



**An Roinn Oideachais  
agus Scileanna**  
Department of  
Education and Skills

**Circular Letter 0070/2018**

**To: The Managerial Authorities of Recognised Primary Schools**

### **LEADERSHIP AND MANAGEMENT IN PRIMARY SCHOOLS**

High quality leadership is crucial in establishing a central purpose and vision for a school and the achievement of high quality educational outcomes for pupils. The primary purpose of school leadership and management is to create and sustain an environment that underpins high quality pupil care, learning and teaching.

This circular sets out a leadership and management framework for posts in recognised primary schools. This circular supersedes all previous circulars, memoranda, rules and regulations in relation to posts of responsibility including Circulars 0063/2017, 0039/2014 and 07/03 and is to be implemented by each employer with immediate effect.

Please ensure that copies of this circular are provided to all members of the Board of Management/ETB and its contents are brought to the attention of all teachers in your employment including those on leave of absence and on secondment.

This circular can be accessed on the Department's website under [www.education.ie](http://www.education.ie)

All queries should initially be brought to the attention of the school management who may wish to consult with their representative organisation. Queries in relation to the allocation of posts should be raised with the Teacher Allocations Section of the Department: [primaryallocations@education.gov.ie](mailto:primaryallocations@education.gov.ie). Any further queries may be directed to the following email address: [teachersna@education.gov.ie](mailto:teachersna@education.gov.ie)

Alfie Barrett  
Teacher/SNA Terms and Conditions Division  
15<sup>th</sup> November 2018

Paraic Joyce  
Allocations Section  
15<sup>th</sup> November 2018



Corr na Madadh, Baile Átha Luain, Co. na hIarmhí, N37 X659  
Cornamaddy, Athlone, Co. Westmeath, N37 X659

[www.education.ie](http://www.education.ie)

1. INTRODUCTION .....	4
2. LEADERSHIP FRAMEWORK .....	5
3. LEADERSHIP AND MANAGEMENT IN PRIMARY SCHOOLS .....	6
4. ALLOCATION OF ASSISTANT PRINCIPAL POSTS .....	8
5. IDENTIFICATION OF LEADERSHIP AND MANAGEMENT NEEDS AND PRIORITIES OF THE SCHOOL.....	10
6. APPOINTMENTS TO DEPUTY PRINCIPAL POSTS BY OPEN COMPETITION .....	10
7. ELIGIBILITY FOR ASSISTANT PRINCIPAL I & II POSTS AND DEPUTY PRINCIPAL (INTERNAL COMPETITION) .....	12
8. ADVERTISING .....	14
9. INTERVIEW .....	14
10. MARKING SCHEME .....	16
11. APPOINTMENT OF SUCCESSFUL CANDIDATE .....	17
12. ASSIGNMENT OF ROLES AND RESPONSIBILITIES TO ASSISTANT PRINCIPAL POSTS .....	18
13. REPORTING AND REVIEW .....	19
14. ACTING POST HOLDERS .....	20
15. PAYMENT OF AN ACTING POST OF RESPONSIBILITY ALLOWANCE .....	23
16. ALLOWANCE FOR THE MAINSTREAM CLASS TEACHER IN A TWO TEACHER SCHOOL .....	24
17. EFFECT THAT AN INCREASE/DECREASE IN STAFFING MAY HAVE ON THE ALLOWANCE PAYABLE TO PRINCIPALS AND DEPUTY PRINCIPALS .....	25
18. RETENTION OF POST OF RESPONSIBILITY ALLOWANCES ON A PERSONAL BASIS .....	25
19. IMPLICATIONS OF PERSONAL BASIS ALLOWANCE HOLDERS AND PRIVILEGED ASSISTANT ON THE FILLING OF LEADERSHIP AND MANAGEMENT POST .....	26
20. AMALGAMATIONS .....	27
21. APPEAL PROCEDURE IN RESPECT OF ASSISTANT PRINCIPAL POSTS AND DEPUTY PRINCIPAL POSTS FILLED THROUGH INTERNAL COMPETITION .....	28
APPENDIX 1: TEMPLATE STATEMENT OF ROLES AND RESPONSIBILITIES .....	33



## Definitions

For the purposes of this scheme the following terms shall have the meanings assigned to them here:

**Act** - refers to the Education Act of 1998 and Education (Amendment) Act 2012;

**Appropriately registered** – means a teacher whose name is entered on the Teaching Council’s register;

**Appropriately Qualified** – means the teacher has qualifications suitable to the post and is registered with the Teaching Council for the sector for which s/he is to be employed;

**Days** – means calendar days; unless otherwise specified;

**Week** - means calendar week;

**Department** – means the Department of Education and Skills;

**Employer** – means a Board of Management/Manager or the Education and Training Boards (ETBs) for Community National Schools;

**Management Authority** – Board of Management/ETB;

**Minister** - refers to the Minister for Education and Skills;

**Post** - refers to a teaching post, whether full time or part time, which is funded out of monies provided by the Oireachtas;

**Personal basis allowance** – an allowance for a leadership and management post which is retained by a teacher while they remain teaching in the school;

**Privileged Assistant – ex principal of amalgamated schools; closed school;**

**Recognised School** – means a school recognised by the Minister in accordance with section 10 of the Education Act, 1998;

**School Year** – 1<sup>st</sup> of September to 31<sup>st</sup> of August of the following calendar year is the official school year for contract purposes;

**Teacher** – means a person registered with the Teaching Council;



**Teaching service recognised by DES** – means teaching service which the Department of Education and Skills/ Education and Training Board (ETB) has recognised for incremental credit purposes.

## 1. Introduction

- 1.1 School leaders play a key role in improving educational outcomes by creating a positive school climate and environment as well as motivating and empowering educators and learners within their school community. It is generally accepted that the quality of school leadership is second only to effective classroom teaching, in having a crucial impact on pupil learning.
- 1.2 Leadership in a school context, creates a vision for development leading to improvements in outcomes for learners, and is based on shared values and robust evaluation of evidence of current practice and outcomes. In this way leadership is distributed throughout the school as a key support for pupil learning.
- 1.3 Any system of school leadership and management should build on and consolidate existing school leadership and management structures in schools in line with best practice as set out in “[LOOKING AT OUR SCHOOLS 2016 – A Quality Framework for Primary Schools](#)”. The leadership model should align the responsibilities of senior (Principal/Deputy Principal) and middle leadership (post holders) more clearly to the identified needs and priorities of the school, underlining the range of responsibilities for various leadership roles and providing opportunities for teachers to develop their leadership capacity.
- 1.4 Flexibility in identifying and prioritising the evolving leadership and management needs of the school, and in assigning and re-assigning post holders to specific roles and responsibilities to meet the evolving needs of a school, is an essential feature of this school leadership model.
- 1.5 This circular comprehends the following:
- Allocation of Assistant Principal posts;
  - The development of a distributed leadership model in Primary schools; □ The phasing in of open competition for Deputy Principal posts;
  - The re-designation of the current post of Assistant Principal as *Assistant Principal I* and the current post of Special Duties Teacher as *Assistant Principal II*; the terms of this circular are applicable to all holders of posts of responsibility;
  - Revised criteria for appointment to Assistant Principal I and II posts using a competency based model;
  - A revised appeals procedure confined to an alleged breach of procedures in the appointment process as set out in this circular;



- Greater flexibility in relation to the assignment and re-assignment of roles and responsibilities to holders of Assistant Principal I and Assistant Principal II posts (appropriate to the level of the post);
- Provision for reporting and regular review as per Section 13 of this circular.

