



Information Note TC/IN 0001/2025

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

Amendment to the Maternity Leave Scheme for Registered Teachers employed in Recognised Primary and Post Primary Schools

1. Introduction

1.1 Due to legislative changes which came into effect on 20th November 2024, this Information Note advises employers of an amendment to the Maternity Leave Scheme for teachers, contained in Circular 0054/2019 (Chapter 2).

2. Postponement of Maternity Leave due to Serious Health Condition

2.1 Since the 20th of November 2024, a teacher can choose to postpone all or part of their statutory 26 week Maternity Leave entitlement.

2.2 Where a teacher satisfies the criteria below, they will be able to postpone their Maternity Leave for a minimum of 5 weeks and up to a maximum of 52 weeks.

2.3 The normal terms and conditions of the Sick Leave Scheme as outlined in Circular 0013/2024 will apply for the duration of the postponement.

3. Eligibility

3.1 In order to be eligible, the teacher must have a serious health condition - meaning a health condition that:

- a) entails a serious risk to the life or health, including the mental health, of a teacher, and
- b) in order to address the risk, requires necessary medical intervention that is ongoing for a period of time to be carried out in respect of the teacher. Necessary medical intervention, in relation to mental health, is defined as inpatient hospital treatment, under the provisions of the Maternity Protection, Employment Equality and Preservation of Certain Records Act 2024.

3.2 The serious health condition must be certified by the teacher's relevant medical practitioner. A relevant medical practitioner is defined as:

“for the time being registered in the Specialist Division of the register of medical practitioners pursuant to section 47 of the Medical Practitioner Act 2007 and is a specialist in a medical speciality recognised by the Medical

Council under section 89 of that Act, and is treating, or is responsible for the treatment of, the relevant teacher concerned in relation to the serious health condition concerned”.

4. Application Procedures

- 4.1 The teacher must complete the Application Form at [Appendix A](#) of this Information Note to apply for postponement of Maternity Leave due to Serious Health Condition. Where a teacher is employed by an ETB, there may be an online facility to make an application for Postponement of Maternity Leave due to Serious Health Condition, rather than completion of the Application Form at Appendix A.
- 4.2 The teacher must provide a medical certificate from their relevant medical practitioner that confirms:
 - a) The teacher meets the eligibility criteria noted in paragraph in 3.1 above and
 - b) The start and end date of the proposed postponement.
- 4.3 The application form must be submitted to the employer no later than two weeks before the intended postponement date.
- 4.4 Once the application has been approved by the employer, the employer should submit the completed application form and the written approval of the employer, to teachersna@education.gov.ie for recording on the OLCS. In the case of ETB schools, the employer should record the approved absence on the relevant ETB system.
- 4.5 The written approval from the employer must be on headed paper and state:
 - a) The teacher is entitled to the postponement of Maternity Leave due to a serious risk to their life and health and
 - b) The date on which the postponement of Maternity Leave is to commence and
 - c) The date on which the Maternity Leave is intended to resume.
- 4.6 Where a teacher is employed by an ETB, approval may be generated electronically where the application was through the ETB electronic system.
- 4.7 The normal terms and conditions of the Sick Leave Scheme will apply for the duration of the postponement and the employer will remain responsible for the recording of the sick leave absence.
- 4.8 A teacher can postpone their Maternity Leave twice, but the second postponement must take place immediately after the first postponement. The maximum duration of both postponements will be 52 weeks from the start date of the first postponement. Once the Maternity Leave is resumed, it will not be possible to postpone again.
- 4.9 To avail of a second postponement, the teacher must make a second application by completing the form in Appendix A and provide an updated medical certificate from the relevant medical practitioner with the same details as outlined in paragraph 4.2 above. The application must be made no later than 2 weeks before the second commencement date. Where a teacher is employed by an ETB, there may be an online facility to make their application

for the second Postponement of Maternity Leave due to Serious Health Condition, rather than completion of the Application Form at Appendix A.

- 4.10 The employer must satisfy itself that the eligibility criteria for postponement of Maternity Leave due to Serious Health Condition has been met. Where the application does not meet the eligibility criteria, the employer must provide the teacher with a written acknowledgement confirming receipt of the leave application, their decision to refuse the request and must include the grounds for refusal.

