018;
- seek advice or assistance from a legal practitioner;
- seek assistance from the Garda Síochána; or
- seek or obtain any other relevant services.

2. Eligibility for Domestic Violence Leave

2.1 Domestic Violence Leave can be availed of by a teacher or where a teacher is providing support to a relevant person. As defined in the Work life Balance and Miscellaneous Provisions Act 2023, a relevant person includes:

- the spouse or civil partner of the teacher;
- the cohabitant of the teacher;
- a person with whom the teacher is in an intimate relationship;
- a child of the teacher who has not attained full age; or
- a person who, in relation to the teacher, is a dependent person

3. Entitlement to Domestic Violence Leave

3.1 Domestic Violence Leave is a period of paid leave and consists of one or more school days, but must not exceed a maximum of 5 school days in a consecutive 12 month period.

4. Arrangements whilst on Domestic Violence Leave

4.1 A teacher who is absent on another form of statutory or non-statutory leave may not be granted Domestic Violence Leave instead of that leave.

4.2 Absence on Domestic Violence Leave for part of a school day constitutes an absence for a full school day.

5. Application Procedures

5.1 The approval of the employer must be sought for Domestic Violence Leave.

5.2 A teacher who avails of Domestic Violence Leave is required to complete the Application Form at [Appendix A](#) of this Circular. The Application Form should be completed and submitted to the employer, as soon as is reasonably practicable prior to or after availing of such leave.

- 5.3 Where a teacher is employed by an ETB, there may be an online facility to make an application for Domestic Violence Leave, rather than completion of the Application Form at Appendix A.
- 5.4 The employer should satisfy themselves that, in the circumstances, an application for Domestic Violence Leave is justified and can be granted.
- 5.5 The employer must provide the teacher with a written acknowledgement confirming receipt of the leave application and their decision to approve/refuse the request. Where an application is refused, the employer must include the grounds for refusal.

6. Recording of Leave

6.1 Following the employer's approval of Domestic Violence Leave, the absence must be recorded by the employer in a timely manner, on the OLCS/relevant ETB system.

6.2 For schools using the Department's OLCS, Domestic Violence Leave is recorded under 'Personal Leave', and then sub-category 'Domestic Violence Leave'.

6.3 Interim arrangements for recording of Domestic Violence Leave on OLCS

- a) At publication stage of this circular, "Domestic Violence Leave" will be under development in the Department.
- b) Pending the availability of the "Domestic Violence Leave" category on the OLCS, the following arrangements apply:-
- i. Email teachersna@education.gov.ie
 - ii. The subject line of the email should read "Domestic Violence Leave: Interim Arrangement"
 - iii. In such cases, the employer must provide the following details to the Department, so that the leave can be recorded on OLCS by Department Staff:
 - Teacher's Name
 - Teacher's PPS Number
 - Roll No. of school where teacher currently employed
 - The start and end date of the absence.

7. Status during Domestic Violence Leave

7.1 A teacher on Domestic Violence Leave is deemed for all purposes to be in employment at that time including remuneration and superannuation. Domestic Violence Leave is fully reckonable for seniority and progression on the incremental salary scale.

8. Replacement Teacher

8.1 The employer may appoint a substitute teacher, paid by the Paymaster for the duration of this leave and this must be recorded by the employer via the OLCS/relevant ETB system.

9. Employment while on Domestic Violence Leave

9.1 A teacher on Domestic Violence Leave may not engage in any type of teaching or other paid employment.

10. Leave Entitlements for Fixed Term/Fixed Purpose Appointments

- 10.1 A teacher who is on a fixed term/fixed purpose contract of employment shall, during the term of the contract, have full Domestic Violence Leave entitlements. The granting or taking of this leave will not affect a fixed term/fixed purpose appointment or the renewing of such an appointment.

11. Data Protection

- 11.1 All documentation relating to the teacher's absence on Domestic Violence Leave must be retained by the employer with the relevant personnel records in a safe and secure manner and in line with the employer's data protection policy and data protection regulations. These records may be selected for inspection by nominated Department officials.

12. Compliance

- 12.1 Failure to comply with the regulations and procedures set out in this Circular may be dealt with under the agreed disciplinary procedures and may lead to cessation of salary for a teacher or withdrawal of substitute cover for a school.

13. Employee Assistance Service

- 13.1. The Employee Assistance Service is available as a supportive resource for school staff and provides advice on a range of issues including wellbeing, legal, financial, bereavement, conflict and mediation. Where appropriate, short-term counselling is available to school employees and their family members. A family member includes a spouse, civil partner or dependent, where the family member can be described as a person over the age of 18 and residing at the family home. The dedicated Freephone confidential helpline is 1800 411 057 and is available 24 hours a day, 365 days a year. See [Employee Assistance Service for school staff in recognised primary and post-primary schools](#) for more information.

