



**Circular 51/2009**

To: <b>BOARDS OF MANAGEMENT OF POST-PRIMARY SCHOOLS AND THE CHIEF EXECUTIVE OFFICERS OF VOCATIONAL EDUCATION COMMITTEES</b>
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## **Special Report from the Comptroller and Auditor General on the Supervision and Substitution Scheme**

1.        The C&AG examined the operation of the supervision and substitution scheme in second level schools for the 2007/2008 school year. The report on the examination was published recently.

### **2.        Focus of the Examination**

The examination focused on

- \*        the cost of the scheme,
- \*        the contractual and implementation arrangements,
- \*        the extent to which supervision and substitution resources paid for were utilized,
- \*        How funds provided in lieu of available supervision and substitution resources were applied,
- \*        How effective the scheme is at school level and
- \*        The arrangements for monitoring and reviewing outcomes.

In the course of the examination the operation of the scheme in seven large second level schools was examined.

### **3.        Conclusions in the report**

The C&AG in the report accepted that due to the unpredictable nature of teacher absences it is difficult for the managerial authority of a school to ensure exact usage of the 37 hour commitment. However subject to that, the examination concluded that

- \* where records were available they showed that teachers are providing less than the 37 hours the department are paying for.
- \* The full amount of the grant was not applied for the purpose intended in some schools and some schools could not demonstrate how the portion used was applied.
- \* since some schools only used the supervision and substitution scheme as a last option there is a risk that money is being paid for supervision and substitution in circumstances where a pool of teachers has already been paid to provide it.
- \* In some schools the scheme does not smoothly match purchased hours with the demand for supervision and substitution across the school day.
- \* The use of external supervision staff has resulted in the accrual of contract rights in some instances.
- \* pupils lose out in circumstances where teachers (where qualified to do so) do not teach when providing substitution.

The C&AG also stated that while recognizing the value of the arrangements to utilize existing teaching resources in supervision and substitution and the practical difficulty of matching the committed hours against short term school needs there appears to be some scope to refine the operation of the scheme to improve the value obtained for the State's outlay.

#### **4. Compliance with the Terms of Circulars**

##### **4.1. Circular PPT01/03**

On foot of the conclusions in the report school managerial authorities are now requested to ensure that the terms of Circular PPT01/03 are fully complied with in the operation of the supervision/substitution scheme. This Circular further clarifies these issues.

Schools/VECs are also requested to ensure that the scheme is operated to maximum effectiveness.

In particular you should ensure full implementation of the following

##### **(a) Payment for Certified Delivery.**

The requirement of the Circular is that teachers should contract to deliver a minimum of 37 hours supervision and substitution duties over the course of the school year for the annual payment.

Managerial authorities should in so far as is practicable ensure that teachers deliver a combination of 37 hours supervision and substitution (as required by eligible absences in the school) in the school year.

**(b) Flexibility in the operation of the Scheme.**

The total time assigned to substitution and supervision may not exceed 1.5 hours in any given week (save where otherwise agreed with the teacher). Residual hours available after the timetabling of supervision will be available for substitution. There is a commitment in the scheme from teachers to be available for two timetabled class periods per week of substitution cover. The principal should arrange that teachers are timetabled to ensure cover over the school day and school week.

**(c) Teaching whilst providing substitution for an absent colleague**

Substitution arrangements should aim to maximize appropriate teaching during substitution periods and it is the role of school managerial authorities to ensure this.

**(d) Utilization of grants paid**

The balance or proportion of the balance of the non-committed supervision and substitution hours is paid as a grant by the Department. This grant must be used for the provision of supervision/substitution. It should be noted that in future any unused portion of the grant money payable in a school year will be offset against the school's allocation for the following year. The arrangements are outlined in Circular 43/09.

**(e) Maintenance of Records**

School managerial authorities should ensure that records on the utilization of the scheme are maintained for audit purposes for a period of seven years.

**4.2 Employment of External Supervision Staff**

External staff should not be employed permanently as continued funding is not guaranteed and is dependent of the level of uptake from the teachers. School management should note that the terms of the Protection of Employees (Fixed Term Work Act 2003) applies to all personnel employed in a school on a temporary basis. Circulars have issued to managerial authorities in relation to the operation and application of the Protection of Employees (Fixed Term Work Act, 2003) for teachers and it is the responsibility of each managerial authority to ensure that the terms are implemented.

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September 2009.