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Circular 23/2007:- Post Entry Education - Refund of Fees, Study Leave and Examination Leave

E109/82/97

19 June 2007

Circular 23/07: Post-Entry Education – Refund of Fees, Study Leave and Examination Leave

A Dhuine Uasail

1. I am directed by the Minister for Finance to refer to the existing circulars and general instructions covering refund of fees, study leave and examination leave. This circular consolidates existing arrangements and supersedes all previous circulars and instructions covering these matters.

Purpose of the Circular

2. The circular sets out the arrangements to facilitate Departments/Offices in building appropriate skill and expertise levels and in supporting officers' efforts in the area of self-development and life-long learning. In the context of the on-going need to develop new skills and new ways of working, these measures are directed at enhancing workplace performance in the Civil Service and they recognise that assisting officers' career development is a worthwhile investment.

3. Consistent with Civil Service strategic management objectives, the approach of the circular is to maximise the discretion available to Departments/Offices in addressing post-entry education matters in ways that are most relevant to their own areas of responsibility. In using this discretion, the overall goal of Departments/Offices should be to provide as much support as possible for relevant staff education and development, subject to the general conditions governing the refund of fees, study leave and examination leave set out in this circular. The Performance Management and Development System (PMDS) generally provides the framework within which relevant education and development measures can be identified. Subject to adherence to the conditions set out at paragraph 11, the application of this circular need not be confined to education and development needs identified in the PMDS process.

4. The arrangements set out in this circular should be applied in a transparent way by Departments/Offices.

5. Departments/Offices should monitor the operation of the refund of fees scheme to ensure effective skill development for the organisation as well as equality of opportunity in access to training and development. In particular Departments/Offices should monitor the uptake of training and development opportunities under the scheme by staff with disabilities, to ensure equality of access.

Courses covered

6. This circular applies to courses of study which meet all of the conditions listed below:
- (a) are deemed by the Head of the Department/Office to be relevant to the Civil Service employment of the officer(s) attending them. Departments/Offices may from time to time draw up a list of suitable areas of study that they consider will assist in achieving the business needs of the Department/Office and support the personal and life long learning needs of officers in the Department/Office;
 - (b) lead to a second or third level educational, professional or vocational qualification or a qualification in a language other than English (including sign language);
 - (c) are provided by a recognised educational institution or professional body and
 - (d) are pursued primarily in the officer's own time.

Refund of fees

7. Officers pursuing courses which fulfil the conditions set out in paragraph 6 above may have the appropriate course and examination fees refunded to them by the Department/Office that approved the application, subject to the conditions set out at paragraph 11. It is at the discretion of each Head of Department/Office whether or not to set priorities as regards courses of study. Officers transferring from one Department/Office to another during an academic year will receive the refund from the Department/Office that approved the course, irrespective of the stage in the year when they transferred. For subsequent years of study, the officer should apply for a refund of fees to his/her new Department/Office and where possible, will receive a level of refund of fees similar to that available to them in the previous Department/Office. In such circumstances, Departments/ Offices should as far as possible continue to provide a level of refund of fees similar to that available to officers in their previous employing Department/Office.

8. In all cases, the decision as to whether some, all or none of the fees will be refunded rests with the Head of the Department/Office who must take into account (i) the estimated total cost of fees and travelling expenses (if any) and (ii) the available financial resources. The refund (if any) will generally be made at the end of each completed academic year/course period in accordance with the conditions set out in paragraph 11.

Advance funding of fees

9. Advance funding of fees, either in whole or in part, may be made at the discretion of the Head of the Department/Office where he or she is satisfied that:
- a) the attendance of the officer at a particular course of study is directly relevant to the work of the Department/Office and the proposal for the course of study has been initiated by the Department/Office and/or by the officer's manager supported by the second supervisor;
 - b) the course represents value for money and
 - c) appropriate safeguards have been put in place in accordance with the conditions set out in paragraph 11.

