



Circular 5/98

To: Authorities of Secondary Schools

Revised In-School Management Structures in Secondary School

Further to Circular 3 /98, the Minister for Education and Science hereby authorises the implementation of the revised in-school management structures and procedures in relation to posts of Assistant Principal and Special Duties Teacher in secondary schools in accordance with the detailed terms set out in this circular as negotiated between the ASTI, the JMB and the Department of Education and Science.

Particular attention is drawn to Par. 2.8 and 2.9.

With regard to Par. (g) of Appendix 2 to this Circular, it must be clearly understood that a vacancy does not exist unless it can be accommodated within the approved schedule of posts as determined in accordance with the terms of Circular 6/98. In this regard, the posts of existing post holders who do not opt to undertake duties specified in the schedule of post duties as set out in Appendix 1 to this Circular are included in the schedule of approved posts.

DISSEMINATION OF CIRCULAR

You are requested to ensure that copies of this circular are provided to the appropriate representatives of parents and teachers for transmission to individual parents and teachers.

POSTS OF ASSISTANT PRINCIPAL AND SPECIAL DUTIES TEACHERS IN VOLUNTARY SECONDARY SCHOOLS

Introduction

The Principal, Deputy Principal and holders of posts of responsibility together form the in-school management team for the school.

These proposals are aimed at improving significantly, through restructuring, in-school management in post-primary schools. The objectives of this restructuring include matching the responsibilities of the posts more clearly to the central tasks of the school, the clear specification of responsibilities for various posts and the provision of opportunities for teachers to assume responsibility in the school for instructional leadership, curriculum development, the management of staff and their development, and the academic and pastoral development of the school.

1. Schedule of Duties attached to Posts:

1.1 The national criteria for the level and types of duties to be attached to posts are set out in Appendix One to this Circular. The Statement of National Criteria provides that the types of duties listed are not exhaustive and may be elaborated at school level.

1.2 Duties should be of a curricular, administrative or pastoral nature and should reflect the grade of the post, taking into account the level of responsibilities involved in the context of size and needs of the school.

1.3 The Board of Management / Manager of each school shall, following consultation between the principal and the staff, determine

(i) the duties which need to be performed for the effective internal management of the school, and,

(ii) the distribution of these duties between the available in-school management posts by reference to the national guidelines and having regard to the school's own priorities.

1.4 In allocating the duties to posts, the duties should be inclusive so as to be open to applications from all eligible members of the teaching staff.

2. Establishing a Schools Schedule of Posts:

2.1 Using the national criteria for post duties for guidance, the Principal, in consultation with the teaching staff of the school, shall identify the post duties most required by the school and prepare a draft schedule of post duties accordingly.

2.2 In identifying the post duties required by the school, account shall be taken of the needs of the school, taking cognisance of the skills and aptitudes of the existing, post-holders.

2.3 In drawing up the schedule of posts, every effort should be made to identify the needs most required by the school and to categorise the consequent post duties at Assistant Principal level or Special Duties Teacher level.

2.4 The Principal shall examine the school's entitlement to posts in accordance with the Department of Education and Science regulations to ensure that the number of posts of each category of Assistant Principal and Special Duties Teacher is equal to the school's entitlement.

2.5 The posts at Assistant Principal level and Special Duties Teacher level to which the school is entitled under the Department of Education and Science regulations shall be matched to the appropriate duties for each category as determined at 2.3 above.

2.6 The duties attached to the posts of Assistant Principal and Special Duties Teacher respectively should have a level of responsibility and workload commensurate with the category.

2.7 The Board of Management/Manager of each school following the process as per Par. 1.3 of this Circular shall then determine the schedule of post duties.

2.8 Existing Grade B post-holders and Grade A post-holders shall be appointed to the new grades of Special Duties Teacher and Assistant Principal respectively provided they are prepared, in accordance with their contracts, to undertake the duties and responsibilities of the grades assigned to them. Appropriate duties will be assigned following consultation with individual post-holders.

2.9 In the event that an existing post-holder is not prepared to undertake duties specified in the new schedule of post duties, the post-holder may retain duties of a similar level of responsibility to their existing duties and their allowance at the appropriate A or B post level.

2.10 The schedule of post duties and the names of those who will undertake the duties shall be approved formally by the Board of Management/Manager and a copy forwarded to the Department of Education and Science.

2.11 The specific duties of each post-holder will be set out in a contract which will also provide for a review of post duties at the request of either management or the post-holder (cf. Appendix Three: Specimen Contract)

2.12 The reasons for such a review could include

(i) review of the workload and responsibilities associated with the performance of the duties - to ensure that the duties performed are reasonable and proportionate to the allowance;

(ii) review in the context of the changing needs of the school;

(iii) review of the level of performance of duties.

