



Table of Contents

Chapter 1	Introduction	3
Chapter 2	Overview of Kildare and Wicklow Education and Training Board	5
Chapter 3	Contracts and Terms of Employment for Teachers	13
Chapter 4	Human Resource, ETB and Department of Education & Skills Policies	31
Chapter 5	Abbreviations & Appendices	38
	Management Guide Probation Management	68



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Bord Oideachais agus Oiliúna
Chill Dara agus Chill Mhantáin
*Kildare and Wicklow
Education and Training Board*



Chapter 1

Introduction





Sean Ashe, CEO

Welcome and congratulations on your appointment to Kildare and Wicklow Education and Training Board (KW ETB). We hope your time working with us will be enjoyable, rewarding and a great career experience.

The quality of service we offer in the communities is dependent on our ability to recruit and retain positive people with energy, expertise and a strong commitment to delivering an excellent educational service with our colleagues, to our students, parents and the community at large.

This short handbook is intended to provide all employees with information about KW ETB, conditions of appointment, employment, our expectations, employment policies and procedures.

I urge you to read it carefully with your Contract of Employment and to hold on to it for future reference. Should situations arise that are not covered in the handbook, please feel free to ask your direct manager/ administration staff in the Centre/School or the staff in the Human Resources Department. We are constantly reviewing our material and information and you should always check that the information contained in your handbook is up to date and accurate. I would welcome your feedback on our handbook and induction information.

I look forward to getting to know you and to working with you. I would like to take this opportunity to wish you a successful and fulfilling career as a member of staff with KW ETB

Sean Ashe
Chief Executive Officer

Note: This handbook is intended as a guide: if you require further details on any aspect of this handbook it is recommended that you refer to your line manager or the HR Department



Chapter 2

Overview of KW ETB Scheme and Services



History of Kildare and Wicklow Education and Training Board (KW ETB)

KW ETB was established following the amalgamation of County Kildare VEC and County Wicklow VEC on the 1st July 2013 in accordance with the Education and Training Boards Act, 2013.

The Act provided for the establishment of 16 new Education and Training Boards (ETB's) to replace the 33 VECs that were in existence. The ETBs have significantly greater overall functions than VECs and will take on the training functions of FAS. (See Further Education and Training Act, 2013 for the dissolution of FAS and establishment of SOLAS)

Both Kildare and Wicklow VECs had a strong tradition of excellence in education provision for all in their communities. KW ETB will carry on the tradition of excellence from the VECs whilst providing a more expanded and enhanced service into the community.

Kildare and Wicklow Education and Training Board Manages

- 20 Post Primary Schools (including 2 all Irish Schools)
- 2 large PLC Colleges
- 1 Community National School
- 7 Adult Further Education Centers
- 7 Youthreach Centers
- Education Units at Shelton Abbey open prison, Arklow and Midlands Prison, Portlaoise
- 10 Adult Basic Education / Literacy Centers
- 1 Outdoor Education Centre
- Community Education Programs based throughout Kildare and Wicklow
- 4 Adult Guidance main offices plus outreach services.
- Music Generation Wicklow
- Youth Service
- Joint Trustee of 5 Community Schools

Detailed Overview of KW ETB Scheme

KW ETB is the statutory education and training body for the Counties of Kildare and Wicklow and, as such, is responsible for the

Establishment and maintenance of:

- Twenty Post Primary schools and colleges including two large PLC Centre's in Bray and Newbridge and two Gael Colaisti.
- Post Leaving Certificate (PLC) courses
- One Community National School
- Adult and continuing education provision both in Schools and in dedicated education centres
- Seven Youthreach Centres
- Education and Training provision for the long term Unemployed and early school leavers (VTOS)
- The provision of an extensive range of Adult Literacy and Community Education programmes and courses
- Prisoner Education
- Outdoor Education
- Youth and Sport support services.
- Management & Administration Services
- Music Generation

Kildare and Wicklow Education and Training Board (KW ETB) deliver a broad range of educational services and supports to both counties. KW ETB caters for over 22,387 second level and adult students and employs a staff of over 2,490 people.

The ETB administrative offices are located in Naas town and in Wicklow Town. Its cooperation and partnership with other organizations at local

and national level marks it out as a significant player in the educational and social development of both Counties Kildare and Wicklow.

Post Primary Services

For more detailed information on the State Exams please refer to www.examinations.ie

Junior Certificate

Provides a single unified programme for students aged broadly between 12 and 15 years of age. The junior certificate consists of a 3 year teaching and learning programme. A state examination, the junior certificate is completed after 3 years of study. The examination is not limited to post-primary school students. A candidate following an approved course of study outside the State or who is attending an approved course of study organised under the Vocational Training Opportunities Scheme, Adult Literacy and Community Education Schemes, the Department of Social and Family Affairs second-level scheme for the unemployed or an analogous scheme may sit the exam.

The Junior Cycle is currently undergoing reform See the National Council for Curriculum and Assessment NCCA, 'Towards a Framework for Junior Cycle' www.ncca.ie

Junior Certificate Schools Programme (JCSP)

The JCSP is based on the concept that all young people are capable of real success in school and that they can have a positive experience of school if the conditions are favourable. The programme is an intervention within the Junior Certificate aimed at students who may not be able for the depth and breadth of the full Junior Certificate.

The goal of the programme is to ensure that students continue in full time education having achieved success in their Junior Certificate exams and develop a positive self-image in the process.

Transition Year Programme (TY)


The programme is interdisciplinary and student centred. It frees students up to take responsibility for their own learning. It provides the opportunity for students to experience a wide range of educational inputs, including work experience, over the course of a year that is free from examinations. Each school designs its own TY programme according to a recommended curriculum guideline from the Department of Education and Skills. TY incorporates core subjects such as English, Irish, Maths and Physical Education.

The Leaving Certificate

The Leaving Certificate (Established) programme offers students a broad and balanced education while allowing for some specialisation. The certificate is used for the purposes of selection into further education, employment, training and higher education. Students must take at least five subjects including Irish.

The examination is the terminal examination of post-primary education. It is held at the end of the Senior Cycle in post-primary schools. The Senior Cycle caters for students in the 15 to 18 year old age group. The majority of candidates who sit for the examinations are recognised students in post-primary schools, are 17 or 18 years of age and have completed 5 or 6 years of post-primary education

The National Council for Curriculum and Assessment (NCCA) carries out a rolling review of the syllabi for Leaving



Certificate subjects and new syllabi and subjects are reviewed and introduced on a regular basis.

The Leaving Certificate Vocational Programme

The Leaving Certificate Vocational Programme (LCVP) is a senior cycle Programme of the Department of Education & Skills, designed to give a strong vocational dimension to the Leaving Certificate (established). The strong vocational focus of the LCVP is achieved by arranging Leaving Certificate subjects into Vocational Subject Groupings and through the provision of two additional courses of study in work preparation and enterprise, known as the Link Modules.

Programme requirements for LCVP students are:

- At least five Leaving Certificate (LC) subjects one of which must be Irish.

- Two of the five LC subjects taken must be selected from one of a set of designated vocational subject groupings.

- Two link modules on preparation for the world of work and enterprise education.

- A recognised course in a modern European language other than Irish or English.

Candidates taking the LCVP have a unique opportunity to develop their interpersonal, vocational and technological skills. These skills are equally relevant to the needs of those preparing for further education, seeking employment or planning to start their own business. For more detail see www.examinations.ie

THE LEAVING CERTIFICATE APPLIED (LCA)

The Leaving Certificate Applied Programme(LCA)is a distinct, self-

contained two-year programme aimed at preparing students for adult and working life. It is designed for students who do not wish to proceed directly to higher education or for those whose needs, aspirations and aptitudes are not adequately catered for by the other two Leaving Certificate programmes or who choose not to opt for those programmes. The Programme is administered and assessed by the State Examinations Commission.

