



# **Enable Ireland**

# **CARER'S LEAVE POLICY**

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## **Policy Context: Enable Ireland's policy framework is cognisant of Progressing Disability Services for Children & Young People (PDS).**

PDS has changed the way services are provided across the country to make it equitable and consistent for all. Through the deployment of PDS in Enable Ireland, services provided to children and young people by interagency teams, called Children's Disability Network Team (CDNT), have been established.

A CDNT is an interdisciplinary team is a number of professionals from different disciplines who work with the child and family, sharing information, decision-making and goal-setting. They have common procedures and policies and frequent opportunities for communication ([Policy Framework for Children's Disability Network Teams](#)<sup>1</sup>, 2020:10).

With reference to the application of the HR process in relation to staff employed by other agencies in through the PDS framework, this policy is applied in accordance with the:

- [National Policy on the Lead Agency Model](#)<sup>2</sup> (2019:4),
- **Interagency Agreement**, together with any new policy or guideline documents arising from PDS.

## **1.0 Legislation**

The relevant legislation underpinning this policy is the Carer's Leave Act 2001.

### **1.1 Scope**

- The Carer's Leave Act 2001 allows an employee/colleague in Ireland to leave their employment temporarily to provide full time care for someone in need of full-time care and attention.
- The person you are proposing to care for must be deemed to be in need of full time care and attention by the Deciding Officer of the Department of Social Protection.
- The person you propose to take care of must require:
  - Continuous supervision and frequent assistance throughout the day in connection with his/her normal personal needs, for example, help to eat, drink, wash or dress
  - or**
  - Continuous supervision in order to avoid danger to him/herself.
- The person you will be caring for does not need to be a family member or spouse, but could be a friend or colleague.

## **2.0 Entitlement**

An employee/colleague is entitled to a minimum of 13 weeks and a maximum of 104 weeks carer's leave. You may only be on carer's leave in respect of any one person in need of full-time care at any one time. An exception is where two people live together and both are in need off full-time care and attention. In this situation, the total amount of carer's leave is 208 weeks.

Carer's leave from employment is unpaid. You may be eligible for Carer's Benefit if you have enough PRSI contributions. If you do not qualify for Carer's Benefit, you may qualify for Carer's Allowance, which is a means-tested payment.

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<sup>1</sup> <https://www.hse.ie/eng/services/list/4/disability/progressing-disability/pds-programme/documents/policy-framework-for-children-s-disability-network-teams.docx>

<sup>2</sup> <https://www.hse.ie/eng/services/list/4/disability/progressing-disability/pds-programme/documents/national-policy-on-the-lead-agency-model.pdf>

## **2.1 Working while on Carer's Leave**

You may work while you are on carer's leave for up to 18.5 hours per week, provided your income from employment or self-employment is less than a weekly limit set by the Department of Social Protection (DSP). You should contact the Carer's Benefit Section of the DSP for details of this income limit.

## **2.2 Minimum Service Requirement**

An employee/colleague must have at least one year's continuous service with Enable Ireland before being entitled to take carer's leave.

## **2.3 Notification Requirements**

An employee/colleague must notify his/her line manager of his/her intention to take carer's leave at least six weeks before the date of proposed commencement. The notification must state:

- The proposal to take carer's leave
- The proposed date of commencement
- The manner in which it is intended to take the leave
- Confirmation that an application has been sent to the Department of Social Protection.

### **3.0 Confirmation of Carer's Leave**

Not later than two weeks prior to the proposed commencement of the carer's leave, both the employee/colleague and his/her line manager must sign the application form (See **Appendix 1**, which is available to download via the [Forms Page](#) of Inform).

This document specifies:

- The approved date of commencement of carer's leave
- The duration of carer's leave
- The manner in which the leave is to be taken

The employee/colleague must provide your employer with a written decision from the Deciding Officer stating that the proposed care recipient is a relevant person. This must be given to your employer before carer's leave can commence.

### **3.1 Manner in which Leave Can Be Taken**

You may apply to take carer's leave in one continuous period of 104 weeks or for a number of periods not exceeding a total of 104 weeks. If you do not take carer's leave in one continuous period, there must be a gap of at least 6 weeks between the periods of carer's leave.

An employer may refuse, on reasonable grounds, to allow you to take a period of carer's leave which is less than 13 weeks duration. Where Enable Ireland refuses this leave, the grounds for refusal must be given in writing to the employee/colleague.

### **3.2 Notice of Return to Work**

An employee/colleague must give written notice to his/her line manager of his/her intention to return to work at least four weeks before the date of return.

### **3.3 Rights During Leave**

Absence from work on carer's leave is both continuous and reckonable.

You are only entitled to annual leave and public holidays in respect of the first 13 weeks of carer's leave.

If Enable Ireland has reasonable grounds to believe that carer's leave was not taken in accordance with this policy, it may instigate an investigation. If, following such an investigation, an employee/colleague is found abusing this leave, he/she may be subject to disciplinary action, up to and including dismissal.

### **3.4 Change in Circumstances**

An employee/colleague on carer's leave must notify his/her employer of any change of circumstances that affects his/her entitlement to carer's leave.

### **3.5 Applying for Carer's Benefit**

Application for Carer's Benefit must be made at least 6-six weeks before the start of the carer's leave.

Completed Applications must be sent to:

Carer's Benefit Section  
Social Welfare Services Office  
Government Buildings  
Ballinalee Road  
Longford  
Ireland

**Tel:** (043) 334 0000  
**Locall:** 1890 92 77 70  
**Homepage:** <http://www.welfare.ie>  
**Email:** [carers@welfare.ie](mailto:carers@welfare.ie)



## Appendix 1

### Carer's Leave Application Form – Part A

This form must be completed by the employee/colleague concerned not later than six weeks before the commencement of the leave.

Employee/Colleague Details	
First Name:	
Surname:	
Address:	
Start Date:	
Centre:	
Department:	

Carer's Leave Details	
Proposed Date of Commencement of Carer's Leave:	
Proposed duration of Carer's Leave:	
Manner in which to be taken:	
Proposed date of return after Carer's Leave:	
Name of person you are proposing to care for:	

#### ***Declaration***

Carer's leave is granted solely for the purpose of caring for the above named person. This leave may be terminated if it is not used for this purpose. Any employee/colleague abusing this leave may be subject to disciplinary action up to and including dismissal.

I declare that I have made an application to the Department of Social Protection for a decision by a deciding officer under the Act that the person in respect of whom I propose to avail of Carer's leave in order to provide full time care, requires this care.

Employee/Colleague Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## Appendix 1

### Carer's Leave Application Form – Part B

This form must be completed by the Line Manager and Employee/Colleague concerned not later than **TWO** weeks before the commencement of the leave.

Employee/Colleague Details	
First Name:	
Surname:	
Address:	
Start date:	
Centre:	
Department:	

Carer's Leave Details	
Approved Date of Commencement of Carer's Leave:	
Approved duration of Carer's Leave:	
Manner in which to be taken:	
Approved date of return to work after Carer's Leave:	

Carer's leave is granted solely for the purpose of caring for the above named person. This leave may be terminated if it is not used for this purpose. Any employee/colleague abusing this leave may be subject to disciplinary action up to and including dismissal.

Employee/Colleague Signature: \_\_\_\_\_

Line Manager Signature: \_\_\_\_\_

Date: \_\_\_\_\_

***Note\*** Completed approved forms must be sent to the HR department by the relevant line manager.*