

OUTCOME OF DEPARTMENT OF EDUCATION AND SKILLS AND ASTI DISCUSSIONS – 29 NOVEMBER 2016

Discussions in November 2016, facilitated by the Chair of the Teachers' Conciliation Council and involving the staff side unions (ASTI, TUI, INTO), the Department of Education and Skills and the Department of Public Expenditure and Reform led to the proposals set out below for consideration by ASTI.

Previously, discussions between the Department of Education and Skills, the Department of Public Expenditure and Reform and ASTI took place between July and November 2016 in relation to issues of mutual concern.

These proposals represent the final outcome of discussions and contain the Official Side's final offer in respect of these matters. These proposals are subject to the union's continued cooperation with collective agreements.

Supervision and Substitution Scheme

Opt-Out

An opt-out will be made available on a once-off basis to post-primary teachers with a minimum of 15 years service.

A teacher who opts out will not be required to carry out S&S duties and will have a reduction applied to salary on an ongoing basis until retirement. This reduction will be €1,769 as at 1 September 2017 and will subsequently change in line with changes to teacher salaries.

The opt-out is irrevocable and having so opted, a teacher may not subsequently opt back in to the requirement to carry out S&S duties.¹

The opt-out from S&S duties and consequent salary reduction will be effective from 1 September 2017.

Opt-In

An opt-in to S&S duties will be made available to post-primary teachers who opted out of the requirement to carry out such duties under the terms of Circular 0006/2014. The opt-in will operate on the following basis:

- a teacher who opts-in will be required to carry out supervision and substitution duties and will have the salary reduction associated with the opt-out restored to salary;
- to be eligible to opt-in on a pensionable basis, a teacher must be in a position to carry out S&S duties for a minimum of 10 years prior to reaching preserved pension age;
- the opt-in is irrevocable.

¹ It should be noted that opting for this arrangement will have the effect of reducing the teacher's retirement lump sum and pension following retirement.

The opt-in to S&S duties and consequent restoration of the salary reduction will be effective from 1 September 2017.

Given the above changes, the operation of S&S provisions in post-primary schools will be kept under review by the parties to the TCC.

Arising from acceptance of these proposals, ASTI will lift its directive on withdrawal from S&S duties.

Fixed-Term and Part-Time Employment

It is acknowledged that the question of employment on less than full hours is a critical issue for many teachers. Under the Report of the Chairperson of the Expert Group on Fixed-Term and Part-Time Employment in Teaching, measures have been introduced under circular letter to address this issue. These measures, as set out in Circular 0024/2015, will apply to ASTI members.

In addition, a number of medium and longer term recommendations were made in the Ward Report. The parties (Department of Education and Skills, management bodies and unions) commit to immediately commencing discussion on implementation of these further measures, including the recommendation relating to extension of the pilot voluntary redeployment scheme.

As a priority issue, the updated procedure and sequence for filling available posts set out in Circular 0059/2016 will be applied to ASTI members. This is intended to support the objective of providing security of employment and enhanced teaching hours for teachers in employment on less than full hours, as additional hours become available (having regard to the curricular needs of the school and the qualifications required for the post). The parties will consider other appropriate measures in order to improve the ability to increase the working hours of part-time teachers, having regard to the curricular needs of schools and the effects of the measures being implemented in the first phase of the Ward Report recommendations.

The Department confirms that teachers can be recruited on a permanent basis *ab initio*, once the school/ETB is within its authorised allocation of teaching posts and the criteria outlined in Department Circulars for filling teaching posts are complied with. Employers will again be reminded of this.

A template letter will be provided to enable an employer to confirm that a teacher who holds a contract of indefinite duration is employed on a permanent basis, where such confirmation is requested by the teacher concerned.

The provisions of the Report of the Chairperson of the Expert Group on Fixed-Term and Part-Time Employment in Teaching have made significant improvements to the careers and career prospects of fixed-term and part-time teachers. It is acknowledged that there remain categories of teachers who have not benefitted from the measures implemented in consequence of the Report. It is agreed that the parties (Department of Education and Skills, management bodies and unions) will undertake work to identify those categories and will put in place agreed measures to address issues affecting them, including further development of the medium and

long term recommendations of the Ward Report, re-evaluation of the statement in the Ward Report regarding a post-primary supplementary panel, and implementation of a post-primary supplementary panel or an equivalent appropriate mechanism.