Credits towards the final award are accumulated throughout the two years of the programme through:

- 1.) Satisfactory completion of modules. (Maximum of 62 credits)
- 2.) Performance of students tasks. (Maximum of 70 credits)
- 3.) Performance in the final examinations. (Maximum of 68 credits)

The programme consists of a range of courses each designed on a modular basis. The number of modules depends on the course. The full list of course and modules can be found on the LCA website. Each year of the two year programme is divided into two sessions, September to January and February to June. A module within a given course is usually completed within one session. Over the two year duration of the programme, participants will complete 44 modules. Course participants accumulate credits toward their final result at the end of each session. For more information see www.lca.ie

THE SCHOOL COMPLETION PROGRAMME (SCP)

The School Completion Programme is a Department of Education & Skills programme that aims to have a significant positive impact on levels of pupil retention in primary and second level schools and on the numbers of pupils who successfully complete the

Senior Cycle. The programme is funded on a multi-annual basis under the National Development Plan (NDP) with assistance from the European Social Fund (ESF).

Adult & Further Education Services

PLC (POST LEAVING CERTIFICATE)

PLC courses take place in schools, colleges and community education centres around the country. The courses are full-time and last for one to two years. They offer a mixture of “hands-on” practical work, academic work and work experience. They are designed as a step towards skilled employment and, as such, they are closely linked to industry and its needs. Post Leaving Certificate courses adopt an integrated approach, focusing on technical knowledge, core skills and work experience.

Over 90% of PLC courses are delivered by Education and Training Boards. A wide range of disciplines are covered including business, electronics engineering, computing, catering, sport and leisure, theatre and stage, performance art, art craft and design, equestrian studies, multi-media studies, journalism, tourism, marketing, childcare and community care, hairdressing and beauty care, applied science, horticulture etc.

The qualification received at the end of your training will depend on the type of course you have chosen. Many of the one-year PLC courses offer Further Education and Training Awards Council www.fetac.ie (FETAC) awards at level 5, accredited by QQI, while other more advanced courses may offer FETAC level 6. These awards can lead to further studies at third level. Other qualifications such as City and Guilds are also available. Through the Higher Education Links Scheme PLCs

also provide an alternative route to Institutes of Technology.

Adult Literacy / Basic Education

The Adult Literacy services are funded by the ETBs with assistance from the European Social Fund under the National Development Plan. Each ETB employs Literacy Organisers to coordinate services in their local area in the County. Both group and one-to-one tuition is offered and the service is free and confidential.

Youthreach

Youthreach is an initiative for early school leavers. The Youthreach Programme offers participants the opportunity to identify and pursue viable options within adult life and enables them to acquire certification.

Youthreach attempts to respond to the needs of unqualified early school leavers by offering a programme of integrated general education, vocational training and work experience.

A weekly training allowance is paid which varies depending on age.

Basic skills training, practical work training and general education are features of the Youthreach Programme and the application of new technology is integrated into all aspects of programme content.

The Youthreach Programme provides a strong emphasis on personal development, on the core skills of literacy/numeracy, communications and information technology, along with a choice of vocational options such as catering, hairdressing, computers, woodwork, photography, video, sports, arts and crafts and work experience programme



Vocational Training Opportunities Scheme

VTOS consists of a range of courses designed to meet the education and training needs of unemployed people and to prepare people to go to paid employment or to further opportunities leading to paid employment. The following are eligible to join the VTOS programme:

1. Those who are aged 21 or over
2. getting unemployment payments or signing for credits for at least six months.
3. A limited number of places are available to recipients of the Lone Parents or Disability Allowances, and to dependent spouses of all categories of people eligible to join VTOS

Courses are provided free of charge, meal and travel allowances are available. Courses are full time and can last up to 2 years, with 30 hours attendance per week. Trainees on VTOS can pursue studies up to Junior and Leaving Certificate or FETAC modules or awards accredited by QQI.

Back to Education Initiative (BTEI)

The BTEI provides part-time Further Education programmes for young people and adults. The aim is to give participants an opportunity to combine a return to learning with family, work and other responsibilities. Programmes can be offered on a part time basis, in the mornings, afternoons, evenings or at weekends.

Adult Guidance Service

Kildare and Wicklow ETB has a free and confidential Adult Guidance Service designed to meet the needs of:

- All Students of the Community and Further Education Centers and Adult Learning Centers in the County.
- Those who left school early due to lack of interest or encouragement.
- Those who feel they have made the wrong choice in education, training or employment and want to have a second chance.
- Those who need further qualifications to compete in today's labour market.
- Those who have completed a course in education or training and are not sure of their next step.
- Those interested in returning to learning.

Community Education Support Programme

The purpose of the programme is to support the development of existing and new community based groups who provide low cost, locally based opportunities for adults who do not normally avail of education provision.

The programme works with a large number of community and voluntary groups. It aims to provide a range of relevant supports such as funding, training, networking and development work with groups. This programme also offers supports in the delivery of locally based BTEI programmes.

Prisoner Education

Located at Shelton Abbey Open Prison in Arklow and Midlands Prison Portlaoise. Unit's consists of a computer/general subject's room, general classrooms, art-rooms, fully equipped gymnasiums, woodwork rooms and also provided are 1-1 literacy classes, study areas, music lessons and fitness screening, and library. The education Units provides:

- Pre Release Planning programmes
- Practical Subjects

Academic Programmes

Arts

Health Education

Other Services

Outdoor Education

The Outdoor Education Centre in Baltinglass. The Centre provides primary and post primary students access to the “Outdoor Class Room” through the medium of outdoor pursuit programmes, field studies and specialist courses.

Among the facilities of the centre are; residential accommodation for forty seven people, canteen, recreation rooms, changing rooms, indoor climbing wall, archery range, tennis courts and purpose built camp site.

The Outdoor Education Centre is managed by KW ETB and funded from student usage and by the Department of Education and Skills.

Sports Promotion

The Sports Promotion Unit is run by the KW ETB and is located at Bray Youth Service, Florence Road, Bray, Co Wicklow. The unit has been up and running since 2001 and is funded under the Young People’s Facilities and Services Fund. The Sports Promotion Unit is responsible for devising, implementing and co-ordinating various sports & physical activity programmes for “At Risk” children and youth in the Bray area.

The programmes are aimed at youths aged between 10-21 years

Music Centre

KW ETB provides courses in music for children and adults at Bray Music Centre at Florence Road. Some classes are held at St Thomas’ Community College, Novara Avenue. Children from 5 years upwards are accepted.

Individual Tuition is available in

Singing, Piano, Guitar, Violin, Viola, Cello, Double Bass, Bass Guitar, Drums, Percussion, Harp, Recorder, Flute, Clarinet, Saxophone, Trumpet, Trombone and Theory. All students taking individual tuition are required to take Theory.

Youth Services:

The role of the Youth Officer with the ETB was established under the Youth Work Act 2001. The functions of the role are identified within the Act 2001 and these are primarily to -

Draft a 3 year youth work development plan within the ETB region

Prepare an annual report and cause an evaluation to be made of youth work programmes and services in the county

Co-ordinate plans, proposals and activities with approved National Youth Work organisations, designate local voluntary youth work organisations & authorised organisations within the ETB area


Make recommendations on grant applications, registration and project allocations

Manage the appointment of the Youth Work Committee & the election process of the Voluntary Youth Council

Music Generation

Music Generation Wicklow sees music education as a key tool for the artistic, social and intellectual development of children and young people. We are working towards a high quality, inclusive music education programme which will provide a strategically designed gateway for the appreciation of music for young participants throughout all areas of society.

Our aims are to broaden access to high quality music education, to diminish the barrier of cost, provide services throughout Wicklow’s diverse geographical communities, to



champion music education as a tool for the creative, intellectual and social development of young people. We also aim to nurture the development of musicians and music educators as a resource within this process.

Music Generation Wicklow a partnership between **Music Generation Ireland, KW ETB** and **Wicklow County Council**. It is managed and administered by lead partner KW ETB and its Steering Committee, Wicklow Music Education Partnership. Music Generation Wicklow is also supported by Wicklow Town Councils.

Education and Training Board Ireland (ETBI)

KW ETB is a member of the ETBI the national representative body for ETB's.

The Objectives of the Association are:

To inform, assist and direct the membership of ETBI in responding to and implementing the provisions set down in legislation of relevance to the ETB sector.

To represent, protect and actively promote the interest of the members of the Association and the general membership within the Education and Training sector.

To promote and foster concordant action and general harmony amongst members of the Association.

Policy Development

To promote the development and implementation of appropriate education and training policies for the Education and Training Board sector.