2.13 School authorities will be required to certify periodically to the Department of Education and Science that they are satisfied that, insofar as possible, the necessary in-school management duties are being carried out through the implementation of the school's in-school management arrangements.

2.14 A formal review of the continuing appropriateness of the in-school management arrangements may be undertaken through consultation between Board of Management/Manager, the Principal and the staff of the school on a biannual basis or whenever a vacancy for an in-school management post arises.

*Transitional Arrangements:

2.15 In drawing up the schedule for posts for the 1997/98 school year, schools should take account both of the upgrading of posts and of the allocation of new posts which will be available to them under the implementation of the PCW agreement.

3. Appointment Procedures:

3.1 Advertising the vacancy.

3.1.1 Notice of the vacant post shall be posted in the school for a period of not less than 5 school days, i.e. days on which the school is in operation for pupils.

3.1.2 Every reasonable effort shall be made to bring the vacancy to the attention of all eligible teachers. Members of staff on approved leave are eligible to apply and, therefore, a copy of the notice of the vacant post should be sent directly to the designated contact addresses of such teachers.

3.1.3 In the case of Assistant Principal and Special Duties Teacher posts, all permanent teachers on the staff with a minimum of 5 or 2 years wholetime teaching service in the school respectively are eligible to apply for these posts.

3.1.4 The notice shall specify the closing date for receipt of written applications which should not be earlier than ten school days after the initial date of posting of the notice in the school.

3.1.5 The notice shall specify the category of the post and the post will be defined by reference to the school's schedule of posts.

3.1.6 The notice shall invite applications from all eligible members of staff to be submitted by the specified date to the Secretary of the Board of Management/Manager.

3.2 Selection:

3.2.1 All qualified applicants for the post shall be interviewed by an Interview Board consisting of the Principal of the school, a nominee of the Board of Management/Manager and an independent Chairperson, appointed by the Board of Management/Manager from a panel agreed nationally between the ASTI, JMB and the Department of Education and Science. The panel will be selected on the basis of agreed national criteria.

3.2.2 The Interview Board will determine the suitability of applicants for the post, taking account of the requirements of the post and the professional performance and experience of the applicants. It will list the suitable applicants in order of seniority in the school (cf. Appendix Two).

3.2.3 The Board of Management/Manager shall appoint the most senior suitable applicant to the post.

3.2.4 The Board of Management/Manager shall notify candidates of the decision. The candidates will be informed that the decision is subject to sanction by the Department of Education and Science and may be appealed.

3.2.5 The independent appeal system set out in Section-4 may be utilised by applicants who believe that the criteria by which suitability was assessed and/or the process through which the appointment was made were not in accordance with procedures outlined in this Circular.

3.2.6 If an appeal under Section 4 is rejected, the Board of Management/Manager will request the Department of Education and Science to sanction the post.

3.2.7 If an appeal is upheld on the grounds that the procedures were not followed properly, the Board of Management/Manager shall make arrangements to re-advertise the post.

3.2.8 If an appeal is upheld on the grounds that the assessment criteria were unfair and the appellant by virtue of the application of fair criteria would be deemed the most senior suitable applicant, then the Board of Management/Manager shall appoint that applicant to the post. In any other circumstances, the post shall be re-advertised.

4. Appeal Procedure:

4.1 An Arbitrator shall be appointed by the ASTI and the JMB for a fixed two year renewable term of office to deal with such appeals.

4.2 The Arbitrator will be advised by a nominated advisor from each of the JMB and ASTI in all cases.

4.3 A person may submit an appeal in writing to the Arbitrator setting out the grounds for the appeal. Such an appeal must be lodged within 10 school days of the announcement of the Board of Management/Manager's decision. The Arbitrator shall base any findings on the grounds for the appeal as submitted.

4.4 The Arbitrator shall obtain a written response from the Board of Management/Manager within 10 school days of an appeal under paragraph 3.2.5 of this Circular.

4.5 The Arbitrator will consult the advisors, based on the written statements which he/she will make available to both parties (Management/Appellant).

4.6 The Arbitrator may decide to hold a hearing at which to interview the parties. The Arbitrator shall have power to call witnesses and to make arrangements to have evidence heard in camera if necessary. Any expenses arising shall be shared by the ASTI and the JMB.

4.7 The Arbitrator shall give reasonable notice to the parties of the hearings. When notifying parties to an appeal of the date of the hearings, it should be indicated to the parties concerned that in the event of failure to appear the Arbitrator may proceed to decide the case if he/she considers it appropriate to do so.

4.8 The parties may be represented or accompanied at such hearings by a teacher or management colleague, other than a member of Standing Committee of the ASTI or official of the ASTI or a member or official of the JMB.

4.9 The Arbitrator shall act as correspondent and shall issue his/her findings to the ASTI, the JMB and to other parties involved within 30 school days of the submission of the appeal to him/her.