Pay Measures for New Entrant Teachers

Arising from acceptance of these proposals, the pay measures set out below will be applied to ASTI members:

- A new scale will be created which is the sum of the current 2011 entrant scale and the honours primary degree allowance (€4,918). This scale is set out below.
- All new entrant teachers who entered teaching since 1 January 2011 will be assimilated onto this new scale i.e. the cohort who entered between 1 January 2011 and 31 January 2012 and the cohort who entered on or after 1 February 2012. This will result in a single post-1 January 2011 teacher scale when fully implemented.
- Teachers who entered teaching on or after 1 February 2012 will be assimilated on to the new scale in two phases:
 - Phase 1 on 1 January 2017
 - Phase 2 on 1 January 2018
- Teachers who entered teaching between 1 January 2011 and 31 January 2012 will be assimilated on to the new scale on 1 January 2018.
- Teachers in the cohort who entered teaching between 1 January 2011 and 31 January 2012 and who are currently entitled to qualification allowances above that of honours primary degree level (€4,918) will continue to receive the same level of remuneration. The excess will continue to be paid in the form of a qualification allowance on a personal-to holder basis. The remuneration of an individual teacher in this cohort will therefore not change as a result of the assimilation to the new scale.
- No individual teacher will lose remuneration as a result of the assimilation.
- New entrants to teaching appointed between 1 January 2017 and 1 January 2018 will be placed on the appropriate point of the Phase 1 scale on their appointment and will move to the Phase 2 scale on 1 January 2018.

	CURRENT 2012 ENTRANT SCALE (under LRA)	PHASE 1 RESTORATION SCALE	PHASE 2 RESTORATION SCALE
1	31,805	32,806	33,806
2	33,964	34,614	35,263

3	34,746	35,837	36,927
4	37,372	37,529	37,686
5	38,591	38,673	38,755
6	40,047	40,047	40,047
7	41,496	41,496	41,496
8	42,956	42,956	42,956
9	44,176	44,176	44,176
10	45,792	46,073	46,354
11	45,792	46,750	47,708
12	45,792	47,559	49,326
13	48,021	49,479	50,936
14	48,021	50,290	52,558
15	48,021	50,968	53,914
16	48,021	51,866	55,710
17	50,966	53,338	55,710
18	50,966	53,338	55,710
19	50,966	54,576	58,186
20	50,966	54,576	58,186
21	54,219	56,203	58,186
22	54,219	56,203	58,186
23	54,219	57,839	61,458
24	59,561	60,510	61,458
25	60,736	61,097	61,458
26	60,736	61,097	61,458
27	60,736	62,905	65,073

An agreement on new entrant teacher pay and related commitments was reached with TUI and INTO on 16 September 2016. That agreement remains in operation, as reflected in these proposals.

It is noted that it is only within the terms of the Lansdowne Road Agreement that any further consideration of remuneration adjustment for any group of public servants, including issues relating to more recently recruited public servants, will fall to be examined. The parties acknowledge that the issue of the pay of January 2011 new entrants to the public service was not resolved in the current process. The parties understand that entry levels of pay will be considered by the Public Service Pay Commission, which will examine pay levels across the public service. The parties also acknowledge that the issue of the payment of the H.Dip allowance to teachers was not resolved in the current process and that the union side reserves

its right to seek to have this issue considered through appropriate mechanisms. In this regard, it is noted that the issue of the H.Dip allowance has already been tabled at the TCC.

Posts of Responsibility

It is acknowledged that the significant reduction in the number of posts of responsibility since the implementation of the moratorium has led to difficulties in the running of schools. ASTI expressed particular concern regarding the diminution of student support, increased workload for teachers and a decline in staff morale.

The commencement of restoration of middle management posts from September 2017 as part of an agreed distributed leadership model was announced in Budget 2017.

In the context of restoration of posts, there will be a robust review of in-school management structures to ensure that the evolving needs of schools are addressed. This review will address:

(i) the further development of a distributed leadership model, involving the establishment and facilitation of a leadership team in a school with appropriately defined and shared responsibilities for areas such as:

- curriculum and learning
- student support and wellbeing;
- school improvement;
- leadership and development of staff teams

(ii) accountability of post-holders to the Principal, other colleagues and management;

(iii) the progressive introduction of open recruitment to the position of Deputy Principal at primary level, initially in larger schools; and

(iv) the re-designation of the current post of Assistant Principal as *Assistant Principal I* and of the current post of Special Duties Teacher as *Assistant Principal II*.

Flexibility in organising post responsibilities to meet the evolving needs of a school (including appropriate consultation with the teaching staff and regular review of roles) is recognised as essential by the parties.

The grounds for appeal in respect of competitions for appointment to posts of responsibility will be confined to an alleged breach of the procedure as set out in Department Circulars. The parties agree that consistency, fairness and probity are essential in any appointment process and the procedural arrangements and criteria will be reviewed to achieve this. The parties further agree that an appeal is intended as an evaluation of the procedural operation of the competition.

The existing criteria for selection for posts of responsibility will be revised with a view to phasing out Seniority/Length of Service as a stand-alone criterion, while still reflecting the value of a teacher's experience and how that contributes to their capacity to meet the requirements of the post.

Review of Usage of the Croke Park Hours

It is acknowledged by the parties that the central purpose of the additional time is to provide for essential activities such as parent-teacher meetings and school planning to take place without reducing class contact/tuition time.