## **2. Leadership Framework**

The Quality Framework for Leadership and Management in Irish schools, set out in *LOOKING AT OUR SCHOOLS 2016 - a Quality Framework*, provides a common understanding and language around the organisation and practice of leadership and management roles in Irish schools. It identifies the key leadership and management areas in a school (domains), and these are then further divided into various content *standards* for each domain.

### **Domain One: Leading Teaching and Learning**

#### ***School leaders:***

- promote a culture of improvement, collaboration, innovation and creativity in learning, teaching and assessment
- foster a commitment to inclusion, equality of opportunity and the holistic development of each pupil
- manage the planning and implementation of the school curriculum
- foster teacher professional development that enriches teachers' and pupils' learning

### **Domain Two: Managing the organisation**

#### ***School leaders:***

- establish an orderly, secure and healthy learning environment, and maintain it through effective communication
- manage the school's human, physical and financial resources so as to create and maintain a learning organisation
- manage challenging and complex situations in a manner that demonstrates equality, fairness and justice
- develop and implement a system to promote professional responsibility and accountability

### **Domain Three: Leading school development**

#### ***School leaders:***

- communicate the guiding vision for the school and lead its realisation in the context of the school's characteristic spirit
- lead the school's engagement in a continuous process of self-evaluation
- build and maintain relationships with parents, with other schools, and with the wider community
- manage, lead and mediate change to respond to the evolving needs of the school and to changes in education

### **Domain Four: Developing leadership capacity**

#### ***School leaders:***

- critique their practice as leaders and develop their understanding of effective and sustainable leadership



- empower staff to take on and carry out leadership roles
- promote and facilitate the development of pupil voice, pupil participation, and pupil leadership
- build professional networks with other school leaders

### **3. Leadership and Management in Primary Schools**

The term ‘school leaders’ typically refers to formal leadership roles including teachers with posts of responsibility and others who carry out roles and responsibilities integral to the administration, management and leadership of the school. Therefore, both leadership and management roles are considered at all times as serving the school’s core work: learning and teaching. Every teacher has a leadership role within the school community and in relation to pupil learning.

This circular encompasses the roles and responsibilities of those leaders who hold designated posts of Principal, Deputy Principal, Assistant Principal I and Assistant Principal II, under the new leadership and management structure of the school. It specifically refers to the allocation and appointment of Deputy Principal posts and Assistant Principal posts.

#### **3.1 Board of Management/ETB**

Under Section 15 of the Education Act, 1998, a statutory duty is placed on the Board of Management of a school to ensure that an appropriate education is provided to all of the school’s pupils.

In order to carry out this duty effectively, appropriate and regular oversight by the Board of Management/ETB, as appropriate, of the teaching and learning in the school should take place. Furthermore, the Board of Management/ETB, as appropriate, can and should play a key role in improving standards in the school. In this regard, and from a leadership perspective, Boards of Management/ETBs have significant responsibilities in setting the direction of a school.

The Board of Management/ETB shall have responsibility for identifying the changing needs and priorities of the school and the necessary leadership, management and support requirements. In identifying these needs, it shall have regard to the views of staff in the school.

#### **3.2 Principal and Deputy Principal**

In accordance with Section 22 of the Education Act, 1998, and Section 23 of the Education (Amendment) Act 2012, the Principal provides leadership to teachers, other staff and to the pupils and the wider school community. The Principal has overall responsibility, under the direction of the Board of Management/ETB, as appropriate, for the day-to-day management of the school. The Principal has responsibility for the internal organisation of the school, including the assignment of roles and responsibilities to members of the teaching and nonteaching staff. The Principal submits to the Board of Management/ETB, as



appropriate, all such statements and reports affecting the conduct of the school as the Board of Management/ETB, requires.

While the Principal is ultimately responsible to the Board of Management/ETB, as appropriate, for the management and leadership of the school, the Deputy Principal occupies a position of vital importance within the senior leadership team in a school. Shared leadership requires openness and willingness on the part of Principals and Deputy Principals, to share and to distribute leadership and management responsibilities in a manner that encourages and supports partnership. The Deputy Principal co-operates with the Principal in the fulfilment of the Principal's role and acts or deputises as the Principal in the Principal's absence. Acting as Principal does not confer automatic right of succession to principalship.

### 3.3 Assistant Principal Posts

Under the provisions of this circular, the current post of Assistant Principal is redesignated as *Assistant Principal I (AP I)* and the current post of Special Duties Teacher is re-designated as *Assistant Principal II (AP II)*. All terms of this circular, including the re-designation (renaming) of posts, are applicable to all holders of Assistant Principal and Special Duties posts, irrespective of the date of their appointment.

Assistant Principals occupy positions of strategic importance in the leadership, management and administration of the school. In line with the principles of distributed leadership, Assistant Principals work in teams in collaboration with the Principal and/ or Deputy Principal and have shared responsibility, commensurate with the level of the post, for areas such as:

- learning and teaching
- leading school development (including curriculum development)
- pupil support including wellbeing
- school improvement
- leadership/management and development of individuals and staff teams
- special education and inclusion
- supporting teachers during the induction phase of their career

## 4. Allocation of Assistant Principal Posts

4.1 Assistant Principal posts of responsibility may be filled by school authorities in accordance with the allocation set out in **Table 4.1.1** below, subject to full adherence to this circular. This allocation of posts is effective from the date of this circular. The allocation in the table, is based on the number of authorised teaching posts sanctioned in the previous school year, and is used to determine the minimum thresholds for the number of AP posts of responsibility in schools. Schools that fall below the Assistant Principal thresholds set out in the following table can fill Assistant Principal vacancies as they arise to the level of the thresholds set out in this table.



Table 4.1.1

Authorised teaching posts in the previous school year	Principal	Deputy Principal	AP I Posts	AP II Posts
1	1	0	0	0
2	1	0	0	1
3	1	1	0	0
4	1	1	0	1
5	1	1	0	1
6	1	1	0	1
7	1	1	0	1
8	1	1	0	1
9	1	1	0	1
10	1	1	0	1
11	1	1	0	2
12	1	1	0	2
13	1	1	0	2
14	1	1	0	2
15	1	1	0	2
16	1	1	0	2
17	1	1	0	2
18	1	1	1	2
19	1	1	1	2
20	1	1	1	2
21	1	1	1	2
22	1	1	1	3
23	1	1	1	3
24	1	1	1	3
25	1	1	1	3
26	1	1	1	3
27	1	1	1	3
28	1	1	1	3
29	1	1	1	3
30	1	1	1	4
31	1	1	1	4



32	1	1	1	4
33	1	1	1	4
34	1	1	1	4
35	1	1	1	5
36	1	1	1	5
37	1	1	1	5
38	1	1	1	6
39	1	1	1	6
40	1	1	2	6
41	1	1	2	6
42	1	1	2	7
43	1	1	2	7
44	1	1	3	7
45	1	1	3	7
46 +	1	1	3	8

Posts of responsibility held on a personal basis must be counted when calculating the threshold of AP posts. (Please refer to [Section 19](#))

- 4.2 All teachers who hold post of responsibility allowances on a personal basis and are redeployed into a new school are required to inform their employer of their status and must undertake roles and responsibilities as set out in Section 5.4 of this circular.
- 4.3 The thresholds on Assistant Principal I and Assistant Principal II in Table 4.1.1 operate independently of each other. Where a school has more Assistant Principal I posts than shown in the table, this will not prevent the allocation of an Assistant Principal II post where they are below the allocated posts for Assistant Principal II. Similarly where a school have more Assistant Principal II posts than shown in the table, this will not prevent the allocation of an Assistant Principal I post where they are below the allocated posts for Assistant Principal I.
- 4.4 The appointment to Assistant Principal leadership and management post must be made within the school year that the post becomes due.