Legislation

To contribute, by way of negotiation, consultation and submission to the drafting and publication of legislation which promotes the interests and enhances the development of the ETB Sector.

Education and Training

To conduct research, training and development and to identify and deliver appropriate areas in education and training as required within the ETB Sector

To devise and deliver appropriate education and training programmes targeted at the general membership within the ETB Sector . To devise and organise a number of National / Regional Seminars, from time to time, as may be relevant and appropriate to the ETB sector and other sectors involved in education and training.

Negotiation and Representation

To consult and negotiate at National level on behalf of members with Government Departments, Trade Unions and with a range of other relevant bodies and authorities as may be necessary from time to time.

To represent ETB's at National level in their capacity as employers and managerial authorities in matters of industrial relations and to represent the general membership on Fora such as Teachers' Conciliation Council, The Teaching Council etc.

Association with other Bodies

To consult, associate and affiliate with other relevant Bodies on matters of mutual interest on Policy Development, Education and Training.

To subscribe to and promote the aims and objects of any Association or other Body or Agency, with aims those are consistent with and conducive to achieving the aims and objectives of the ETBI.

see www.etbi.ie



Chapter 3

Terms of Employment



CONTRACTS of Employment

Human Resources Section is responsible for the issuing of Contracts to Staff. There are many styles of contract the majority of which are collectively agreed at national level. The basic elements of each contract are similar and are in line with current employment legislation.

Probation Period

All newly appointed teachers in KW ETB have a probationary period. In most cases this is for 12 months. The objective is to allow all staff time to acquaint themselves with the job, school, students, culture of the organisation and KW ETB. The aims of the probation period are:

- To allow all new employees to train up to their new role, understand the organisation & culture and assess their own suitability for the job/organisation, and to seek further supports if required.
- To allow the employer to assess performance, to offer orientation, training support and mentoring if required.

New Teachers will have scheduled review meetings with their Principal during this time. A copy of the Probation Review Form is attached as an appendix to this handbook. All new employees are encouraged to read it carefully and to familiarise themselves with the process.

Registration with the Teaching Council – Essential CL 40/2010 and CL 0025/2013

Section 30 of the Teaching Council Act 2001 requires that all teachers are registered with the Council if they wish to teach in a recognised school and be paid out of exchequer funds.

Circular Letter 40/2010 'Teacher Recruitment, Registration and Qualifications' – All teachers must be registered in order to avail of qualified teacher pay rates and conditions.

All teachers are obliged to maintain their registration throughout their careers. ETB's are obliged to check that all registration is kept up to date and after the 1st November 2013 ETB's must remove staff members from the payroll if their registration lapses. This is in accordance with the Teaching Council Act.

See www.teachingcouncil.ie

CONTRACT TYPES

Permanent Contract (PWT)

To receive a PWT contract you must be fully qualified for the post as advertised. All qualifications are checked against the Teaching Council guidelines. www.teachingcouncil.ie. You must have been interviewed through KW ETB formal recruitment process specifically for a PWT post.

Contract of Indefinite Duration (CID)

The Nationally agreed definition of a Contract of Indefinite Duration is: 'A person who has an expectation that, subject to the normal date of retirement in the employment, she or he will be retained in the employment and will not be dismissed without there being any good reason such as misconduct or unfitness for their position, or other compelling or unavoidable circumstances. Any dismissal shall be achieved by the application of the agreed termination arrangements for the particular sector or the application of the relevant statute, as the case may be'

See Circular Letter 55/2008 and 56/2008

To receive a contract of indefinite duration you must:

1. Be registered with the Teaching Council.
2. You must have four successive years' service with KW ETB.
3. The hours of the CID are those in the immediate previous years contract less any hours that were for temporary cover.

You will not receive a CID if:

1. It has been indicated on your fixed term /specific purpose contract that the post is not viable over a reasonable period of time and the reason for this is stated.
2. You have not completed four successive years' service.
3. If you are a teacher covering for persons on career break or other approved absence.

There is an **Appeal Process** for those who do not get a CID but who feel they are entitled to one. Circular Letter: 55/2008.

Specific Purpose / Fixed Purpose Contract

A Fixed Purpose Contract is issued when an individual is employed to do a particular job and an exact finish date for the task cannot easily be determined – e.g. to catalogue all new books in a library. Or a specific purpose contract will be issued to cover an illness – when the ill employee returns to work the purpose of the contract ceases to exist.

Pro Rata Teacher (PRCT)

This is a fixed term contract which may be linked to a specific purpose.

A Pro Rata Contract Teacher is a fully qualified part-time teacher, timetabled for the full school year for a specified number of hours each week. Teacher must commence employment on or before 1st November and the benefits received are pro rata or equivalent to the full time (22 hour) teacher of same experience (for increments) and qualification. Example an 11 hours per week is a 50% pro rata contract.

Non-Casual Part-Time (NCPT)

A Non-Casual Part-time teacher is a Teacher who is fully qualified and works more than 150 hours in the year. Once this teacher has worked more than 150 hours they will receive payment at their personal rate (i.e. $\frac{1}{735}$ of Gross Pay). Example; maternity leave replacement for a fixed period but not over the entire school year.

Casual Part Time Teacher (CPT)

Is a teacher who is employed for less than 150 hours in the year. Normally this category of teacher may be covering for another teacher who has a short-term illness or absence. A fully qualified CPT Teacher who has accrued 150 hours is re-classified as a Non-Casual Part-time (NCPT) Teacher and payment is then made at personal rate.

Post of Responsibility (POR)


(🚫 note moratorium)

Circular Letter 06/2002 and 42/2010

All Posts of Responsibility are advertised in the school where the vacancy arises. The two main PORs are 1. Special Duties Post, and 2. Assistant Principal Posts.

Eligibility

All Qualified Teachers with a minimum of one year's whole time teaching service or its equivalent and who are contracted for the full school



year are eligible to apply and take up an **'Special Duties'** post on a temporary basis

a minimum of three years' whole time teaching service or its equivalent and who are contracted for the full school year are eligible to apply and take up an **'Assistant Principal'** post on a temporary basis;

Calculation of Service:

The following service will reckon as a full year's service:

- (a) Permanent, temporary, PRCT part-time, substitute or part-time service which collectively or separately amount to 22 weeks or more in any one school year will reckon as a full year for eligibility purposes;
 - or (b) Permanent, temporary, PRCT part-time, substitute or part-time service which, collectively or separately, amount to 200 hours or more in any one school year will reckon as a full year for eligibility purposes.
- Marking systems to be applied to the recruitment of these posts are outlined in Circular Letter 42/2013 your ETB will advise on the marking system that applies to each competition during the transition phase up to year 2015.

Moratorium on Recruitment of Post of Responsibility

Circular Letter 42/2010 and 53/2011 imposes a temporary moratorium on the filling of posts of responsibility. There is limited alleviation afforded to seriously affected schools for Assistant Principal (AP) Posts. The alleviations are based on student headcount and number of vacant AP posts. Alleviation levels for 2011/2012 are outlined in CL 53/2011. All posts must be approved

and sanctioned by the Department of Education and Skills prior to recruitment.

Teachers Common Basic Salary Scale (CBS) Circular Letter 40/2011

Circular Letter 40/2011 and 08/2013 applies to all teachers who are new appointees appointed on or after 1st January 2011.

If you are appointed as an eligible teacher to a post in KW ETB, if you have no other teaching experience then you will commence on the first point of the teachers common basic scale.

In general there are no allowances for qualifications for new beneficiaries or new starters. A new beneficiary is anyone who was not eligible for receipt of an allowance in question prior to the 1st February 2012. However anyone who was continuously in receipt of a qualification allowance on the 31st January 2012 will remain in receipt of that allowance.

Increments and Pay with reference to:-

Financial Emergency Measures in the Public Interest Act 2013 (FEMPI) and Haddington Road Agreement (HRA)– Increments and Pay

Under the FEMPI legislation

All incremental increases are frozen for 3 years with effect from 1 July, 2013.

Under Haddington Road Agreement

If you earn below €65,000 your salary would not be cut, and you will be paid your next increment due after July 1, 2013, but there would be a delay in increments after that increment is paid. If you earn less than €35,000 your next increment would be paid, but there would be a three-month

delay in the payment of your following increment.