14. Child Protection

- 14.1 Employers should be aware of the obligations set out in the Child Protection Procedures for Primary and Post-Primary Schools.

15. Useful Information

- 15.1 Contact details for support organisations and resources can be found at [Appendix B](#).

Appendix A - Application for Domestic Violence Leave

The Application Form should be fully completed and submitted to the employer as soon as is reasonably practicable prior to or after the absence.

PART 1A – TEACHER APPLICATION

Teacher’s Name: _____ Contact No: _____

Home Address: _____

E-mail Address: _____

PPSN: _____

School Name: _____ Roll No: _____

PART 1B – LEAVE DETAILS

Start date: _____ End date: _____ Duration (Days): _____

No. of days Domestic Violence Leave taken in past 12 months: _____

Declaration

I wish to apply for Domestic Violence Leave in accordance with Circular 0059/2023. I confirm that the information provided in the application is true and accurate.

I have not exceeded my entitlement to Domestic Violence Leave, as detailed in Circular 0059/2023.

Signature of Teacher: _____ Date: _____

Data Protection Privacy Statement

The main purpose for which the Department requires you to provide this personal data to your employer is to enable your Domestic Violence Leave application to be processed. Your employer will retain your application form and accompanying documents in accordance with their Data Protection policy. Further information in relation to this policy is available on request from your employer.

The Privacy Notice outlining further information in relation to this Application Form can be found on gov.ie. Full details of the Department's Data Protection policy setting out how we will use your personal data as well as information regarding your rights as a data subject are available on gov.ie. Details of this policy are also available in hard copy from Teacher/SNA Terms & Conditions Section, Department of Education, Cornamaddy, Athlone, Co. Westmeath, N37 X659, or teachersna@education.gov.ie, upon request.

PART 2– EMPLOYER DECISION

I certify that I have approved/refused the application for Domestic Violence Leave in accordance with Circular 0059/2023. The following documents have been retained on file for audit purposes:

1) Application for Domestic Violence Leave under Circular 0059/2023

2) Copy of Decision Notice issued to teacher

Approved Domestic Violence Leave has been recorded on the OLCS/relevant ETB system

Signature: _____ Date: _____
(Employer)

Application Form/Supporting Documentation should NOT be submitted to the Department of Education. They should be retained in the school/ETB with any other relevant documentation for record and audit purposes with the relevant personnel records.

Appendix B – Contacts

Women’s Aid

24hr National Freephone Helpline:
1800 341 900
Email: info@womensaid.ie
www.womensaid.ie

LGBT Ireland

National Helpline: 1890 929 539
Transgender family support line 01 9073707
(open Tuesday/Sundays)
→ [On-line chat support service](#)
→ [Peer support services](#)
www.lgbt.ie

Men’s Aid

National Confidential Helpline: 01 554 3811
(Mon – Fri, 9.00am to 5.00pm)
Email: hello@mensaid.ie
www.mensaid.ie

BeLong To

LGBTI+ youth support organisation for young
people aged between 14–23 years
Tel: 01 670 6223
→ [Support Services](#)
Email: info@belongto.org
www.belongto.org

MOVE Ireland (Men Overcoming Violence)

Provides Domestic Violence Perpetrators
Intervention Programmes for men where they
are challenged to take responsibility for their
abuse and to change their attitudes and
behaviour and develop respectful, non-abusive
relationships.
www.moveireland.ie

TENI (Transgender Equality Network Ireland)

Gender Identity Family Support Line
01 9073707
www.teni.ie

SAFE Ireland

Programme for creating safety for women and
children with a focus on research, public policy
and awareness and provision of training.
→ [Contacts for National Services](#)
→ [Advice for Employers](#)
www.safeireland.ie

Tusla

The State Child and Family Agency
Operates under the [Child and Family Act 2013](#)
→ [Reporting Concerns – Child protection and
welfare services](#)
→ [Domestic and Gender Based Violence
Services](#)
→ [Family Resource Centres](#)
www.tusla.ie

Dublin Rape Crisis Centre

24-hour helpline: 1800 77 8888
→ [Webchat support service](#) (Mon – Fri,
10.00am to 5.00pm (excl. bank holidays))
→ [Counselling & therapy services](#)
www.drcc.ie

The Courts Service of Ireland

www.courts.ie

Citizens Information

www.citizensinformation.ie

Legal Aid Board

www.legalaidboard.ie

HSE Sexual Assault Treatment Units

Information on care options if you have been
raped or sexually assaulted.
<https://www2.hse.ie/services/satu/>

An Garda Síochána

www.garda.ie