## **5. Identification of Leadership and Management Needs and Priorities of the School**

- 5.1 When a vacancy occurs for a post of responsibility, a consultation process, such as discussions at a staff meeting, shall be undertaken between the Principal, Deputy



Principal and teaching staff and thereafter, the Board of Management/ETB shall determine:

- (i) The identified leadership and management needs and priorities of the school;
- (ii) The roles and responsibilities which need to be performed for the effective leadership and management of the school taking into account the identified needs and priorities of the school, and
- (iii) The distribution of these roles and responsibilities between the available inschool management posts by reference to the school's own priorities.

5.2 When identifying the leadership and management needs and priorities, Boards of Management/ETBs shall firstly have regard to legal obligations and may have regard to:

- the school plan;
- the school's Mission Statement and its aims and objectives;
- the pupil and curricular profile of the school;
- requirements of the Department of Education and Skills (and the ETB in the case of a community national school) and its agencies;
- and may take cognisance of the responsibilities being carried out by current post holders and responsibilities being undertaken by members of staff who do not hold posts of responsibility.

5.3 The determination of the leadership and management needs and priorities of the school should, in so far as is possible, be achieved by consensus between the Board of Management/ETB and the staff. However, if, following consultation, consensus is not possible, final decisions in the matter rest with the Board of Management/ETB.

5.4 All teachers, including Privileged Assistants, who hold post of responsibility allowances on a personal basis must undertake post of responsibility roles and responsibilities at AP II level. Please also refer to Section 19 for implications of personal basis allowance holders on the filling of posts of responsibilities.

## **6. Appointments to Deputy Principal Posts by Open Competition**

6.1 An open competition should be held in accordance with Table 6.1.1 below to fill a Deputy Principal post where such a vacancy will exist. There must also be a staffing vacancy in the school. The appointment must be made in accordance with procedures set out for Principal posts under Appendix E of the Governance Manual for Primary Schools 2015-2019 (with the exception of Section 6. of Appendix E), or any revised version thereof. Therefore, eligibility criteria for appointment as Deputy Principal and all procedures relating to interviews will be the same for Deputy Principal as for Principal appointments. However, it should be noted that it is the Principal Teacher, Chairperson of the Board of Management/ETB and an Independent Assessor (see [section 9.2](#) of this circular) that shall constitute the Interview Board for appointments to the post of Deputy Principal through open competition.

*Table 6.1.1*



<b>Open Competition for Deputy Principal</b>	
School Year	No of Mainstream Posts
2018/2019	18 or more
2019/2020	14 or more
2020/2021	10 or more
2021/2022	6 or more
2022/2023	All Primary Schools

- 6.2 There is no appeal mechanism available for Deputy Principal posts that are filled through open competition.
- 6.3 Deputy Principal posts in schools which are smaller than those specified in *Table 6.1.1* are to be filled through internal competition as outlined in Sections 7 to 10 of this circular.
- 6.4 Where there is no applicant for a Deputy Principal's teaching vacancy in schools where internal competition normally applies per Table 6.1.1., then the school may proceed to fill the post through open competition.
- 6.5 Deputy Principals appointed by open competition which could include an internal candidate under the terms of this circular will be ranked second in seniority next to the Principal irrespective of length of service in the school. Seniority of existing Deputy Principals and those appointed through internal competition remain in accordance with Circular 0015/2016.
- 6.6 A Deputy Principal appointed by open competition under the terms of this circular may only step down from the position of Deputy Principal where there is a teaching vacancy in the school and where the Principal teacher does not wish to exercise their right to step down. The resulting Deputy Principal vacancy shall be filled in accordance with the provisions of this circular. Where a Deputy Principal teacher relinquishes the post of Deputy Principal and takes up the available permanent vacancy in the school s/he becomes the most junior teacher in the school. Previous service given in the school does not count for seniority purposes in this case.
- 6.7 Where a school appoints a Deputy Principal, it shall be understood that it is a core function of the Deputy Principal's role to act or deputise as the Principal in the Principal's absence.

## **7. Eligibility for Assistant Principal I & II Posts and Deputy Principal (Internal Competition)**

- 7.1 All appropriately qualified and registered permanent and temporary teachers serving in a recognised primary school are eligible to apply for Assistant



Principal posts and the post of Deputy Principal (internal competition). However, an appropriately qualified and registered temporary teacher may only be appointed to a leadership and management post in a temporary capacity for the duration of his/her contract, or until the post ceases to be warranted in the school, whichever is the earlier. The only exception to this is where the fixed term teaching contract is followed immediately by a Permanent/CID or further fixed term teaching contract and on condition that the post is still warranted in the school.

## 7.2 Teachers on Approved Leave:

Teachers who are on approved leave, such as sick leave, maternity leave, parental leave or career break are eligible to apply for a leadership and management post. A copy of the notice of the vacant leadership and management post should be sent by registered post or e-mail to such teachers. It is a matter for teachers on leave to ensure that the Board of Management/ETB has up-to-date and current contact information.

## 7.3 Special Education Posts:

Special education posts are allocated to a school to cater specifically for pupils with special needs. These posts are generally ex-quota and consequently are not usually determined by reference to the enrolment of the school. They include the following:

- Special Education Teacher posts,
- Home-school co-ordinator posts,
- Support teacher posts,
- Special class teachers, e.g. posts sanctioned specifically for pupils with special needs,
- Early start posts,
- Alleviation Posts
- Language Support Teachers

7.4 The following applies to **Deputy Principal** posts and special education posts:

(i) **Shared basis:**

A teacher working in a shared special education post is eligible to be appointed to the post of **Deputy Principal**, but he/she will be required to relinquish the Deputy Principalship temporarily, while working in the shared teaching position. Where a Deputy Principal relinquishes his/her post temporarily, an Acting Deputy Principal may be appointed in accordance with the terms of Section 14 of this circular.

(ii) **Non-shared basis:**

A teacher working in a special education teaching post, on a **non-shared basis**, is eligible to apply and be appointed to the post of **Deputy Principal**.



In allocating **non shared** special education posts, Boards of Management/ETBs are reminded that a Deputy Principal may be required to act for a Principal thus possibly lessening tuition time with special needs pupils. Accordingly, the Department strongly advises a Board of Management/ETB to take account of this fact when assigning teachers to special education posts. The appointment of a Deputy Principal to a special education post, which consequently erodes tuition time, may result in the Department insisting on the re-allocation of a special education post.

**(iii) Deputy Principal and Home School Liaison Co-ordinator Role**

A Deputy Principal cannot act as a Home School Liaison Co-Ordinator whether the post is shared or not. However, s/he may temporarily relinquish his/her post of responsibility allowance and an acting post holder may be appointed in accordance with Section 14.