If you earn between €35,000 and €65,000 your next increment would be paid but the following two increments would be delayed by three months each. To compensate for the loss of S&S allowance under The Haddington Road Agreement, there is a commitment to increase all teachers' salaries by €796 per annum in April 2017 and by a further €796 per annum January 2018.

These circulars should be referenced in accordance with the above on FEMPI and HRA:

Circular Letters 29/2007 and 29/2010 outline the procedure for awarding incremental credit to teachers. Under certain criteria the circular letter allows for an award of incremental credit under the following categories:

Previous approved teaching service in Ireland.

Length of professional training.

Teaching service in a member state of the European Union (EU).

Service in a 3rd level institution in an EU member state.

Teaching service in a private primary school in the EU

Other reckonable service


- Service in non EU country

- Service in a 3rd level institution in a non EU country.

- Relevant non-teaching experience.

In order to claim for incremental credit you need to contact the HR Department who will forward the correct application form to you.

Supervision/Substitution

 **This section is subject to the outcome of the Staff/Union VOTE on Haddington Road Agreement in September 2013.**

Current Arrangements for Supervision and Substitution

- Circular Letter PPT01/03 governs the Supervision/Substitution Scheme.
- Supervision/Substitution is paid in July of each year.


Teachers first appointed **prior to 1/1/2011** the rates are: 37 hours @ €47.82 per hour or €1,769 per annum

Teachers appointed **between 1/1/2011 & 31/01/2012 inclusive** the rates are: 37 hours @ €43.03 per hour or €1,592 per annum

Teachers appointed **on or after 1st February 2012** the rates are: 49 hours @ €32.49 per hour or €1,592 per annum

(These rates are detailed here in accordance with the rates established CL0014/2013)

- Schools are allocated hours for Supervision/Substitution on the basis of 37 hours per **Wholtime Teacher Equivalent** (WTE) per school year. The WTE figure used is based on the teacher allocation as on 1st September each year to the school.
- An advance payment is made in March/April to all teachers with the exception of part- time teachers and those on maternity



and long-term sick leave. These teachers and job-sharing and pro rata contracted teachers will be paid on a pro rata basis.

- Teachers committing to Supervision/Substitution must sign a contract. The contract gives the option of signing to undertake the duties in a pensionable or non-pensionable way - opting for pensionability means that currently 6.5% goes to pension before tax - non-pensionable means the full amount is taxable. It is important to note that a contract, Form 6, is signed **only once** and cannot be changed. If a teacher signs the contract to be either 'pensionable' or 'non-pensionable' it cannot be changed at a later stage. It is not necessary to sign a contract each year once the original contract has been completed.
- Teachers may opt in and out of the scheme on an annual basis but if they opt out they lose the pensionability of their payments if they had originally taken the 'pensionable' option. Teachers may re-enter the scheme but the payments will no longer be pensionable. If you opt to make your Supervision/Substitution payment pensionable it will be included in your Pensionable Remuneration at retirement. The payment in the final 3 years before retirement is divided by 3 and added to Pensionable Remuneration. This will result in increased pension and lump sum. However, pension contributions are payable as payments are made to you, this is deducted before calculation of income tax.

- The pensionability of the supervision/substitution payment is restricted to the minimum commitment of 37 hours per year, anything in excess of that up to a maximum of 49 hours is fully taxable.

****Supervision and Substitution under Haddington Road Agreement**

Under The Haddington Road Agreement Supervision and substitution duties would be mandatory for all teachers - the annual cap for S&S will increase from 37 hours to 43 hours. For new entrant teachers the cap decreases from 49 hours to 43 hours. The weekly cap increases from 1 hour 30 minutes to 3 hours. There would be no payments for supervision hours.

Equal Opportunities: KW ETB is committed to our equal opportunities policy. All eligible persons will have equal opportunity for employment and advancement irrespective of religious belief, age, family status, marital status, gender, disability, race, sexual orientation or membership of the Traveller Community.

Croke Park Agreement:

Circular Letter 25/2011 details particular aspects of the Croke Park Agreement that concern Post Primary Teachers and Schools.

The key aspect of the agreement concerning teacher terms and conditions is the additional time requirement of 33 hours for the school year outside of class time. All staff are expected to cooperate with their School Principal in the arrangements made for the draw down on the 33 hours.

Notice of Termination of appointment

Either the employer or employee may terminate the appointment at any time by giving notice in writing. The required notice period will be stated in the Contract and if not Statutory regulations apply as outlined in the Minimum Notice and Terms of Appointment Act 1973.

Garda Vetting Procedures

KW ETB has a responsibility to ensure that all employees and associates that work with children (under 18 years) or vulnerable adults are vetted and receive Garda clearance. This vetting responsibility also extends to our students who engage in work experience in the Child, Social or Nursing care areas. All new employees must ensure that they submit their Garda Vetting Form to the Human Resources Department and that all forms are complete in line with the notes provided. This is an essential part of the recruitment process and all offers of employment are subject to Garda clearance.

Dress Code

All employees and Teachers are expected to dress professionally, modestly and appropriately for the work environment whether it is a school, centre, office or outdoor environment.

Personal Appointments:

It is advised that all staff arrange personal appointments e.g. doctor, dentists etcetera outside of working hours.

Leave Arrangements /Family Friendly Facilities

Paid Leave Entitlements : Annual Leave

Your annual leave entitlement is as per your contract & Memo V7. KW ETB does not operate a 'personal days off' system. A full copy of memo V7 is available on www.education.ie.

Bereavement/Compassionate Leave

Up to 5 consecutive days paid leave is allowed in the case of a spouse, partner, son, daughter or parent. Spouse also includes a person with whom the teacher is living as husband or wife.

Up to 3 consecutive days paid leave is allowed in the case of a brother, sister, grandparent, aunt, uncle, parent-in-law, grandchild.


All such leaves must be notified to Principal and administered via the Human Resources Department

Exceptional Circumstances

In exceptional circumstances, a member of staff may be paid salary in respect of occasional brief absences owing to reasonable exceptional causes, other than those mentioned above, subject to the approval of the Chief Executive Officer. In the same way a staff member may be allowed leave of absence *without pay* in respect of occasional brief absences owing to reasonable exceptional causes, subject to the approval of the Chief Executive Officer. Requests for such leave should be made in writing through School Principal/Centre Manager to the CEO of KW ETB

Force Majeure Leave for Family Emergencies – Circular Letter 17/1999)

Force Majeure leave is paid leave. It



is limited to 3 days in each 12 months, subject to a maximum of 5 days in each 36-month period. Force Majeure leave covers situations where, for urgent, non-foreseeable, family reasons owing to an injury to, or an illness of a close family member, the immediate presence of the employee is indispensably required at the place of the family member.

“Family Member” is defined as child or adoptive child, spouse or a person with whom the employee is living as husband or wife, a person to whom the employee is in loco parentis, brother or sister, parent or grandparent or a person whom is a ‘domestic dependent’. Application forms are available in Human Resources Section and must be supported by a Medical Certificate. Paid substitution is allowable for the above absences.

Maternity Leave and Adoptive Leave Circular Letters 11/2011 / CL9/2013 (maternity) and CL 18/2013(adoption)

The granting of **maternity/adoptive leave** is conditional on an employee submitting to KW ETBHR Department as soon as possible but not later than **four weeks** before the date of commencement of maternity leave the following:

- (a) Written notification of intention to avail of maternity/adoptive leave on HR Form.
- and
- (b) A medical certificate confirming pregnancy and stating the expected week of confinement.

Upon receipt of this information, details of entitlements for Maternity/ Adoptive Leave will be forwarded to the employee concerned and a copy of

it forwarded to the School Principal.

Duration of **Maternity Leave**: Staff are entitled to 26 weeks maternity leave, at least 2 weeks must be taken before the birth and 4 weeks directly afterwards.

Female and male teachers, who are sole adopters, may take adoptive leave consisting of 24 consecutive weeks paid leave and 16 weeks additional unpaid leave. Additional unpaid leave must be taken directly after the paid maternity leave. The period of maternity/adoptive leave shall not extend beyond the day on which any fixed term or fixed purpose contract of employment is due to cease. The granting or taking of maternity or adoptive leave shall not affect the date of termination of a fixed purpose contract of employment.

