



Circular Letter 0052/2023

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

**Breastfeeding Breaks for Registered Teachers
employed in Recognised Primary and Post Primary Schools**

The Minister for Education directs you to implement the changes as stated in this Circular in relation to breastfeeding breaks for eligible registered teachers employed in approved teaching posts funded by monies provided by the Oireachtas.

This Circular supersedes all previous rules and regulations in relation to breastfeeding breaks for teachers employed in recognised primary and post primary schools.

The regulations and procedures are to be implemented by each employer with immediate effect and all teachers must adhere to the agreed terms and conditions.

Please ensure this Circular 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.

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

**James Walsh
Principal Officer
Teacher/SNA Terms & Conditions
11 October 2023**

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Definitions and Abbreviations

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

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.

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 vocational schools/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.

School Year – as defined by the Minister for Education from time to time currently beginning on 1st September and ending on 31st August.

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

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

1. Purpose of this Circular

- 1.1 This Circular outlines the statutory entitlement for the provision of breastfeeding breaks 'within the 104-week period' after the birth of the child and includes the procedures that must be followed. Breastfeeding Breaks for Teachers is regulated by Section 9 of the Maternity Protection (Amendment) Act 2004, as amended by the Work Life Balance and Miscellaneous Provisions Act 2023.

2. Breastfeeding Breaks for Teachers

- 2.1 Within a 104-week period after the birth of the child, a teacher who has returned to work is entitled to breastfeeding breaks without loss of pay for up to one hour per day, for the purpose of breastfeeding or lactation.
- 2.2 Application for breastfeeding breaks must be made by the teacher at least 4 weeks in advance of the planned commencement date using the Application Form at [Appendix A](#) (or on the relevant ETB system, where applicable), accompanied by a copy of the relevant child's birth certificate. The Application Form must be re-submitted prior to the start of each subsequent school term during which the teacher continues to breastfeed and therefore intends to avail of breastfeeding breaks.
- 2.3 The employer should take reasonable measures to facilitate the pattern of breastfeeding breaks as requested, but must ensure the educational, welfare and care needs of students takes precedence.
- 2.4 Where it is not possible for the employer to facilitate the breastfeeding breaks pattern, as initially requested by the teachers, alternate patterns must be explored and agreed upon.
- 2.5 Each application for breastfeeding breaks should be considered on a case-by-case basis.
- 2.6 Breastfeeding breaks may be taken in the form of: -
- a) one break of 60 minutes, or
 - b) two breaks of 30 minutes each, or
 - c) three breaks of 20 minutes each
- 2.7 A teacher may have their working hours reduced (without loss of pay) to facilitate breastfeeding where suitable facilities are not available.
- 2.8 A teacher working less than the full school day, may avail of breastfeeding breaks on a pro-rata basis.
- 2.9 A teacher availing of breastfeeding breaks who ceases to breastfeed, should notify her employer in writing as soon as possible.
- 2.10 Substitution for breastfeeding breaks is not paid by the Department/ETB. At post primary level, the breaks should be covered through the Supervision and Substitution Scheme.

Appendix A

Appendix A: Application Form for Breastfeeding Breaks

This initial Application Form should be fully completed and submitted to the employer at least 4 weeks before return to work following Maternity Leave (or at least 4 weeks before the beginning of the school term in the case of a second or subsequent application). A copy of the relevant child's birth certificate must be submitted with the initial application.

PART 1 – TEACHER APPLICATION

Teacher's Name: _____ Contact No: _____

Home Address: _____

E-mail Address: _____ PPSN: _____

School Name: _____ Roll No: _____

Date of birth of child: _____

Expected date of return to work (1st application only): _____

PART 2 – BREASTFEEDING BREAKS PATTERN

My two preferred options for taking these breastfeeding breaks are as detailed in the tables (Options 1 and 2) below.

Planned commencement date: _____ Planned end date: _____

Option 1

Breastfeeding Breaks Pattern	Preferred Time of Breastfeeding Break(s)	Please tick as appropriate
One break of 60 minutes	From _____ to _____	
Two breaks of 30 minutes each	Break 1: From _____ to _____ Break 2: From _____ to _____	
Three breaks of 20 minutes each	Break 1: From _____ to _____ Break 2: From _____ to _____ Break 3: From _____ to _____	

Option 2

Breastfeeding Breaks Pattern	Preferred Time of Breastfeeding Break(s)	Please tick as appropriate
One break of 60 minutes	From _____ to _____	
Two breaks of 30 minutes each	Break 1: From _____ to _____ Break 2: From _____ to _____	
Three breaks of 20 minutes each	Break 1: From _____ to _____ Break 2: From _____ to _____ Break 3: From _____ to _____	

Note: The breastfeeding breaks set out above are applicable to a full-time teacher and should be adjusted on a pro-rata basis for a teacher working less than the full school day.

Declaration

I wish to apply for breastfeeding breaks for the coming school term in accordance with Circular 0052/2023 titled '*Breastfeeding Breaks for Registered Teachers employed in Recognised Primary and Post Primary Schools*'.

I agree that where it is not possible for my employer to facilitate the breastfeeding breaks pattern requested in Part 2 of this application, alternate patterns will be explored and agreed upon with my employer.

I confirm that I am breastfeeding my child and that when I cease to breastfeed my child, I will notify my employer in writing as soon as possible.

I confirm that the information provided in this application is true and accurate.

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 Breastfeeding Breaks 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 3 - EMPLOYER DECISION

I certify that I have approved the Breastfeeding Breaks application in accordance with Circular 0052/2023 titled 'Breastfeeding Breaks for Registered Teachers employed in Recognised Primary and Post Primary Schools'.

The agreed pattern is as below:

Breastfeeding Breaks Pattern	Agreed Time of Breastfeeding Break(s)
One break of 60 minutes	From _____ to _____
Two breaks of 30 minutes each	Break 1: From _____ to _____ Break 2: From _____ to _____
Three breaks of 20 minutes each	Break 1: From _____ to _____ Break 2: From _____ to _____ Break 3: From _____ to _____

The following documents will be retained for audit purposes:

- 1) Application for Breastfeeding Breaks
- 2) Copy of Child's Birth Certificate

Signature: _____ Date: _____
(Employer)

The Application Form and 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.