5. Further Information

- 5.1 Maternity Leave cannot be postponed for more than 52 weeks from the date of the initial postponement.
- 5.2 The teacher must make direct contact with the Department of Social Protection to inform them of their intention to postpone Maternity Leave. Maternity Benefit will not be paid during the period of postponement. More information is available [here](#).
- 5.3 The teacher will be entitled to avail of the postponed period of Maternity Leave in one continuous period on the day immediately after the end date set out in their medical certificate.
- 5.4 The entitlement to take resumed Maternity Leave is subject to the teacher giving written notification to their employer as soon as reasonably practicable, but not later than the day on which the leave begins, of their intention to commence such leave. The employer must immediately notify teachersna@education.gov.ie to ensure the resumed Maternity Leave is input on the OLCS. In the case of ETB schools, the employer will record the resumed Maternity Leave on the relevant ETB system.
- 5.5 A teacher cannot postpone their Maternity Leave under both the above provisions and the provisions in the Maternity Protection Act 1994 that permit postponement in the event of hospitalisation of the child in respect of the same birth.

6. Leave Entitlements for Fixed Term/Fixed Purpose Appointments

- 6.1 A teacher who is on a fixed term/fixed purpose contract of employment shall, during the term of the contract, have full leave entitlements in respect of Postponement of Maternity leave due to Serious Health Condition. The granting or taking of this leave should not affect a fixed term/fixed purpose appointment or the renewing of such an appointment.
- 6.2 A teacher's entitlement to leave shall cease on the expiry of a contract and that contract not having been renewed, unless that contract is followed directly by a 'back to back' contract in an approved teaching post funded by monies provided by the Oireachtas.

7. Circulation of Information Note

- 7.1 Please ensure this Information Note is circulated to all members of the Board of Management/Education and Training Boards and its contents are brought to the attention of all teachers in your employment, including those on leave of absence.

7.2 This Information Note can be accessed on the Department's website at www.gov.ie.

James Walsh
Principal Officer
Teacher/SNA Terms & Conditions Section

03 April 2025

Appendix A

Appendix A – Application to postpone Maternity Leave due to Serious Health Condition

The Application Form should be fully completed by the teacher and submitted to the employer as soon as possible. The completed Application Form must be accompanied by supporting evidence i.e. medical certificate, signed by the relevant medical practitioner, which states the proposed commencement date and end date of the postponement to the employer.

Part 1 - Teacher Details

Teacher's Name: _____ Contact No: _____

Home Address: _____

E-mail Address: _____

PPSN: _____

School Name: _____ Roll No: _____

Part 2 – Details of Postponement of Maternity Leave due to Serious Health Condition

I wish to postpone my Maternity Leave due to Serious Health Condition.

Current Maternity Leave details:

Start Date (DD/MM/YYYY): _____ End Date (DD/MM/YYYY): _____

Postponement details:

Start Date (DD/MM/YYYY): _____ End Date (DD/MM/YYYY): _____

1st Postponement 2nd Postponement (tick as appropriate).

Number of weeks: _____

Declaration

I wish to apply to postpone Maternity Leave due to Serious Health Condition in accordance with the terms and conditions of Information Note TC/IN 0001/2025 titled '*Amendment to the Maternity Leave Scheme for Registered Teachers employed in Recognised Primary and Post Primary Schools*'.

The completed Application Form is accompanied by a medical certificate which complies with paragraph 4.2.

I confirm that the information provided in the Application Form is true and accurate.

Signature of Teacher: _____ Date: _____

Part 3 – Employer Section

I certify that I have approved/refused (delete as appropriate) Postponement of Maternity Leave due to Serious Health Condition, in accordance with Information Note TC/IN 0001/2025. The following documents must be retained in the school/ETB for audit purposes with the relevant personnel records:

- 1) Application for Postponement of Maternity Leave due to Serious Health Condition
- 2) Copy of Decision Notice issued to Teacher
- 3) A medical certificate, signed by the relevant medical practitioner
(This should be retained by the employer and not forwarded to the department)

Where approved, I confirm that (*please tick as appropriate*):

- The teacher has been provided with written approval as per paragraph 4.5
- The completed application form and the written approval of the employer has been submitted to teachersna@education.gov.ie or relevant ETB HR Section.

Where refused, I confirm that (*please tick as appropriate*):

- Reason for refusal has been provided to the teacher on the Decision Notice

Signature: _____ Date: _____
(Employer)

A copy of the Application Form should be submitted to the Department of Education by email to teachersna@education.gov.ie

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 Postponement of Maternity 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, upon request.