7.5 The following applies to **Assistant Principal** posts and special education posts:

**(i) Assistant Principal I and Assistant Principal II posts**

An Assistant Principal post holder may be assigned any category of a special education post whether shared or otherwise. However, before making such appointments, a Board of Management/ETB must be satisfied that, in addition to undertaking the special education post, the leadership and management role can be competently and efficiently discharged.

**(ii) Relinquishing the Post of Responsibility Allowance**

Where a Board of Management/ETB decides that it is not possible for a teacher working in a shared special education post to perform the full role of Assistant Principal I or Assistant Principal II, an acting Assistant Principal I or Acting Assistant Principal II may be appointed. The allowance shall be restored to the actual post holder on resumption of the fulltime role.

The acting post holder will not establish personal title to the allowance and will relinquish same when the teacher working in a shared special education post resumes the full time role.

7.6 Job-sharing Teachers:

A teacher who is job-sharing is eligible to hold or to be appointed to the post of Deputy Principal but he/she will be required to relinquish the Deputy Principalship temporarily while job-sharing.



Where a Deputy Principal relinquishes his/her post temporarily, an Acting Deputy Principal may be appointed in accordance with the terms of Section 14 of this Circular.

For further details on job-sharing, please refer to relevant Chapter of web book “[Terms & Conditions of Employment for Registered Teachers](#)” or any revision thereof.

## **8. Advertising**

8.1 Following completion of the consultation process outlined at Section 5 above, notice of any vacant leadership and management post shall be posted in a prominent position within the school so that all teaching staff may have access to it. In addition, a copy of the advertisement of the leadership and management post should be sent to teachers on leave by registered post to their designated contact address or email address. Proof of postage (in the case of registered post) and a copy of the e-mail (not necessary to have read receipt for e-mail) be retained to prove that all teachers who are on approved leave were notified appropriately.

8.2 The notice should specify the level of the post (AP I, AP II or Deputy Principal). The notice should state that the appointee would become part of the leadership and management team in the school. It should outline the roles and responsibilities of the post based on the leadership and management needs and priorities of the school as identified by the Board of Management/ETB and that these roles and responsibilities are subject to change. Positions of the same grade may be filled through the same process but positions of different grades (e.g. AP I and AP II) are to be filled through separate processes.

8.3 The notice should remain on the notice board in the school until the closing date.

8.4 The notice should specify the closing date for receipt of applications, which should not be earlier than fifteen school days from the date of first posting of the advertisement for the leadership and management post.

□ Day 1 is the day the notice is first posted

8.5 The notice of advertisement should specify to whom and also the address the application is to be sent to and whether a C.V. or letter of application is required.

## **9. Interview**

### **9.1 Composition of Interview Board:**

The Principal Teacher, Chairperson of the Board of Management and an Independent Assessor shall constitute the Interview Board. (In the event of a second Interview Board being constituted following an appeal, the Chairperson of the Board of



Management, the Principal Teacher and two Independent Assessors, neither of whom were involved in the original selection, shall comprise the second Interview Board) - The Appeals Procedure section refers. At least one of the members of the Interview Board shall be a woman and at least one shall be a man.

- 9.2 The Independent Assessor is appointed by the Chairperson following consultation with the school's Patron/CE and/or INTO, as appropriate, and shall be selected from a list of names drawn up specifically for this purpose between the school's Patron/CE and the INTO. These lists are available from INTO District Representatives and representatives of the Patron/CE. (For example, in the case of Catholic schools, the lists are available from the local Diocesan Secretary).
- 9.3 The Interview Board shall meet within a reasonable period after the closing date for the receipt of applications. The Interview Board shall consider the applications and shall interview all applicants for the post, even in circumstances where there is only one applicant.
- 9.4 Interviews should be held within a reasonable period after the closing date for the receipt of applications. Candidates should be given reasonable notice of the date and time of the interview.
- 9.5 Disclosure of interest/integrity of Interview Board proceedings:
- (i) The Board of Management/ETB shall inform the Chairperson of the Interview Board that it is the responsibility of the Interview Board to address disclosures of interest/integrity in accordance with the procedures set out in this circular.
  - (ii) A member of the Interview Board who has a relationship with a person who is an applicant for appointment shall immediately disclose to the Interview Board the fact of the relationship and the nature thereof. A professional relationship in itself does not necessarily mean there is a conflict of interest e.g. having taught or worked together in the past. In this context Interview Board members are required to make a disclosure not only in the case of a family relationship but in respect of any relationship which could be regarded as prejudicial to ensuring absolute impartiality in the interview process.
  - (iii) Following this disclosure, the Interview Board shall determine whether that member shall take any further part in any deliberation or decision concerning the appointment through to ratification at Board of Management/ ETB level. In non ETB schools where the Interview Board finds that there is a concern regarding an Interview Board member, the Chairperson of the Board of Management should contact the Patron directly. The Patron shall nominate another member in his/her place following consultation with the Chairperson of the Board of Management. In ETB schools where the Interview Board finds that there is a concern regarding an Interview Board member, the CE shall nominate another member to take his/her place.



- (iv) Any such disclosure, the nature of same and the decision shall be recorded and included in the written report of the Chairperson of the Interview Board to the Board of Management/ ETB on completion of the process.
- (v) Failure to disclose any relationship may invalidate the process.
- (vi) Questions posed by members of the Interview Boards should relate to the requirements of the advertised post and be based on the criteria outlined below. Interview Boards must ensure that questions asked at interview do not lead to discrimination on the grounds set out in Section 6 (2) of the Employment Equality Acts, 1998-2015 i.e. gender, civil status, family status, sexual orientation, religion, age, disability, race and member of the Travelling Community.

## 10. Marking Scheme

10.1 The selection of the successful candidate shall be based on four competencies which are aligned to the Quality Framework for Leadership and Management (see Section 2 of this circular). The competencies are applicable to all Assistant Principal posts and to Deputy Principal posts which are being filled through internal competition (all are of equal weight) – see *Table 10.1.1*. The value of a teacher’s experience and how that contributes to their capacity to meet the requirements of the post will be reflected in the application of the criteria.

*Table 10.1.1.*

<b>Assistant Principal I &amp; II and Deputy Principal (Internal competition only)</b>		
<i>Demonstrated capacity (with relevant examples of professional, educational and life experience) in relation to:</i>		
i.	Leading Learning and Teaching	25 marks
ii.	Managing the organisation	25 marks
iii.	Leading school development	25 marks
iv.	Developing leadership capacity	25 marks

10.2 All records relating to the successful applicant should be retained by the school for the duration of employment plus 7 years.

10.3 Documentation should be kept for a period of 18 months for unsuccessful applicant(s).



## **11. Appointment of Successful Candidate**

11.1 Following the completion of the interview process, the Interview Board Chairperson shall submit a written report to the Board of Management/ ETB setting out:

- (i) That the selection procedures have been complied with.
- (ii) If there has been a disclosure of interest/integrity to the Interview Board and the outcome of such disclosure.
- (iii) The name of the highest ranked applicant whom it considers most suitable for appointment, and

11.2 The Board of Management/CE shall appoint the candidate nominated by the Interview Board, subject to the outcome of an appeal, if any.