Statutory Annual Leave, entitlement to public holidays and general entitlements are outlined in detail in CL 9/2013 (maternity) and CL 18/2013 (Adoptive). Please refer to these circular letters prior to making an application.

Payment during Maternity/ Adoptive Leave

Note: whilst all pregnant employees are entitled to maternity leave, only certain categories of staff are entitled to receipt of maternity pay from Kildare and Wicklow ETB. Please ensure to check your entitlement with the HR Department to ascertain your entitlement. Those who are not entitled to maternity pay may have an entitlement to social welfare maternity benefit. All pregnant employees should check their entitlement to this payment from the Department of Social Protection.

If you are a pre-1995 employee, on class D PRSI, you have no entitlement to Social Welfare maternity benefit. Employees who are paying Class A1 PRSI contributions and are entitled to maternity benefit must claim social welfare maternity benefit.

Maternity Benefit: A teacher should establish her entitlement to maternity benefit with the Department of Social Protection.

The rate of payment of benefit is 80% of employee's weekly earnings in the income tax year that governs the employees claim, subject to maximum and minimum rates at a given time.

In some instances the rate of maternity benefit payable by the Department of Social Protection may be greater than the rate of pay being received by the Teacher.

In such a case the teacher may opt to be removed from the payroll for the duration of the period of paid maternity leave.

The HR Department should be advised as to which option the teacher wishes to avail of. The same applies to teacher who is applying for his/her entitlement to adoptive benefit.

Teachers due to go on maternity / adoptive leave must complete the appropriate benefit claim form (available from their GP) **and this form should be received by Maternity Benefit Section at least 6 weeks before you start your maternity leave.** It is essential that all documentation be submitted four weeks prior to the commencement of the maternity/adoptive leave to ensure continued payment of full salary or if claiming benefit directly, to ensure salary ceases, to avoid overpayment.

Payment during maternity leave will be for 26 consecutive weeks, adoptive leave will be 24 consecutive weeks or the duration of the contract of employment whichever is the shorter.

Continuation of salary during maternity leave is not a statutory entitlement and is contingent upon compliance with the agreed terms and conditions of the scheme.

Time off for Ante natal and post natal medical checks.

You are entitled to paid time off for medical appointments related to pregnancy. You must give written notification, plus appointment card, to you Principal/Manager of the date and time of appointments at least two weeks in advance. Where possible appointments should be planned for the beginning or end of the working day so as to cause least disruption to the workplace. If the appointment finishes during the working day then you should return to work.

Health and Safety:

Risk assessments of your employment must be carried out to ensure that there is no risk to you or your baby whilst pregnant. You must engage with your Principal or nominated safety officer to complete this assessment in accordance with Safety Procedure and the Legislation.

Marriage Civil Partnership Leave

An employee may be granted seven consecutive days (including Saturday and Sunday) special leave of absence with pay on marriage/civil partnership, including the day of marriage.

This is only applicable if the marriage /civil partnership takes place during school term. A further seven consecutive days leave of absence without pay, immediately following the special leave of absence with pay may be granted by the CEO on request. **If the marriage /civil partnership take place during school holidays no leave in lieu is allowable.** Requests for marriage leave should be made in writing to the CEO of KW ETB via the Human Resources Department.




Paternity Leave

Paid leave, not exceeding three days, may be granted to an employee who is the registered father of a child born on, or after, 1st January 2001. Paternity Leave must be taken within four weeks of the date of birth.


An employee who wishes to take Paternity Leave must provide KW ETB with at least four weeks' notice of dates on which he intends to take this leave. A copy of child's full birth certificate, showing the employee as the registered father, must be presented to KW ETB HR Department within eight weeks of the date of birth of the child. Paternity Leave is also granted to an adoptive father in respect of an adopted child placed with him on, or after, 1st January 2001.

Sick Leave

 **The sick leave arrangements outlined below are due to change in 2014 – all staff will be notified of the changes once the agreements are finalised and the circular letters are issued. In the meantime the prevailing arrangements will apply.**

Sick Leave CL 60/2010 / CL 36/2012 and CL 4/2013

- a. Sick leave may be granted to a teacher only when there is a reasonable expectation that the teacher will be able to resume duty.
- b. A teacher may be allowed full salary during absence due to illness for a period(s) not exceeding 365 days in any four consecutive years on a 'rolling' year basis. Periods of annual leave occurring in the course of a teacher's absence owing to illness will be reckoned as part of that absence.

 **This entitlement will be reduced in the coming year circular letter to issue in this regard.**

Where a teacher is suffering from tuberculosis the sick leave entitlements vary to those shown above. Details available from Human Resources.

- c. A teacher returning to work following a sustained period of absence due to illness (2 weeks or longer) should submit a full and detailed medical certificate from a medical examiner confirming that he/she is **fully fit to resume** all duties of their post.
- d. A teacher who has 4 weeks continuous or 12 week cumulative sick leave in a 12 month rolling period must be referred to the Occupational Health Service. Please refer to CL 4/2013 for a full and detailed Manual outlining the operation procedures of the Occupational Health System. From the 1st January 2014 any teacher who has 4 weeks continuous or 4 weeks cumulative sick leave over a 12 month rolling period must be referred to the Occupational Health Service.
- e. The maximum number of personal self-certified sick days is 7 days over a rolling period of 2 years. See CL 36/2012. No more than three consecutive days can be taken in any one period. After three days absence a medical certificate will be required and social welfare must be claimed. Note that a Friday through to a Monday is considered to be 4 consecutive days of absence.
- f. Kildare and Wicklow ETB may decide to send a teacher for an Occupational Health Assessment if there is reasonable cause for

concern about their fitness for post/practice. This is called a discretionary referral'

In the case of an absence exceeding three days, payment of salary shall be made only on the production of a certificate from a duly qualified medical practitioner covering the full period of such absence. The first such certificate must be furnished not later than the fourth day of sick leave. When a sick leave period includes a Friday and the following Monday, both Saturday and Sunday are inclusive in the sick leave period. This is recorded as a four-day period and requires the submission of a medical certificate.

In the case of a lengthy illness medical certificates should be submitted **directly to your School Principal / Centre Manager** at monthly intervals following submission of the initial certificate.

All medical certificates must be clear, easily read and include: -

- Name & address of the doctor
- Name & address of the employee
- The opinion of the doctor that the patient is incapacitated due to illness
- The expected duration of the incapacity
- The date of issue
- The doctor's personal signature.

**Occupational Health Strategy
CL 4/2013**

Any teacher that has 4 weeks continuous or 12 week cumulative sick leave in a 12 month rolling period must


be referred to the Occupational Health Service.

From the 1st January 2014 Any Teacher who has 4 weeks continuous or 4 weeks cumulative sick leave in a rolling period of 12 months must be referred to the Occupational Health Service.

Please refer to CL 4/2013 for a full and detailed Manual outlining the operation procedures of the Occupational Health System

PROCEDURE FOR CLAIMING SOCIAL WELFARE BENEFITS – (Some teachers pay Class D but most pay Class A Insurance) FOR TEACHERS PAYING CLASS A PRSI

1. If you have been absent on certified sick leave for a period exceeding three days you are obliged to claim Social Welfare. This procedure also applies to people on Maternity Leave.
2. Your doctor should complete a Social Welfare claim form and you should complete the section relating to personal details. The completed form should be forwarded immediately to the Department of Social Protection office. (Retain a copy of the claim form for reference purposes).
3. You must forward a medical certificate to your principal immediately covering for your absence. Ensure dates on the medical certificate are correct. The Social Welfare claim form endorsed by your doctor is not acceptable in lieu of a medical certificate.
4. KW ETB requires that staff sign over payment of social welfare to the organisation for the duration of their paid sick leave



entitlement. You should opt to have this paid directly to KW ETB.

5. If you are deemed ineligible by Social Welfare to benefit entitlement, you should forward the relevant statement, deeming you to be ineligible.
6. Following the above procedures correctly will ensure that you will receive your full salary as normal. **Failure to follow the procedures stated in this information sheet may result in loss of pay for the period of absence due to illness.**

Other paid absences are as follows:

Jury Service.