4.10 Upon receipt of the Arbitration findings, the Board of Management/Manager shall act in accordance with the provisions of paragraphs 3.2.6, 3.2.7 or 3.2.8 above.

4.11 In the event of the unavoidable absence of the Arbitrator, the ASTI and the JMB may nominate an agreed Deputy Arbitrator for the whole of the hearing / consideration of any particular case.

4.12 Without prejudice to the rights of any of the parties involved to have recourse to litigation, the decision of the Arbitrator shall be final and binding on all of the parties.

4.13 Any disagreement between the Advisors to the Arbitrator about the interpretation of any aspect of the Appeals Procedure, shall be referred by the Arbitrator for clarification in the first instance to the JMB and the ASTI. Should the ASTI and the JMB fail to agree on an interpretation it shall be interpreted by the Arbitrator.

5. Review:

5.1 The operation of the arrangements will be reviewed after a period of two years by a group to be established by the Minister for Education and Science which will include representatives of the ASTI and JMB and of the Department of Education and Science.

6. Time for Performance of Duties.

6.1 In the course of the PCW discussions, the JMB and the ASTI stressed that the development of an effective in-school management system requires as an essential element the allocation of time for the performance of duties.

6.2 The Departments of Education and Science and Finance accepted that the development of an effective in-school management system could require the allocation of time for duties. On that basis it was proposed that in regard to Assistant Principals, where possible, schools may allocate time for the performance of duties from existing resources.

6.3 The situation will be reviewed one year after its implementation and difficulties identified will be addressed.

*The transitional period for the implementation of the new arrangements will conclude at the end of September, 1998.

John Dennehy,
Secretary General.

February, 1998.

NATIONAL CRITERIA FOR LEVEL AND TYPES OF DUTIES FOR POSTS OF ASSISTANT PRINCIPAL AND SPECIAL DUTIES TEACHERS

1. The duties attached to posts should be such as to meet the administrative, pastoral and curriculum needs of the school.
2. The definition and list of duties attached to the schedule of posts decided by the Board of Management should be inclusive so as to reflect the individual circumstances of the school and be open to applications from all eligible members of the teaching staff.
3. Duties should reflect the grade and level of responsibility entailed by the post, taking into account the size and needs of the school.
4. The following are duties and responsibilities appropriate to posts, In larger schools, duties marked with asterisk are appropriate for Assistant Principal posts. Schools may combine duties for one post-holder or may assign more than one post-holder to a duty depending on

the size of school and the level of responsibilities.

5. Duties and responsibilities appropriate to posts include:-

Year Heads*

Assistant Year Heads

Class Tutor

Responsibility for time-tabling arrangements*

Responsibility for enrolment and monitoring of absenteeism*

Co-ordinator of school plan*

Subject Co-ordinators

Curricular Programme Co-ordinators*

Co-ordinator of Staff Development Programmes

Co-ordination and implementation of school policies, e.g. discipline *

Co-ordinator of Work Experience Programmes, including placement duties*

Organisation /promotion of cultural activities*

Organisation /promotion of sporting activities*

Budgetary/Financial Administration Assistant*

Organiser/co-ordinator of external school visits

Examinations Secretary*

State Examinations co-ordinator

School Examinations co-ordinator

Administration of School Library*

First Aid and Safety Officer (Fire Drills, etc.)

Liaison with Parents' Associations

Liaison with Department of Education and Science

Liaison with local community/press

Supervising the maintenance of and availability of school equipment

Supervising the maintenance and availability of facilities such as laboratories, P.E. halls, etc.

Stock Control

Co-ordination of school transport

Administration of special assistance schemes, e.g. free books.

The above list is not exhaustive.

APPENDIX TWO

ORDER OF SENIORITY

The order of seniority of the staff of the school for purposes of appointment to posts of responsibility shall be as follows.

(a) Subject to the provisions of paragraph (e) below, the Special Duties Teachers in the order of their dates of appointment to Special Duties or B posts in that school.

(b) Subject to the provisions of paragraphs (e) and (f), the non post-holders in the order determined under paragraph (d) below.

(c) In the event of two or more post-holders being appointed to their posts of responsibility on the same date, their seniority shall be determined in accordance with the criteria set out in (d) below.

(d) The order of seniority of non post-holders shall be determined by:

(i) the length of unbroken service* of the candidates in a permanent teaching post in the school as a registrable and incremental secondary teacher immediately prior to the appointment to a post of responsibility;

(ii) or, in the event of two or more candidates being equally qualified under (i) the absolute length of registrable and/or incremental teaching service in a permanent teaching post or posts in a school or schools under the jurisdiction of the Department of Education and Science;

(iii) or, in the event of two or more candidates being equally qualified under (i) and (ii), the date of birth of the candidates.