Within this context, a review of the usage of the additional hours as set out in the Public Service Stability Agreement has commenced involving the Department of Education and Skills, the teacher unions and school management bodies. The review has regard to teacher professional judgement, system and school requirements and experience to date of best practice in the utilisation of the hours. Drawing on good practice, the review will make recommendations to optimise the most professional and valuable usage of the additional hours by teachers.

The review will conclude as soon as possible so that any changes agreed can be implemented as soon as practicable but no later than the commencement of the 2017/18 school year.

As an immediate first step, the parties agree that the maximum period of time available for planning and development work on other than a whole-school basis will be increased to 8 hours from the beginning of the 2016/17 school year and a further 2 hours from the beginning of the 2017/18 school year, in accordance with the terms agreed under the Haddington Road Agreement as set out in Department Circular 43/2014.

In the context of agreement to these proposals, ASTI will rescind its directive which instructs members not to fulfil the Croke Park hours.

Partial Sick Leave Absences

At the moment, when a teacher who is on the DES payroll is absent on sick leave for a period of less than a full school day, the DES records these absences as a full day.

In order to prevent this over-recording, such absences will, as an interim measure, be recorded at school level. These absences will only be recorded on the DES payroll system once the teacher has accumulated one full day's absence.

The DES will issue a Circular setting out the interim measures to apply at school level pending the implementation of an electronic recording solution.

Teacher Wellbeing

It is recognised that teacher wellbeing contributes positively to the quality of education, and that teaching and learning outcomes can be enhanced by creating opportunities for teachers to consider their own sense of wellbeing. The Teaching Council recognises 'the importance of care of self so as to be able to care for others and, in that context, teachers' well-being is vital if they are to effectively lead learning, and support and facilitate students in this endeavour'.

An Occupational Health Strategy is in place as a supportive resource for teachers. The aim of this strategy is to promote the health of teachers in the workplace, with a focus primarily on prevention rather than cure. The Occupational Health Strategy comprises the Employee Assistance and Wellbeing Programme and Occupational Health Services for teachers.

The Employee Assistance and Wellbeing Programme incorporates confidential face-to-face counselling on issues such as health, relationships, bereavement, stress and conflict. The Occupational Health Service incorporates pre-employment health assessments, sickness absence referrals, assessments of medical fitness for work and ill health retirement assessments.

The overall aim is to improve the health, wellbeing and welfare of teachers.

It is agreed that a working group will be established to further develop the Occupational Health Strategy and promote the health and wellbeing of teachers. This group will incorporate teacher unions and school management.

The following improved services will be introduced immediately:

- increased counselling support with the maximum number of sessions available increased from four to six;
- the provision of a dedicated website with articles which focus on areas of concern to teacher wellbeing;
- provision for 24 hour, 365 day freephone employee assistance and wellbeing helpline support;
- commitment to increased telephone support in relation to staff wellbeing in schools for school management and teachers with management responsibilities; and
- that helpline and counselling services will also be available to the family members of teachers.

Inspections

The Department re-affirms that the primary focus of the inspection process is on affirming good practice and providing constructive recommendations for improvement. During inspections, inspectors focus on the quality of teaching and learning and leadership and management rather than on documentation.

The Department will continue to take steps to reduce the administrative requirements on schools/centres and teachers in relation to inspections and school self-evaluation and in that regard some priority measures are:

- Revised inspection guidelines, published in September 2016 clarify the Inspectorate's expectations in regard to planning documentation and stress the emphasis placed on teachers' practice rather than documentation;
- The information available in the Department's POD and PPOD databases and other DES sources will be fully utilised when collecting data in preparation for inspections;
- The Inspectorate will provide schools with the facility to provide data relevant to inspection in a single annual return, if they so wish;

- Existing consultation processes with the teacher unions in relation to inspection and to school self-evaluation will be maintained.

Data Management

In the development and subsequent implementation of its Data Strategy, the Department commits to examining the information requirements on schools/centres with a view to streamlining the content and timing of requests to the fullest extent possible and minimising the impact of data collection on schools/centres.

Junior Cycle

ASTI has set out a number of concerns in relation to the new Junior Cycle programme which is being implemented following agreements reached in May and July 2015. A statement of assurances has been provided by the Department of Education and Skills in respect of these concerns (document titled “Junior Cycle – Statement of Assurances 29 November 2016 – Department of Education and Skills & Association of Secondary Teachers Ireland”).

Arising from acceptance of these proposals, ASTI commits to ongoing co-operation with Junior Cycle reform in the context of the above, including the rescinding of all industrial action directives associated with Junior Cycle.

The National Council for Curriculum and Assessment (NCCA) and the State Examinations Commission (SEC) have communicated requirements for completion of the Assessment Task for English by students between 5 and 9 December 2016. While this timing requirement remains, the parties acknowledge that a significant number of students will not be in a position to meet this requirement.

Arising from acceptance of these proposals, on a once off basis, the NCCA and SEC will communicate arrangements in respect of a second calendar window in the 2016/17 school year to allow for the completion and submission of the Junior Cycle English Assessment Task by students who are prevented from meeting the current deadline.