Employees and Employers responsibilities and obligations regarding jury service are governed by the Juries Act, 1976. The Act provides that when an employee is called for Jury Service that his or her employer must continue to pay him/her for the duration. Therefore there is no break in service whilst attending. Employees who are summoned to Jury Duty must:

1. Inform their Principal/Manager as soon as possible and produce the original jury summons
 2. Submit attendance to their Principal/Manager at court certificates from the Court Clerk to certify attendance on jury service.
- Paid substitution is allowable for this absence.

Union Meetings, In-service training, Conferences School Trips etc.

You must ensure to comply with notice periods and application process for leave in these instances.

Unpaid Leave / Family Friendly Arrangements

Parental Leave Circular Letter 17/99 / CL 21/2012 and CL26/2013

18 weeks unpaid leave may be available to the following:

- Natural parents of children up to the age of 13 years or 16 years in the case of a child with a disability or long term illness.
- Adoptive parents of children who are under 3 years of age at the time of adoption. Parental Leave in respect of an adopted child who has attained 11 years but is less than 13 years of age on/before the date of the adoption order, must be taken within two years of the date of the adoption order.
- Both natural and adoptive parents of children up to the age of 16 years who have a disability and to whom a Domiciliary Care Allowance (DCA) is payable. A copy of the DCA certificate/ medical certificate should accompany the Parental Leave application.

Applications for Parental Leave should be made to HR Department in KW ETB on official form as soon as is reasonably practicable, but not later than six weeks prior to the proposed commencement date of Parental Leave. Birth Certificate of child for whom Parental Leave is requested must be submitted to the ETB office.

You must refer to the Circular Letter 26/2013 for full details on patterns of leave, the application process and related matters.

Note: When a public holiday falls during the parental leave it is added to the end of the parental leave period.

Carers Leave: **Circular Letter 17/03**

This is an entitlement for employees to avail of Temporary Unpaid Carers Leave (104 weeks available) to enable them to care personally for persons who require fulltime care and attention. The relevant person, for whom the Carer's Leave is being applied for, must first be deemed by the Department of Social & Family Affairs to be in need of full-time care and attention. Carer's Leave is available to employees who have worked for a period of one continuous year within the school/ETB. Application forms, which are available from Human Resources Section, should be submitted no later than six weeks prior to the proposed date of commencement of Carer's Leave.

Career Breaks **Circular Letter 10/2011**

Special Leave without pay. At all times when a career break application is being considered the welfare and educational needs of the pupils will take precedence over all other considerations

A Career Break (of not less than one year) may be allowed to teachers (who have satisfactorily completed their probation of a continuous 12 months and who are registered with the Teaching Council of Ireland) for most purposes such as child rearing, other domestic responsibilities, starting a business, educational purposes and travel abroad.

A person on a Career Break is precluded from taking up certain appointments in a permanent, Pro Rata, or regular part-time post. **The total period of a Career Break cannot exceed 10 years per person.**

Applications for Career Break must be received by KW ETB before 1st March

each year for the upcoming academic year. Applications to be made on the official form available from Human Resources Section in Head Office.

All staff on career breaks retain their entitlement to apply for posts of responsibility or management posts whilst on leave. All staff on career break will be notified of vacancies in this regard.

After 1st August 1998 an employee on a Career Break for two or more years who proposes to resume duties will be obliged to submit to KW ETB a Medical Certificate of fitness to resume duties.

***All Staff applying for Career Breaks are encouraged to read Circular Letter 10/2011 in details prior to submitting their application.

Job-Sharing **Circular Letter 18/98**


As with Career break applications the welfare and educational needs of the pupils will take precedence over all other considerations.

Job-Sharing may be allowed to whole time employees with 22 hours per week – who have completed their year of probation.

Applications for Job-Sharing for coming School Session should be made to the Chief Executive Officer on the official application form. Application forms available from Human Resources Section. All applications must be made in accordance with KW ETB Policy on Job Sharing.

Internal Staff Transfers

Each staff member is assigned their key location of employment. Staff are employed to the scheme and may be transferred from one centre/school to another in line with the needs of the students /scheme/service. The following definitions apply to transfers:



Involuntary transfer: takes place when a staff member is transferred, without requesting it, to another location.

Involuntary transfers take place following consultation with the staff concerned and the relevant union.

Voluntary transfers: Voluntary transfers take place when a staff member volunteers to transfer to a vacancy that would otherwise be filled by a compulsory transfer.

SALARY

Your pay slip will be sent to the school/centre for distribution on each payday. Your pay slip will detail your gross amount of pay less any deductions made on your behalf. The KW ETB will automatically deduct your PAYE, PRSI and superannuation contributions (where applicable).

On first appointment, in most cases, an employee submits a P.45 showing tax details etc. from previous employment. In the absence of a P.45 a person may obtain an up to date **Certificate of Tax Credits** from Tax Office – which is required to calculate your particular tax liability on your earnings – contact should be made with the Tax Office to obtain a Certificate. Always quote your own personal PPS No. and quote KW ETB (your employer) PAYE Registered No. 00650000 (Wicklow Office) and Kildare Office PAYE Registered Number is 0065001Q.

Inspector of Taxes Contact Telephone Numbers:

Dublin

1890 333 425

Cork, Kerry, Limerick, Clare

1890 222 425

Carlow, Kildare, Kilkenny, Waterford, Laois Meath, Tipperary, Wexford, Wicklow

1890 444 425

All Other Areas

1890 777 425

The Contact numbers above refer to the areas in which you live and not the location of your workplace.

Social Welfare Insurance Deduction from wages is made by KW ETB to give an employee entitlement to Social Welfare cover during absences from employment while sick or Unemployed. It should be noted that almost all rates of pay are notified to KW ETB by Department of Education and Skills having been previously agreed at National Level with Trade Unions etc.

Increments: A whole time employee is usually entitled to an annual increment, which is normally implemented on the anniversary of his/her appointment to the post.

Note: 🚫 There are currently no increments for teachers – awaiting outcome of ‘vote’

All details of any Department Circular Letters can be found on Department Website or Human Resources will be happy to forward this information to you if requested.

Salary Deduction Facilities

KW ETB provides a facility for all staff to join the following schemes and have the deductions taken at source. The annual cost amount is deducted evenly over a twelve-month period.

Personal Retirement Savings Accounts (PRSA's)

This is a form of investment account that can be used to save for retirement. With effect from 15th September 2003 all employers are obliged by

law to provide employees, who are not currently provided with an occupational pension, access to at least one Standard PRSA. Marsh Ireland Ltd, Cornmarket Group Financial Services Ltd and Bank of Ireland are the groups representing KW ETB. Under the terms of PRSA's employees are allowed reasonable paid leave of absence to enable the setting up of a Standard PRSA (subject to work requirements) and deductions from payroll will be made in respect of contributions. For further information contact , Marsh Ireland Ltd. at 01-6048304, - Cornmarket Group at 01-4084160 and Bank of Ireland at 086-8222749.

VHI Group Scheme

Contact Membership Administrator if you wish to join at Telephone No 1850 44 44 44 Group Scheme No. 21/1897 – VHI notify KW ETB of amount to be deducted.

HSF Healthcare

Contact the HSF Health Plan on 1890 451451 or email info@HSF.ie

An POST National Instalment Savings Scheme

This scheme commences on 1st October each year forms are available from An Post. Completed application forms should be returned to KW ETB. - Payroll Section.

Added Voluntary Contributions (AVCs)

KW ETB allows wholetime staff the facility of having Added Voluntary Contributions deducted from their salary on a monthly basis. This plan is especially beneficial to staff who will have less than the maximum service (40 years) at retirement age for the purpose of Pension/Lump Sum. For information on AVC's contact Cornmarket see www.cornmarket.ie or check if your union have a membership arrangement.



UNDERSTANDING YOUR PAYSリップ

CENTRE CODE: XYZ

JOE BLOGGS
MAIN STREET
ARKLOW
CO WICKLOW

PAYSLIP

KILDARE WICKLOW ETB

Salary Number –
Must be quoted for
...