Reimbursement of travelling expenses

10. In certain circumstances, officers who qualify for refund/advance of fees may apply for reimbursement of certain travelling expenses. Travelling expenses are only payable where additional cost is incurred. The decision as to whether some, all or none of the travelling expenses for an approved course will be reimbursed rests with the Head of the Department/Office. In addition, reimbursement is subject to the following:

- (a) the course should, as far as possible, be attended at the nearest centre offering such a course;
- (b) the officer should be serving outside the general urban area in which the course is being attended;
- (c) reimbursement should be restricted to extra travel necessarily undertaken in attending the course, travel between office and home being discounted;
- (d) the basis of reimbursement should be the lesser of
 - (i) the cost of travelling by public transport, where this is available, or
 - (ii) mileage at the Civil Service "Reduced Rates" current at the time;
- (e) payment of travelling expenses for courses which involve travel to/from outside Ireland is a matter for individual Departments/Offices to consider.

Conditions governing refund/advance of fees and reimbursement of travelling expenses

11. Refund/advance of fees and/or reimbursement of travelling expenses under this circular are subject to the following:

- (a) payment can be made once only in respect of any academic year/course period and in each case is subject to appropriate verification from the institution providing the course that the officer participated satisfactorily in the course during the period and took the relevant examinations or other prescribed tests. Payment should not be made in respect of years, periods or examinations which are repeated;
- (b) each officer to whom a payment is made is required to sign a standard form of undertaking committing himself/herself to return the payment in full in the event of leaving the Civil Service before completing one year's service (i.e. twelve months) in respect of each academic year/course period for which a payment has been made. The academic years/course periods do not themselves reckon as service in this context. For example, an officer undertaking a three year course will be required to provide three years service after completion of the course;
- (c) officers should apply for a refund of fees before undertaking courses of study. Applications for courses already undertaken will not be approved.

Departments/Offices may provide that a refund of fees will only be granted where an officer can provide appropriate verification that the relevant examinations have been passed.

12. Worksharers are treated in the same way as full-time staff for the purposes of refund/advance of fees or reimbursement of travelling expenses.

Fees for Membership of Professional Organisations

13. The decision as to whether some, all or none of the fees payable for membership of a professional organisation will be refunded where a student must be a member of the organisation

in order to be eligible to sit exams, rests with the Head of the Department/Office. The decision shall be consistent with Circular 47/01 on the Reimbursement of Professional Membership Fees.

To whom applicable

14. This circular applies to all civil servants. The decision to grant a refund/advance of fees or leave under this circular is a matter for the Head of each Department/Office.

Study Leave and Examination Leave

15. This circular introduces a number of improvements in the leave available to support individuals undertaking further education and development. The grant of such leave must, at all times, be subject to the exigencies of the public service. Departments/Offices have a role to play in ensuring that a balance is struck between the overall organisational needs and resources and the pursuit of personal and career goals. In this context, individual officers and their Departments/Offices should, through advance planning, seek to ensure that both individual and organisational requirements are facilitated satisfactorily.

Paid Study Leave

16. Officers who qualify for a refund/advance of fees, may be allowed paid study leave as follows:

- (a) ten days in respect of the final year only of a third level primary or masters degree;
- (b) five days for the other years of a third level course. The Head of Department/Office may, in particular instances, where the course of study relates very closely to the business objectives of the Department/Office, have the discretion to increase the amount of paid study leave granted. Any increase would be subject to there being significant benefit to the Department/Office or Civil Service by way of skills or expertise gained by the officer;
- (c) the Head of Department/Office may also grant an additional 2 days in each year of the course, exclusive of the normal 5 days study leave, in order to facilitate compulsory attendance at residential schools in partial fulfillment of the requirements for the attainment of a degree by distance learning; these additional days may be granted only in respect of days on which the officer is scheduled for duty;
- (d) three days for each year of a second-level course, subject to a maximum of ten days overall;
- (e) officers may be allowed carry forward up to five days paid study leave from the second last year to the last year of a course;
- (f) officers not attending/undertaking the whole course in a given year will have said study leave reduced pro-rata;
- (g) paid study leave will not be allowable for a year when an examination has to be repeated;
- (h) study leave for officers availing of worksharing arrangements will apply on a pro-rata basis.