11.3 The Board of Management/ETB's proposal to offer a post to a particular teacher shall be posted within the school in the following terms: -

*"The Board of Management/ETB of (name of school)..... proposes to offer the post of..... (specify post) to..... (name of teacher), provided that an appeal in writing by an unsuccessful candidate against the proposal has not been lodged with the Chairperson of the Board of Management/ETB within ten school days \* of the publication of this notice."*

*(Date of publication and signature of Chairperson to be included with notice.)*

11.4 Teachers on approved leave, who presented themselves for interview, should also be sent a copy of this notice by registered post or email. Teachers on approved leave who wish to appeal the Board of Management/ETB's decision must do so within 10 school days of the date of the publication of the notice of 'proposal to offer the post.'

\*Please note that the period of ten school days includes the day on which the notice of the proposed appointment is published.

11.5 The Board of Management/ETB will confirm the appointment to the teacher, subject to compliance with the provisions of this circular. The successful candidate may not be appointed to the position until after the expiry of the appeal period. The letter of offer should also state that the role is subject to regular review and that the responsibilities of the role may require the teacher to participate in the leadership role outside of the standard school day. Before taking up an appointment, the post holder will enter into a contract to undertake the roles and



responsibilities of the post to which he/she is being appointed. The date of the contract will be the date it is signed, which must be a date which is post the expiry of the appeal period. The contract should be evidenced by the following format:

- a written agreement including the roles and responsibilities drawn up between the Board of Management/ETB and the teacher in question and signed by both the teacher and the Chairperson of the Board/ CE (or his/her nominee)

This contract should also include an acknowledgement by the teacher that s/he is aware that:

- the roles/responsibilities of the leadership and management positions are subject to review and may change according to the needs and priorities of the school;
- fulfilling the roles/responsibilities may require him/her to participate outside of the standard school day.

11.6 The following is to be included in the contract:-

- In consideration of the teacher undertaking the roles and responsibilities assigned, the School shall authorise the Department of Education and Skills/ETB 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 salary scale.

It is not necessary to submit a copy of the relevant contract to the Department but the Board of Management/ETB and the teacher should retain a copy.

11.7 Once appointments have been made, a Board of Management/ETB should notify the Department of same using form POR 1 Amend in order that the teacher can receive the post of responsibility allowance. This form is available on request from the Primary Payroll Section of the Department in Athlone or on the Department of Education and Skills website at [www.education.ie](http://www.education.ie)

## **12.**

### **Assignment of Roles and Responsibilities to Assistant Principal Posts**

12.1 All post holders are subject to assignment/ re-assignment in accordance with this Circular (see 13.4 below). Furthermore, post holders who are being paid an allowance in a school, including holders of post of responsibility allowances on a personal basis, must undertake roles and responsibilities assigned or reassigned to them.



- 12.2 Assignment/re-assignment of roles and responsibilities to Assistant Principals may be delegated by the Board of Management/ETB to the Principal, following discussion at Board of Management level. The Principal will have regard to the identified needs and priorities of the school and may following consultation with a post holder re-assign that post holder to alternative roles and responsibilities appropriate to the respective level of the post (AP I and AP II).
- 12.3 The roles and responsibilities attached to the posts of Assistant Principal I and Assistant Principal II respectively should be commensurate with the level of post.
- 12.4 The roles and responsibilities of each post holder will be set out in a Statement of Roles and Responsibilities. See Appendix 1 for template statement.
- 12.5 In line with best practice there should be a meeting between the Principal or Deputy Principal and the post holder, at which objectives should be outlined. Objectives may be linked to school self-evaluation and strategies used in school self-evaluation may be applicable.
- 12.6 The assignment of roles and responsibilities is to be reviewed at regular intervals, but at a minimum of every two years. It is critical that the assigned roles and responsibilities continue to be relevant to the school's needs and priorities. Cognisance should also be taken of the importance of affording post holders the opportunity to build on and develop their leadership skills and capacities by assigning them to different leadership roles in the school where possible. This is seen as an important element of their own professional development.

## **13. Reporting and Review**

- 13.1 All post holders with leadership responsibilities are accountable to the Board of Management for the fulfilment of their roles and responsibilities and how their work contributes to the pedagogic and organisational advancement of the school.

### **13.2 Annual Report**

Each post holder including the Deputy Principal will submit an annual report to the Principal/Deputy Principal as appropriate with reference to the objectives set for the post holder in relation to his/her assignment/re-assignment to specific roles and responsibilities. This report will inform a discussion with the Principal/Deputy Principal. These reports will form part of the Principal's annual report on leadership and management in the school to the Board of Management/ETB.

### **13.3 Review (at Appendix 2)**

At regular intervals, but at a minimum of every two years, a post holder is required to undertake a review with the Principal/Deputy Principal. The review will include:



- (i) review of the role in the context of the changing needs of the school;
- (ii) review of professional development of the post holder;
- (iii) review of progress in the agreed areas of responsibility.

13.4 As the needs of the school continuously evolve, this review may result in reassignment of the post holder's roles and responsibilities within the leadership and management team.

13.5 In the event of the teacher having a dispute with the Principal in relation to any aspect of the roles and responsibilities attached to the post and, if the matter cannot be resolved through discussions between the Principal and the teacher, the teacher may raise the issue with the Board of Management/ ETB.

## **14. Acting Post Holders**

### **14.1 Acting Posts for Deputy Principal/Principal**

In the case of acting-up to Principal or Deputy Principal, in line with current arrangements, payment of the allowance may be sanctioned where the acting-up period lasts for a minimum consecutive period of one month.

### **14.2 Acting Posts for Assistant Principals**

An acting post holder is appointed to the post of Assistant Principal I and Assistant Principal II:

- when the permanent post holder is absent on approved leave of absence or an inter-school job-sharing arrangement for a minimum 84 consecutive days, provided the post of responsibility is still warranted.
- where a special education post holder temporarily relinquishes his/her post of responsibility allowance, provided the post of responsibility is still warranted.
- where the school is within its threshold for Assistant Principal posts set out in Table 4.1.1. in Section 4 of this circular. If the school is above its threshold, then the vacant leadership and management post cannot be filled on an acting basis.

The Department shall pay an acting allowance when an acting arrangement has been in place for at least 84 days subject to sanction as set out in Section 15 below.

Payment will be made retrospectively after the role has been carried out for 84 days and fortnightly thereafter in the case of all acting-up posts.



### 14.3 Determining that an Acting Post is warranted

Before appointing a teacher to an acting post of responsibility, other than to a Principal's post, a Board of Management/ETB must ensure that the acting appointment is warranted.

An acting post is warranted when the terms of Sections 4 and 19 of this circular have been fully satisfied. If necessary, a Board is required to seek clarification in this matter from the Allocations Section of the Department before proceeding with an acting appointment.

### 14.4 Role of an Acting Post Holder

A teacher appointed to an acting post shall be required to undertake the role and responsibilities appropriate to the post.

### 14.5 Acting appointments – Short Term / Long Term

It is necessary to distinguish between acting appointments which are short term in duration from those which are long term in duration.

### 14.6 Short Term Acting Appointments

Short term acting appointments apply for absences of less than one school year. Short term acting appointments are required to be filled by the promotion of the next most senior suitable post holder in the school as described in (i) to (iv) below (e.g. *Where there is more than one post holder of the same grade on the staff, the acting position should be filled by the post holder with the longest service in the promoted post in question*).

In the event that there is/are no other post holder(s) on the staff of a school, an acting post should be filled by promoting the most senior suitable teacher.

