
EDUCATION (LEAVE FOR PERSONAL INJURIES) BILL 2025

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ACT REFERRED TO

Education Act 1998 (No. 51)

Medical Practitioners Act 2007 (No. 25)

Safety, Health and Welfare at Work Act 2005 (No. 10)

Teaching Council Act 2001 (No. 8)

EDUCATION (LEAVE FOR PERSONAL INJURIES) BILL 2025

Bill

entitled

An Act to establish standards for any scheme of the Minister for Education relating to the provision of leave of absence for teachers and special needs assistants who suffer certain personal injuries; and to provide for related matters.

Be it enacted by the Oireachtas as follows:

Scheme of leave for personal injuries

1. (1) This section applies to any scheme that is, or is to be, maintained by the Minister providing for leave of absence from work following personal injury suffered by a teacher or SNA who is employed in an approved position of employment in a recognised school.
- (2) A scheme to which this section applies shall satisfy the following conditions:
 - (a) the scheme shall be in accordance with an agreement negotiated with recognised trade unions or staff associations representing the teachers or SNAs concerned;
 - (b) the scheme shall include provision for immediate financial assistance to cover the medical and ancillary expenses of the teacher or SNA;
 - (c) the scheme shall include provision, in cases where the nature or scale of injury suffered is not immediately apparent, for paid leave of absence to be commenced within a reasonable period of it being established that the injury concerned has been suffered;
 - (c) subject to any provisions to which *paragraph (d)* applies, the scheme shall provide for paid leave of absence from work for the duration of any period in respect of which a certificate signed by a registered medical practitioner is provided, stating that the teacher or SNA is unable to return to work as a result of the injury concerned;
 - (d) the scheme shall provide for early retirement in cases of long-term or permanent incapacity to return to work;
 - (e) the scheme shall include provision for information about and access to support services including, where relevant, appropriate specialist services, including psychological support services;

- (f) the scheme shall outline the nature and extent of the duties of the school where a teacher of SNA suffers a personal injury to which the scheme applies, for the purposes of ensuring compliance by the school with its duties under Part 3 of the Safety, Health and Welfare at Work Act 2005;
- (g) the scheme shall not discriminate between teachers and SNAs in relation to the availability or extent of entitlements under the scheme.

(3) In this section –

“approved position of employment” means a position of employment in a recognised school that is, for the purpose of being remunerated out of monies provided by the Oireachtas, approved by the Minister under section 24 of the Education Act 1998;

“injury” includes physical or mental injury or illness;

“Minister” means the Minister for Education;

“personal injury” means an injury suffered by a teacher or SNA in the course of his or her employment which is caused by an act of a student that –

- (a) directly or indirectly applies force to or causes an impact on his or her body, or
- (b) causes him or her to believe on reasonable grounds that he or she is likely immediately to be subjected to any such force or impact, and
- (c) if done by a person of full age and capacity, constitutes an offence,

regardless as to whether the act concerned was done intentionally, recklessly or otherwise;

“recognised school” has the same meaning as in the Education Act 1998;

“registered medical practitioner” has the same meaning as it has in the Medical Practitioners Act 2007;

“SNA” –

- (a) means a special needs assistant within the meaning of the Special Needs Assistant Scheme published and maintained by the Minister, and
- (b) includes any other person, howsoever described, who is employed pursuant to a scheme maintained by the Minister to assist in relation to the special needs of students with disabilities in recognised schools;

“teacher” means a registered teacher within the meaning of the Teaching Council Act 2001.

Short title

2. This Act may be cited as the Education (Leave for Personal Injuries) Act 2025.