Employee Code: BL000

Paydate 30/08/2013

Tax Week 35

Tax Month 8

Gross Pay	€ Value	Deductions	€ Value	Cumulative YTD	€ Value
-GROSS PAY ANALYSIS-		PAYE	638.41	Gross Pay	34,946.28
Class III Point 10	3,634.33	PRSI	165.89	Taxable Gross	30,905.65
Hons Degree	409.83	USC 2%	16.73	Cut off Point	22,272.00
Hons H Dip	103.00	USC 4%	19.93	Taxed @ 20%	22,272.00
HRA Reduction	0.00	USC 7%	196.87	Taxed @ 41%	8,633.65
		Pension Levy 5%	20.83	Total Tax	7,994.20
		Pension Levy 10%	248.06	Less Credit	2,281.33
		Superannuation 1	75.29	PAYE Due	5,712.87
		Superannuation 5	62.21	PAYE Paid	5,074.46
		Widows & Orphans	62.21	This PAYE	638.41
		Union Subscription	31.60	PRSI (Employer)	3,506.47
		Mid-month Advance	473.13	PRSI (Employee)	1,397.88
				USC YTD	1,992.10
				Pension Levy YTD	2,327.97
Total Gross Pay	4,147.16	Pre-Tax Deductions	468.60		
Total Taxable Pay	3,678.56	Total Deductions	2,011.16		

10th Point
of Class III
Scale

Total Deductions from pay

Year to Date Totals

YTD PRSI Analysis:
1234567A

PPS No

	A1								
Weeks	35								

PPS No must be quoted on claim

Net Pay 2,136.00

NOTE: FOR SALARY QUERIES, CONTACT 0404 60500

Paid by Paypath

Sample Payslip

PAYSLIP

EXPLANATORY NOTES

Payroll Number/Salary Number

An Employee's Payroll/Salary Number is on the left hand sign of the payslip. It consists of two letters and three numbers, e.g. BL000

Gross Pay Analysis

The salary scale and point of scale e.g. point 10 on the Class III Scale is $\text{€}43,612 \div 12 \text{ months} = \text{€}3,634.33$

YTD PRSI Analysis

Total number of weeks worked in current tax year and the rate of PRSI paid.

DEDUCTIONS

Statutory Deductions

PAYE

An employee should have a Tax Credit Certificate for the **current Tax Year in the name of Kildare and Wicklow ETB**. This is available from the Tax Office (List of telephone numbers available from www.revenue.ie or by contacting the Payroll Section). If an employee does not have a Tax Credit Certificate, Emergency Tax will be applied. If an employee has a P45 for the current tax year from a previous employer they should forward this to the Payroll Section. If an employee is due a refund of tax, this will appear as a minus figure under the deductions section of the payslip.

PRSI

PRSI is calculated at applicable rate as per earnings thresholds determined by the Department of Social Protection. See information leaflet SW14 available on website. The example on the payslip is at A1 rate. www.welfare.ie

Universal Social Charge

The Universal Social Charge is a tax payable on gross income. All individuals are liable to pay USC if gross income exceeds the threshold of €10,036 per annum. The standard rates of Universal Social Charge are:

- 2% on the first €10,036
- 4% on the next €5,980
- 7% on the balance.

Individuals in possession of a full medical card or those age 70 or over will pay USC at a maximum rate of 4% irrespective of their level of income. www.revenue.ie

Pension Levy

The Pension Levy came into effect on 1/3/09. All earnings prior to 1/3/09 are exempt. It is not a pension contribution and additional pension benefits do not arise as a result of this deduction. The levy is treated as a pension deduction under the Tax Acts and tax relief is given. An employee is entitled to a Pension Levy statement when a P45 or P60 is being issued.


The Standard rates and thresholds of pension levy are:

The first €1,250 per month is exempt
The next €416.67 per month at 5%
The next €3333.33 per month at 10%
Balance at 10.5%

NB: if you have been employed in the public sector in this year, you should forward the PRD45 from this employment to the Payroll Section as soon as possible so that the correct rates of Pension Levy can be applied to your payments with KWETB.

Superannuation

Superannuation is deducted for teachers under the Vocational Teachers



Superannuation Scheme and the Single Public Service Pension Scheme. Further details are available from Human Resources Section.

Non-Statutory Deductions

Union Subscriptions, VHI, etc.

Mid-Month Advance

NB: Applies to employees paid a salary – does not apply to employees paid on a claim form basis. Advance of 20% of monthly gross salary paid on 14th of the month or the nearest working day.

Net Pay

Total Gross Pay less total deductions.

Retirement

Retirement age is wholly dependent on the rules of the pension scheme of which you are a member. Date of joining the public service dictates the scheme to which you are a member of. Please refer to the Human Resources Section for further information on the scheme you are in.

BENEFITS

Superannuation / Pension Scheme

The pension scheme for Teachers in Post Primary is: The Vocational Teachers' Superannuation Scheme. This scheme is compulsory for all fully qualified teachers and related grades. The contributions payable are based on your Social Insurance Class (A or D).

Payments for; Class A; 1½ % of gross earnings together with 3½ % of your gross earnings less coordinated old age pension rate. This takes into account that you may have an entitlement to the state pension.

The Widows and Orphans Scheme also runs in conjunction with the above.

Since January 1986 it is compulsory for staff to join this scheme and make the relevant contributions.

Contribution: 1½ % of gross earnings. Part time staff pay contributions on a pro rata basis.

Transfer of Service: If you have service in another organisation that may be transferable to KW ETB, please contact the pensions section/HR Department .

Retirement due to ill Health

For more information on this please contact the Human Resource Department who will forward the relevant documentation to you. **All ill health retirements are subject to approvals via the Occupational Health Management System.**

Making a Will

The importance of making a will cannot be emphasised enough. It helps in the administration of one's estate and as a result helps to expedite the payment of Death Gratuity and Pension (where applicable) to next of kin. The Law Society of Ireland has published guidelines on "Making a Will" that may be obtained by telephoning the Law Society at 01-6724800



Chapter 4

Positive Workplace Environment

Policies & Procedures



Communications and Staff Relations at KW ETB

Introduction

Honest and open communication is vital in maintaining a positive work atmosphere, high performance levels and a content workforce. Open door communication is essential and we ask all employees to feel free to express opinions and raise questions where appropriate. We believe in treating all employees in a fair, equitable and honest manner. We believe that communication is a two way process and that there is a responsibility on all staff members to speak openly, honestly and to work together towards the delivery of an excellent service.

You and Your Manager

KW ETB promotes good and clear communication to all employees at all times. This contributes greatly to a positive workplace environment for all.

For all staff the first and most valuable channel of communication is your Principal/Manager - open discussion between you will ensure that there is a continuous flow of information, ideas and comment. You and your Principal /Manager should arrange regular meetings. Do not feel that you have to wait for your Principal/Peer to call a meeting you yourself can take the initiative.

Problem Solving at Kildare and Wicklow ETB

Grievance Procedure

Part of a Principals/ Managers role is concern for the employee needs, respect for their thoughts and attention to their problems. If an employee has

a grievance the person they should be discussing it with is their immediate Manager. If the employee is unable to resolve the difficulty in that manner they have a right and duty to invoke the nationally agreed grievance process. KW ETB would encourage all staff members to resolve grievances as quickly as possible and in a positive manner.

The Grievance Procedure for Teachers employed in Vocational Education Authorities was agreed in March 2010 and is attached as an appendix to this booklet

KW ETB is committed to promoting and maintaining good employee relations and fostering the commitment and morale of staff. The purpose of the national procedure is to enable employees to raise any complaints concerning work-related matters so that the issue may be addressed promptly and as close as possible to the point of origin without disruption to the quality of our service

In all stages of the grievance procedure, the school representative should normally be present. In the absence of the school representative, another representative of the school committee should be present.

Code of Practice for Teachers and KW ETB code of Ethics

You have joined KW ETB as a professional responsible adult and we believe that you will act accordingly. We expect that

- You will continuously do your best in your job
- You never interfere with the rights, dignity, property, security or safety of any other employee.

- You maintain the highest standard of integrity and honesty in your dealings with all connected with the organisation.
- That you comply with and actively promote KW ETB Code of Practice for Teachers, attached in appendix.
- That you work and act in accordance with KW ETB's Code of Ethics, attached in appendix.