**(i) *Acting Principal***

In schools with 3 or more teachers, a Deputy Principal should be promoted to fill an acting Principal's post in the absence of the Principal teacher owing to illness or other cause. Should the Deputy Principal refuse to take the Acting Principal's post his/her Deputy Principal's allowance shall cease to be paid for the duration of the acting post. In two teacher schools, the mainstream class teacher must undertake the role of the Principal teacher during any period that s/he is absent from the school. In the event that the mainstream class teacher is not prepared to undertake the role of the Principal teacher his/her allowance shall be withdrawn. In one teacher schools the replacement teacher will be paid an acting allowance subject to the provisions of this circular.



- (ii) ***Acting Deputy Principal***  
The most senior suitable Assistant Principal I should be promoted to fill an acting Deputy Principal's post. In schools without an Assistant Principal I, the most senior suitable Assistant Principal II may be appointed as acting Deputy Principal.
- (iii) ***Acting Assistant Principal I***  
The most senior suitable Assistant Principal II should be promoted to fill an acting Assistant Principal I post.
- (iv) ***Acting Assistant Principal II***  
A vacancy for acting Assistant Principal II should be filled by the promotion of the most senior suitable unpromoted teacher within the staff of a school.

#### **14.7 Long Term Acting Appointments**

Long term acting appointments are for a minimum period of one school year. Long term acting appointments may be filled in either of two ways:

- (i) Long term acting appointments for Principals, Deputy Principals and Assistant Principals may be filled as set out in 14.6 (i) to (iv) above.

The most junior/consequential acting vacancy arising, if any, must be filled by internal competition from within the staff of the school. The internal competition procedures are described in Sections 7 - 10 of this circular.

- (ii) As an alternative to the procedures for making acting appointments outlined in 14.6 (i) to (iv) above, a Board of Management/ETB may fill a long term acting post by internal competition from within the staff of a school in accordance with Subsection (iv) below.
- (iii) In the event that the procedures in 14.7 (i) and 14.7 (ii) above have been followed and no teacher is willing to undertake the role of the Principal, it is open to the Board of Management/ETB to advertise the post of Acting Principal through external open competition in accordance with Appendix E of the Governance Manual for Primary Schools or any updated version thereof. However, if no suitable applicant applies for the post, the Deputy Principal will be obliged to act for the Principal. Should the Deputy Principal refuse to take the Acting Principal's post his/her Deputy Principal's allowance shall cease to be paid for the duration of the acting post and an acting Deputy Principal should be appointed.
- (iv) The procedures to be followed when making acting appointments through internal competition are outlined in Sections 7 to 10 of this circular. These procedures are modified to the extent that the necessity to have an Independent Assessor on the Interview Board for acting appointments is removed.



## 14.8 General Matters:

Short term acting appointments should be filled, where possible, by the same person for the duration of the absence. Long term acting appointments which are warranted and are set to continue into a second school year or longer may continue uninterrupted or where deemed appropriate by the Board of Management/ ETB may be re-advertised within the school. Notification of continuation of appointment must be submitted to the Department.

## **15. Payment of an Acting Post of Responsibility Allowance**

- 15.1 A teacher who carries out the role of acting Assistant Principal I or Assistant Principal II, for a minimum consecutive period of 84 days whilst the actual post holder is absent on approved paid or unpaid leave may be paid the appropriate allowance subject to the conditions at 15.3 to 15.5 below.
- 15.2 In the case of acting-up to Principal or Deputy Principal, in line with current arrangements, payment of the allowance may be sanctioned where the acting-up period lasts for a minimum consecutive period of one month.
- 15.3 Payment of the allowance will be subject to the Board of Management/ETB certifying that the teacher carried out the roles and responsibilities of the post for a minimum period of 84 days (or one month where applicable) while the actual post holder was on approved paid or unpaid leave.
- 15.4 Payment will be made retrospectively after the role has been carried out for 84 days (or one month where applicable) and fortnightly thereafter in the case of all acting-up posts provided medical certification of absence for the payment period has been received from the actual post holder.
- 15.5 Where the actual post holder is absent on paid or unpaid leave until the date of commencement of a vacation period an acting allowance cannot be paid for the duration of the vacation period even if the Board of Management/ETB certifies that the acting role was carried out. Where an actual post holder is absent on paid or unpaid leave which expires during a vacation period, and the Board of Management/ETB certifies that the acting role was carried out up to the date of expiry, the acting up allowance may be paid up to the date of expiry only. Where the actual post holder is absent on paid or unpaid leave for a period which includes the summer vacation, the acting allowance may be paid in respect of the summer vacation subject to specified roles and responsibilities being undertaken and the post holder performing this role before and during the summer vacation.
- 15.6 Where a teacher is initially appointed as an acting Principal or Deputy Principal, the effect of falling staffing numbers during the course of the assignment (i.e. greater than one year) does not lead to a reduction in the acting allowance. However, if the post holder changes during the same assignment and the numbers



have fallen during that time, the new post holder is paid the allowance based on the reduced staffing.

- 15.7 Once acting post of responsibility appointments have been made a Board of Management/ETB should notify the Department using the form POR1 Amend so that the teacher can receive the post of responsibility allowance. This form is available on request from the Primary Payroll Section of the Department in Athlone or on the Department website at [www.education.ie](http://www.education.ie)

## **16. Allowance for the Mainstream Class Teacher in a Two Teacher School**

16.1 A mainstream class teacher in a two teacher school who carries out the specified roles and responsibilities as determined by the Board of Management/ETB of the school, may be paid an Assistant Principal II allowance subject to the conditions at (a) and (b) below.

- a) Payment of the allowance will be subject to the Board of Management/ETB agreeing the role to be performed with the teacher and specifying the roles and responsibilities in writing. A copy of the role should be retained in the school.
- b) Payment is also subject to the teacher satisfactorily performing the role of the post. A two teacher school, for the payment of the allowance, is defined as a school with a Principal and one mainstream class teacher (a school with a Principal and an ex-quota post only is not defined as a two teacher school for the purpose of this circular).
- c) An allowance for acting Principal of a two teacher school is payable where the mainstream class teacher acts for a Principal teacher absent on approved leave for a minimum period of one month or more.

16.2 The roles and responsibilities of the post will be defined and determined by the Board of Management/ETB. It should be noted however, that there is a specific role which must be undertaken for the allowance to be payable:

- to undertake the role of the Principal teacher during any period that s/he is absent from the school. In the event that the mainstream class teacher is not prepared to undertake the role of the Principal teacher his/her allowance shall be withdrawn.

16.3 In the event of the resignation, retirement etc. of the second teacher the Board of Management/ETB should notify the Department of the replacement teacher due the allowance using the form POR1 Amend. This form is available on request from the Primary Payroll Section of the Department in Athlone or on the Department website at [www.education.ie](http://www.education.ie)



- 16.4 In the event that the staffing of the school has increased to a level which meets the threshold for a Deputy Principal, as set out in Table 4.1.1, it will be the teacher in receipt of the allowance that will be appointed to the post.

## **17. Effect that an Increase/Decrease in Staffing may have on the Allowance payable to Principals and Deputy Principals**

- 17.1 Principals and Deputy Principals (excluding those holding allowances on a personal basis and those who did not agree to undertake revised roles under PCW), may have their allowance increased if the number of teachers in the school increases. This will only apply when the increase in the number of teachers results in a change of category for Principals/Deputy Principals (Circular 0004/2010 refers). Staff in Primary Payroll Section will do this automatically. There is no need for the school to contact the Department.
- 17.2 Allowances held by Principals and Deputy Principals will not decrease even if the size of the school decreases.