17. The references above to “..each year of the course..” should be interpreted as covering only the normal length of the course as defined by the appropriate academic institution, which is not necessarily the same as the length of time taken by the person to complete the course. For example, if an officer is following a two-year course but avails of options to spread the modules

over a period longer than two years, the maximum amount of paid study leave available to that officer over the period is ten days.

If an officer is undertaking a course which does not qualify for a refund/advance of fees, the Head of the Department/Office may at his/her discretion permit some paid leave for study purposes.

Unpaid Study Leave

18. Unpaid study leave may be granted as follows:

- a) where an officer qualifies for refund/advance of fees, up to three months for study or other purposes directly relevant to the course being pursued;
- b) up to one academic year to enable an officer to pursue a postgraduate course or any specialised course of study, provided the Head of the Department/Office is satisfied that the course will be of direct benefit to the officer in the performance of his/her official duties, and provided a reasonable period of service has already been given by the officer in his/her present grade.

The decision to grant unpaid study leave rests with the Head of Department/Office.

19. Officers who wish to pursue courses which involve regular or continuous absence from official duties, may be facilitated under the career break or worksharing schemes, subject to the terms prevailing at the time.

Examination Leave

20. Officers who qualify for a refund/advance of fees may be allowed paid examination leave for the purpose of sitting the examinations held by the institution/body providing the course. The period of paid absence should be limited in each case to the day(s)/half-day(s) which are actually and necessarily spent at the examinations. Paid examination leave will not be granted where an examination has to be repeated. The decision to grant examination leave rests with the Head of Department/Office. Worksharers will be granted examination leave depending on whether or not they were scheduled to work for the period in question.

If an officer is undertaking a course which does not qualify for a refund/advance of fees, the Head of the Department/Office may at his/her discretion permit some paid leave for exam purposes.

Occasional Attendance at seminars/courses during normal working hours

21. The Head of Department/Office may, where he or she considers that attendance from time to time at seminars or courses during normal working hours is of particular relevance to the work of the officer concerned or of particular benefit to the Department/Office, may permit some or all of such absences without loss of salary.

Attendance at conferring/ graduation ceremonies during normal working hours

22. The Head of Department/Office may, where he or she considers that attendance at a conferring/graduation ceremony during normal working hours is appropriate in the context of the course undertaken and the commitment involved on the part of the officer, permit attendance at such ceremonies.

Circulation

23. This circular should be brought to the attention of all civil servants in your Department/Office.

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Michael Errity
Assistant Secretary

Letter of Undertaking

Whereas I the undersigned of _____ am pursuing/have pursued in my own time a course of education covering a term of _____ and whereas the **Minister/Head of Office** has accepted said course as being relevant to my employment in the civil service and the **Minister/Head of Office** has agreed to refund to me at the end of each completed academic year or corresponding period of said course then ended provided that such refund shall not be made more than once in respect of any one such academic year or corresponding course period and that I shall have furnished to the **Minister/Head of Office** a written statement from _____ certifying that during the relevant academic year or corresponding course period my attendance at or participation in said course of education was satisfactory and that I underwent all relevant examinations and prescribed tests. Now in consideration of the premise I hereby undertake that should I leave the public service before I have completed twelve months service in respect of each academic year or corresponding period of the said course for which a refund of fees shall have been made to me (such service not to commence until the completion of said course), I will repay the **Minister/Head of Office** such sum as shall be the amount of the fees refunded to me as aforesaid for each and any academic year or corresponding course period in respect of which I shall not have completed twelve months service hereinbefore provided.

Dated this _____ day of _____ 200X

Signed by the said:

in presence of: