



Signature:	Date:
Name:	Grade:
Contact Tel No:	E-mail Address:

Section 5. To be completed by the Line Manager

Note as the line manager it is your responsibility to:

1. Advise the applicant that their application has been approved / rejected / extended if approved:
2. E-mail copy of form to local Employee Relations Signature Date Section
3. Make the appropriate arrangement to have the employee paid (e.g. liaise with Time Returning Officer).
4. E-mail copy of form to local Personnel Records
5. SAP HR System Updated (if application is approved) Infotype 2001 / Subtype 0960, 0961* (1st extension), 0962* (2nd extension). Absences Updated
* Extensions apply to Nurses only



Explanatory note on Serious Physical Assault Scheme Leave

All employees who are absent from work as a result of a serious physical assault by a patient/client incurred in the course of their duties are covered by the Serious Physical Assault

Scheme. Payment is conditional on the assault occurring in the actual discharge of the employee's duties and without his/her own default.

The scheme provides as follows:

a) Full pay based on the earnings an employee would have earned if still at work and working the hospital/community approved roster.

b) Such full pay which would include basic pay, allowances and premium earnings may be paid for a period of up to:

6 months for all health sector grades (except nurses - see Below)

c) Payment made under (b) above shall be reduced by the amount of social welfare benefit to which the employee is entitled arising from absence due to the injury.

(d) Salary paid to an employee in the circumstances outlined above will not affect an employee's entitlement under the sick pay scheme.

In order to be eligible for the scheme the employee must be seriously physically assaulted in the workplace in the course of their duty. A serious physical assault is defined in the Long Term Absence Benefit Scheme Guidelines 2012 as:

"The intentional or reckless application of force against the person by another without lawful justification, or causing another to believe on reasonable grounds that s/he is likely immediately to be subjected to such force without lawful justification, resulting in physical injury."

The Long Term Absence Benefit Scheme Guidelines sets out the details relating to the operation of the Scheme. In addition CERS memorandum 26/2016 highlights that medical evidence if available can be used by managers to determine if the employee satisfies the eligibility criteria without having to await the outcome of an Occupational Health Assessment

Special Extensions for Nurses

In the case of nurses the following special extensions to the above scheme apply:

First Special Extension

A medical assessment to review the employee's progress should be carried out no later than six (6) weeks into the period of absence. If it is unlikely that the employee will be fit to return to work within the six-month period covered by the scheme or immediately thereafter, but there remains a reasonable expectation that the employee will return to work, a First Special Extension may be granted up to a maximum period of **three months**.

Second Special Extension

A medical assessment to review the employee's progress should be carried out no later than six (6) weeks into the first special extension. If it is unlikely that the employee will be fit to return to work during the three-month period covered by the First Special Extension or immediately thereafter, but there still remains a reasonable expectation that the employee will return to work, a further final extension may be granted. The second special extension provides for **basic pay only** and is for a maximum period of **three months**.

Refer to the *Revised Serious Physical Assault Scheme for Nurses (2001)* for further details on the operation of the scheme.



Employee's Entitlements following Expiry of Payment under the Serious Physical Assault Scheme

Employees who have exhausted the pay provisions under the Serious Physical Assault Scheme (including the extensions for nurses) may be granted the injury allowance in accordance with the provisions of the relevant superannuation schemes.

There is no requirement that the employee must have exhausted their sick pay entitlements under the Public Service Sick Pay Scheme prior to accessing the Injury Allowance. However, employees should be informed that any period in which they are paid the Injury Allowance is not reckonable for superannuation purposes. Employees should also be given the option of availing of the normal sick leave provisions as this period will be reckonable for superannuation purposes (excluding any period while paid Temporary Rehabilitation Remuneration).

Hospital Expenses

Expenses incurred in respect of hospital /medical charges will be recouped as follows:

- (a) A refund of expenditure incurred in respect of treatment provided by the Irish Public Health Service.
- (b) General Practitioner Casualty and Consultant visits
- (c) Prescription charges

Employees are obliged to claim under medical insurance schemes where appropriate (e.g. V.H.I. Refund of Drug Schemes, etc) and any payments made in respect of hospital/medical expenses will be solely in respect of excess expenditure by the individual. Payments made under this scheme do not confer any admission of liability on the part of the employer.

All managers and employees should be aware that payment on the Serious Physical Assault Scheme is conditional on compliance with the HSE Managing Attendance Policy (2023), HSE Rehabilitation Back to Work after Illness or Injury Policy (2020), and the Long Term Absence Benefit Scheme Guidelines (2012).