## **18. Retention of Post of Responsibility Allowances on a Personal Basis**

- 18.1 Where an acting Principal, acting Deputy Principal, acting Assistant Principal I or acting Assistant Principal II post is held for a period in excess of five consecutive school years, the acting-up allowance shall be retained on a personal basis. An acting appointment for career break or job-share is excluded. If the acting arrangement continues in excess of a period of five school years, the acting post holder will retain the allowance on a personal basis upon the return of the original post holder and their cessation of the acting role. The acting post holder is not eligible to retain the allowance if s/he voluntarily relinquishes the acting post.
- 18.2 A permanent teacher, who holds a post of responsibility allowance, retains the allowance on a personal basis even if the post is subsequently not warranted by reference to the schedule of posts. However, the post holder **must** continue to undertake an Assistant Principal II role while he/she continues to teach in the school in accordance with the provisions of this circular.
- 18.3 In the event that the post holder voluntarily leaves the school he/she loses the allowance. If a post holder is compulsorily re-deployed they will retain the level of allowance held and must undertake a leadership and management role. Such a role should be broadly in line with a role assigned to Assistant Principal II.
- 18.4 A Privileged Assistant is allowed to retain the allowance for one voluntary move only. A Privileged Assistant who is compulsorily re-deployed will retain the level of Principal's allowance. A Privileged Assistant must undertake a leadership and

management role. Such a role should be broadly in line with a role assigned to Assistant Principal II.



## **19. Implications of Personal Basis Allowance Holders and Privileged Assistant on the Filling of Leadership and Management post**

19.1 The presence on the staff of personal basis post holders can affect the filling of posts of responsibility at Deputy Principal, Assistant Principal I and Assistant Principal II grades. Please see Section 20 regarding the implication of personal basis allowance holders on filling of posts of responsibility in amalgamated schools.

### **19.2 Deputy Principal**

A Deputy Principal (Personal Basis) on the staff of a school will prevent the filling of the Deputy Principal's post provided that the rate of allowance payable to the personal basis post holder is equal to or greater than the allowance due to the Deputy Principal.

See Section 16 regarding a two teacher school becoming a three teacher school.

### **19.3 Assistant Principal I**

Any one of the following personal basis post holders will prevent the filling of an Assistant Principal I's post:

- a Deputy Principal (Personal Basis) provided that the rate of allowance payable to the personal basis post holder is equal to or greater than the allowance due to the Assistant Principal I,
- An Assistant Principal I (Personal Basis).

### **19.4 Assistant Principal II**

Any one of the following personal basis post holders will prevent the filling of a Assistant Principal II's post:

- a Deputy Principal (Personal Basis), □ an Assistant Principal I (Personal Basis), □ Assistant Principal II (Personal Basis).
- a Privileged Assistant (see Section 18 and 20)

The provisions at 19.2 to 19.4 above shall be set aside if the personal basis post holder was re-deployed into the school in the five year period prior to the vacancy arising.



## **20. Amalgamations**

- 20.1 All teachers who hold a leadership and management post will carry their post into the newly amalgamated school.
- 20.2 The Principal shall be selected from amongst the Principals of the amalgamating schools. The Interview Board shall consist of a single manager/ Chairperson and two independent assessors appointed by the Patron who are selected from a list provided by the Patron.
- 20.3 The Deputy Principal shall be selected through a competition between those Principal(s) unsuccessful at interview for the role of Principal and the existing Deputy Principals. The Selection Board shall consist of the successful Principal, a single manager/ Chairperson and one independent assessor appointed by the Patron who is selected from a list provided by the Patron.
- 20.4 The following regulations apply to schools which amalgamate with effect from the publication of this circular:
- (i) There is no blocking of posts of responsibility in schools with up to 5 ex Principals (i.e. Privileged Assistants)/ Deputy Principals. One post will be blocked where there are 6 ex Principals/ Deputy Principals and two posts are blocked where there are 7 or more than 7 ex Principals/ Deputy Principals.
  - (ii) Where there are surplus Assistant Principals I & II (Personal Basis) post holders in schools following amalgamations, this number will be retained as the minimum number of posts for a period of five years following amalgamation. After five years the school's entitlement to posts of responsibility will be determined by the allocation of posts as outlined in Section 4, and personal basis post holders may prevent the filling of posts of responsibility.
  - (iii) The Privileged Assistant is allowed to retain the allowance for one voluntary move only. A Privileged Assistant must undertake a leadership and management role. Such a role should be broadly in line with a role assigned to Assistant Principal II.
  - (iv) The amalgamated school should notify the Primary Payroll Section of the Department of the actual post of responsibility holder in the amalgamated school using the POR1 Amend Form.

## **21. Appeal Procedure in respect of Assistant Principal Posts and Deputy Principal Posts filled through internal competition**



## 21.1 The Appeals Procedure

The Appeals Procedure provides a domestic and independent forum, i.e. an Arbitration Board, for dealing with an appeal in a fair and reasonable manner. It is not intended that there would be legal representation. The Arbitration Board will adjudicate on the Appeal and decide if proper procedures were fulfilled. The Arbitration Board will not make a judgement as to which candidate was most suitable and it is not intended that the Arbitration Board would replace the Interview Board. The appeal is not intended as a re-examination of the interview itself.

It is generally the case, that where a school has a number of posts to fill and only one of the posts is appealed, the appeal will not affect the other posts which are not the subject of an appeal.

## 21.2 Initiating the Process of Appeal

- (i) It is a matter for the unsuccessful applicant to identify the grounds for an appeal and may only appeal on one or more of the following grounds in relation to an alleged breach of procedure:
  - (a) Pre-interview:
    - 1) lack of consultation on the roles and responsibilities
    - 2) breach of the advertising rules
    - 3) non-notification about the post to teachers on leave of absence
  - (b) Interview process:
    - 1) Composition of the Interview Board
    - 2) Non-disclosure of a family or a material relationship
    - 3) Non gender-balanced Interview Board
    - 4) A computational error in the Interview Board marking sheet of the Appellant which makes a material difference to the outcome
    - 5) A departure from the agreed selection criteria or marking scheme
- (ii) The candidate to whom the post of responsibility has been provisionally assigned shall be informed by the Chairperson of the Board of Management/ ETB that an appeal has been lodged.
- (iii) In the event of an unsuccessful applicant wishing to proceed with an appeal, the teacher (including teachers on leave) shall within 10 school days of the date of publication of the notice of appointment, write to the Chairperson of the Board of Management/ ETB stating that the proposed appointment is being appealed. This letter must also state the grounds of appeal and will be regarded as the letter of appeal.
- (iv) Having received the letter of appeal, the Chairperson of the Board of Management/ETB shall respond in writing by registered post/ email to the Appellant within 10 school days of the date of receipt of the letter of appeal.



In the interests of resolving the matter at the earliest possible stage, the response of the Chairperson/ ETB should address the appeal grounds set out by the Appellant.