*A teacher would retain his/her seniority rating on the staff in all the following circumstances:.. career break, leave of absence, secondment, job-sharing, maternity leave, sick leave.

(e) Special functions allowance holders where they exist shall have their seniority determined by their length of service in the school and should accordingly be allocated their appropriate place in the order of seniority listing;

(f) A teacher who does not apply for or declines to accept a post for which he/she is eligible, shall be eligible to apply and be considered for appointment to the next equivalent post.

(g) In the event of a teacher resigning from a post of responsibility, the vacant post shall be filled in accordance with the procedures herein. The teacher who resigned shall be placed at the bottom of the post of responsibility listing, i.e. he/she shall lose his/her seniority rating as a post-holder but shall remain senior to other non post-holders and shall, accordingly, be eligible to apply and be considered for appointment to the next available Special Duties post.

(h) Teachers who are redeployed into a school under the terms of the Secondary Teachers' Redeployment Scheme shall have their seniority determined in accordance with section (d) above.

(i) Subject to the provision of (m) below, the order of seniority for the purpose of appointment to posts of responsibility shall include religious teachers on the staff of the school. Such religious teachers shall be eligible for appointment to posts in accordance with the criteria set out above.

(j) The Board of Management/Manager shall maintain a list of the Special Duties Teachers and the non post-holders in the order of seniority determined in accordance with the criteria above. A copy of this list shall be made available to the staff on an annual basis.

(k) During the transitional period(), A post-holders will retain their right to opt for upgraded posts and they will not, therefore, be included in the seniority listing for appointment to new Assistant Principal posts. R postholders will also retain the right to opt to have their posts upgraded and they will not, therefore, be included in the seniority listing for appointment to new Special Duties Teacher posts. Such B post-holders will, however, be eligible to apply for new Assistant Principal posts and have their seniority calculated on the basis of their dates of appointment to B posts.

(1) After the transitional period(), an A post-holder will be designated as the senior post-holder for purposes of selection for appointment to an Assistant Principal post and a B post-holder will be designated as the senior non-post holder for purposes of selection for appointment to a Special Duties Teacher.

(m) During the transitional period(), where appointments to two or more special duties posts arise from the application of the new schedule of posts and where the determination of seniority for appointment to such posts as provided in (i) above would result in two or more religious being appointed to the posts, seniority for purposes of eligibility for appointment to such posts will be recognised alternatively between lay and religious teachers.

(n)The transitional period for the implementation of the new arrangements will conclude at the end of September, 1998.

APPENDIX THREE

SPECIMEN CONTRACT FOR POST OF RESPONSIBILITY

1. This contract was made this day of between (School) on the one part and (Teacher) being a permanent teacher on the staff of the school on the other part.
2. The School hereby engages the Teacher to undertake the, duties, additional to their teaching duties, attached to a post of responsibility in the category of
3. The duties attached to the particular post will be as defined in the Schools' Schedule of Post Duties.
4. The duties attached to the post are subject to review as provided in Sections 2.11, 2.12, 2.13 and 2.14 of Department of Education and Science Circular 5198.
5. Subject to the overall authority of the Manager/Board of the School, the Teacher shall be accountable to the Principal of the School for the performance of the duties attached to the post.
6. In consideration of the Teacher undertaking the duties assigned, the School shall authorise the Department of Education and Science to pay the appropriate allowance for the category of post from the schedule of salaries and allowances for teachers at the rate agreed from time to time in the Teachers' Conciliation and Arbitration Scheme or such other Scheme as may replace same or be otherwise agreed from time to time, in addition to the Teacher's scale salary.
7. In the event of the Teacher having a dispute with the Principal in relation to any aspect of the duties attached to the post and, if the matter cannot be resolved through discussions between the Principal and the Teacher, the Teacher may appeal the issue to the Board of Management/Manager, As an alternative the Teacher may process the matter through a Grievance Procedure where such has been agreed.
8. If, as a consequence of a review as envisaged in clause 4 above, the Board of Management/Manager of the School deems the Teacher's performance of the, post duties to be unsatisfactory, the Department of Education and Science shall be so informed. The Department of Education and Science shall examine the circumstances prior to deciding whether or not to terminate payment of the allowance. The Teacher will be invited by the Department to submit any observations which the Teacher wishes to make to the Department in relation to the matter.
9. The Board of Management/Manager may terminate this contract summarily for failure to undertake the duties attached to the post. Prior to the deciding to take such action the Board of Management/Manager shall afford the Teacher a hearing in relation to the matter.
10. The Teacher may terminate this contract by giving three months' notice of intention to resign the post or upon ceasing employment in the School.
11. The contract may otherwise be terminated by agreement between the parties.
12. Appointments to the post of responsibility shall be subject to sanction by the Department of Education and Science.

Signed this day of

Teacher

Manager/Board

Witness