- (v) On receipt by the Appellant of the response of the Chairperson of the Board of Management/ ETB, he/she shall decide whether to continue with the appeal. Should the teacher decide to proceed with the appeal, he/she shall inform the Chairperson of the Board of Management/ ETB accordingly, in writing, within 5 school days of the date of the Chairperson's/ ETB's response.
- (vi) In responding to the appellant, it is open to the Chairperson/ ETB to collapse the appointment procedure, thus preventing the commencement of a formal appeal process. If the process is to be repeated, the Chairperson/ ETB will advise the appellant and all other applicants that the appointment process will recommence at either
  - (a) the initial consultation / allocation of role stage, (b) the advertisement stage or (c) interview stage.
- (vii) A candidate who believes he/she has been discriminated against contrary to the Employment Equality Act may process a claim in accordance with the provisions of the legislation.

### 21.3 Hearing the appeal

- (i) Following completion of the stages outlined in 21.2 above and where the Chairperson of the Board of Management/ ETB has been notified in writing by the teacher within the time specified that he/she wishes to proceed, the Board of Management of the school/ ETB HR Department should, within 5 school days, contact the Patron/CE's representative and the INTO CEC representative for the District, in order to appoint by agreement, from the appropriate Regional Panel, a Board of Arbitration to hear the appeal.
- (ii) The Board of Arbitration shall be selected from the Regional Panel and shall have 3 persons as follows:
  - a representative of Management, on behalf of the Patron/CE;
  - a representative of the INTO;
  - an agreed independent Chairperson.
- (iii) Once the Chairperson of the Arbitration Board has been appointed, the Chairperson of the Board of Management/ ETB, shall furnish him/her, within 5 school days, with three copies of the details of the appointment and all documentation, including the letter of appeal, the response of the Chairperson of the Board of Management/ ETB and on a confidential basis, the marking sheets/records of the Interview Board.



- (iv) The Board of Arbitration is empowered to call witnesses where considered necessary.
- (v) The Arbitration Board shall arrange a hearing without delay and shall invite the Appellant, the Respondents, i.e. the Board of Management/ ETB or appropriate representatives, and witnesses if any, to attend the hearing. The Arbitration Board shall conduct the hearing and shall ensure that the normal rules of due process and fair procedures apply, which include:
- that all documentation (excluding the marking sheets which shall be available to the Arbitration Board only on a confidential basis), including letter of appeal, statement of grounds, response of Chairperson of Board of Management/ ETB, and any additional submissions shall be copied to all the parties in advance of the hearing. No additional documentation will be accepted at the hearing;
  - that the Chairperson of the Arbitration Board will clarify to both parties i.e. the Appellant and the Respondent, the procedures that s/he intends to adopt at the hearing and that it is only those grounds of appeal as set out in the Appellant's Letter of Appeal that will be considered by the Arbitration Board;
  - that the parties shall be invited to a hearing and shall be given reasonable notice of the hearing by the Arbitration Board. When notifying parties to the Appeal of the date of the hearing(s), it should be indicated to the parties concerned that in the event of failure to appear, without reasonable cause, the Arbitration Board may proceed to decide the case if considered appropriate;
  - that the Appellant shall be entitled to be accompanied and assisted by a person of their choice;
  - that each party shall be afforded an opportunity to present its case to the Arbitration Board;
  - that the two parties, i.e. the Appellant and the Respondent shall have an opportunity to be present in order to hear, at first hand, what each party has to say, together with witnesses where appropriate;
  - that each party shall be afforded an opportunity to question or respond to the other party through the Chairperson of the Arbitration Board;
  - that the Arbitration Board itself, shall be entitled to question each party or seek further information;
  - that all documentation given by the Appellant to the Arbitration Board to be made available to the Board of Management/ ETB;



- that where appropriate, the Arbitration Board shall afford each party an opportunity to provide further information, on the clear understanding, that the other party shall have an opportunity to respond to same;
- that if necessary, the Arbitration Board shall agree to adjournments.

21.4 The Arbitration Board shall be considered a domestic forum and accordingly, neither Management nor the INTO intends that there would be legal representation at any hearings arranged by the Arbitration Board.

### 21.5 Arbitration Board Findings

- (i) Having heard all the parties, the Arbitration Board shall withdraw to make its decision. In the event that the appeal is rejected, the decision of the Arbitration Board shall only record that the appeal is rejected. In the event that the appeal is upheld, the decision of the Arbitration Board shall record that the appeal is upheld and taking into account the grounds of appeal, the Arbitration Board shall advise the Board of Management/ ETB to recommence the appointment process at either (a) the initial consultation/ allocation of role stage, (b) the advertisement stage or (c) interview stage. No other written record or minutes of the proceedings of the Arbitration Board shall be kept.
- (ii) The outcome of the appeal shall be notified in writing by the Chairperson of the Arbitration Board to the Chairperson of the Board of Management/ ETB and to the Appellant. The Chairperson of the Board of Management/ ETB shall in turn notify the provisional appointee of the outcome.
- (iii) The decision of the Arbitration Board shall be final and binding on the parties involved.
- (iv) If the appeal has been rejected, the Board of Management/ ETB confirms the appointment of the original successful candidate and notifies the Department of Education and Skills accordingly at the earliest possible date.
- (v) Where an appeal has been upheld and the Board of Management/ ETB is required to establish a second Selection Board, then the Chairperson of the Board of Management/ ETB, the Principal Teacher and two Independent Assessors, neither of whom were involved in the original selection, shall comprise the second Selection Board. The two Independent Assessors shall be selected from the agreed panels of assessors. In the event of a tie, the Chairperson shall have a second or casting vote.
- (vi) It is not intended by either the Management Authority or INTO that there would be a second appeal by the same teacher, arising from the filling of one post. However, the parties accept that in certain exceptional circumstances, where for example, there are significant new grounds of appeal and/or a



substantial breach of procedure, such a situation may arise. Accordingly, if these circumstances arise, following the completion of the appointment process for the second time,

- **For the ETB sector** then the ETB should forward the second letter of appeal to the INTO to be adjudicated on jointly by the ETBI and the INTO on whether a second appeal will be allowed.
  - **All other primary schools** then the Chairperson of the Board of Management should, in the first instance, forward the second letter of appeal setting out the specific grounds of the appeal which are to be considered, together with a statement on the matter from the Board of Management, to the central office of the Management Authority and the INTO for adjudication on whether a second appeal will be allowed.
- (vii) Expenses incurred by the Arbitration Board shall be shared between the parties, i.e. Management and INTO.



## Appendix 1: Template Statement of Roles and Responsibilities

The post of responsibility structure in schools is based on a distributed leadership model, involving the establishment and facilitation of leadership teams with appropriately defined and shared responsibilities.

Subject to the overall authority of the Board of Management/ETB, the post holder is accountable for the fulfilment of his/her role to the Principal of the school.

Name of Teacher: .....

Tick level of post:      AP I       AP II

Roles, Responsibilities and Objectives<sup>1</sup>:

Date: .....

..... Teacher  
Acknowledgement of Receipt:

..... Principal/Deputy Principal

Date: .....

<sup>1</sup> Guideline: Forms should be completed in a succinct manner e.g. maximum of 400 words.



## Appendix 2: Report to Inform Review

Name of Teacher: .....

Post Held: .....

1. Outline of roles, responsibilities and objectives fulfilled for the period XX to XX:

.....  
.....  
.....  
.....  
.....

2. Review of the role in the context of the changing needs of the school:

.....  
.....  
.....  
.....  
.....

3. Professional development of the post holder:

.....  
.....  
.....  
.....  
.....

4. Review of progress in the agreed areas of responsibility:

.....  
...  
.....  
.....  
.....  
.....

Date of review: .....

..... Teacher



..... Principal/Deputy Principal