Corrective Counselling and Disciplinary Procedure

A Nationally Agreed Procedure for dealing with matters of non-performance and disciplinary issues is detailed in circular letter 59/2009.

The purpose of this disciplinary and competence procedures is to ensure that all employees adhere to the required standards by making them aware of any shortcomings and identifying how the necessary improvements can be achieved.

Employee Assistance Service (EAS)

Most of the time, we can depend on our own resourcefulness to cope with whatever comes our way. However from time to time external support can be important in dealing with particular issues that bring additional stress and pressure into our lives. Such external supports are available to teachers and immediate family members through the Employee Assistance Service (EAS).

The purpose of the EAS is to provide teachers and their immediate family members with easy access to confidential counselling and to assist in coping with the effect of personal and work related issues. The service is available to teachers; whose salaries are DES funded their spouses or partners, their dependents above the age of 16 and mother/father where appropriate.

The EAS can help with issues in the following areas;

- Work related issues
- Family issues
- Emotional concerns
- Relationship difficulties

The service is available 24 hours per day /365 days per year.

Freephone 1800 411 057

Contact Carecall Wellbeing
84 University Street
Belfast
BT7 1HE


The service is operated through Carecall Wellbeing. Carecall Wellbeing have been contracted by the Department of Education & Science to deliver the service. The service employs professional counsellors and psychotherapists. The following is provided:

1. Face to face counselling – based on short term model of up to six sessions.
2. Single session or short term structured telephone counselling when required.

For additional information please refer to www.education.ie or www.carecallwellbeing.ie

Occupational Health Scheme for Teachers

An occupational health strategy has been put in place as a supportive resource for teachers. The aim of the strategy is promote the health of teachers in their workplace, with a focus primarily on prevention rather than cure. The Employees Assistance



Service (EAS) is one strand of the strategy and the occupational health referral scheme another.

Under the Occupational Health Scheme employers can seek specialist advice from the Occupational Service on medical fitness to teach.

Our occupational health service provider is Medmark Limited. All referrals are treated with the strictest of confidentiality.

Referrals can be:

1. On appointment or return to teaching following an absence in excess of two years.
2. During or/following sick leave absence. See CL 4/2013
3. Where ill health problems become otherwise evident during employment.
4. Where ill health retirement is being considered.

Equal Opportunities

Policy Statement:

KW ETB is committed to creating and delivering an inclusive culture in which diversity and equality are actively promoted and in which unlawful discrimination, as set out in the equality legislation, is not tolerated. KW ETB is committed to building and maintaining an environment, which values and supports the diversity of its students, staff, customers and the public in general. In delivering on our equality policy KW ETB will adhere to the following legalisation:

- Employment Equality Acts 1998-2007
- Public Service Management Recruitment and Appointments Act 2004

KW ETB Health, Safety and Welfare

It is the policy of KW ETB to provide a work environment that is safe for all employees, students, visitors and customers.

KW ETB's Corporate Safety Statement is available in all schools and centres.

Everything possible will be done to ensure that the work environment is free from risks and is safe and healthy. KW ETB will ensure that it meets all its legislative requirements under The Safety, Health and Welfare at Work Act 2005.

The main responsibility for KW ETB is to:

- provide a Healthy & Safe working environment for all.
- design, provide and maintain a safe place of work that has no health risks for employees.
- identify and prevent any risks to the health, safety & welfare of employees.
- provide information, instruction, training and resources and to ensure that these are communicated effectively.
- review all health, safety and welfare systems at agreed intervals.
- provide welfare systems for staff at work.
- provide good safety communication systems and to consult with staff in accordance with the legislation.
- report & investigate all accidents.
- monitor the performance and effectiveness of the Safety system
- consult and follow the advice of a competent person on all health, safety and welfare matters.

- comply with all legal and moral obligations
- strive for continuous improvement.

Along with the organisational commitment, an essential ingredient in good health, safety and welfare compliance is the commitment of its employees to safety. Each employee should familiarise themselves with all the safety instructions in relation to their job.

Each employee should:

- report all hazards immediately
- ensure housekeeping is maintained to a high level
- work in a responsible manner
- use the Protective equipment supplied in practical classes
- follow correct chemical instruction, handling, usage, storage and waste where appropriate.
- report all accidents and near misses
- do not use dangerous equipment unless trained
- take ownership of ensuring good safety measures in your work area/class room.
- be involved! Give suggestions, or be part of the safety team.
- ensure familiarity with all Health & safety guidelines including evacuation procedures,
- be familiar with procedures & protocol relating to school tours and school events.

KW ETB House Keeping

Most accidents occur due to poor housekeeping. We have to 'think clean & tidy'. All employees expect to work in a pleasant environment and our customers/students/employees expect a high standard of housekeeping. All

staff should familiarise themselves with housekeeping and storage protocol in their school /centre or office.

Emergency Evacuation

The Assembly Point will be shown to employees at their local induction. All assembly points are clearly marked in each facility. Fire doors and escape routes are marked and should always be kept unobstructed. Each employee should ensure that they are familiar with the assembly point and escape route in their school/centre or office. The evacuation procedure is available locally.

When an unplanned alarm sounds all employees/students/visitors must immediately leave the building through the nearest exit point.

Smoking in the Workplace

KW ETB believes that all employees have a right to work in a smoke free environment.


In accordance with the Public Health (Tobacco) Acts 2002 and 2004 KW ETB prohibits smoking in all areas of its premises. Any breach of this policy will be treated as a serious matter.

Use of E-mail /Internet/ KW ETB Computers/Laptops/ IT

The Email and Internet are provided to the organisation for operational/ educational purposes only. The use of these systems needs to be respected at all times and should not be abused.

An employee who uses the network, Internet or e-mail shall:

1. Ensure that all communications are for professional reasons and that they do not interfere with productivity.

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2. Be responsible for the content of all text, audio, or images that are accessed over the Internet. All communications should have the employee's name attached.
 3. Know and abide by all applicable KW ETB policies which deal with confidentiality of files or records.

In relation to Virus Protection Employees Should;-

1. not knowingly introduce a computer virus into organisations computers.
2. not load diskettes of unknown origin.
3. Ensure incoming downloads should be checked for viruses before they are read.
4. E-mails received from unknown origin should not be opened and must be deleted.
5. Employees who suspect that his/her workstation has been infected by a virus shall immediately power off the workstation and call IT support.

Employees should not be use email for sending non-essential mail or for personal or other sensitive or highly confidential topics.

KW ETB provides a safe working environment, from which sexually explicit material and material promoting hatred or discrimination against any group is excluded. Such material may not be viewed on the Internet using KW ETB resources, nor may it be stored on ETB equipment. Non-compliance will be viewed as a breach of our good conduct guidelines.

Data Protection

Data Protection is the safeguarding of the privacy rights of individuals in relation to the processing of personal data. The Data Protection Acts 1988 and 2003 confer rights on individuals as well as placing responsibilities on those processing personal data. The Act(s) regulate the collection, processing, keeping, use and disclosure of personal information that is processed either on computer or on structured manual files.

KW ETB will respect the below Data Protection Principles;

1. Data should be fairly obtained and processed.
2. Data should be kept for one or more specified, explicit and lawful purpose(s)
3. Data can only be used in a manner compatible with the purpose(s) for which it was collected.
4. Data should be kept securely
5. Data should be kept up to date, complete and accurate.
6. Data should be adequate, relevant and not excessive in relation to the purpose(s) intended.
7. Data should not be retained for longer than is necessary for the purpose(s) intended.
8. A Data subject can be given a copy of his/her data on request.

For a full comprehensive copy of our Data Protection Policy please contact the HR Department or access our website at www.kwetb.ie

Work Environment & Staff Protection

KW ETB encourages the promotion of a working, learning and social environment where all staff work positively and harmoniously together. Employees are entitled to a work place where they are free to do their work without having to suffer intimidation or harassment.

Code of Practice for Dealing with Complaints of Sexual Harassment in ETB Workplaces

KW ETB is committed to creating an environment within every ETB that is free of sexual harassment and which promotes personal integrity and dignity. The Code for dealing with complaints has been agreed between all the partners at national level and KW ETB is committed to its implementation.

KW ETB requests all staff to foster a healthy workplace and to ensure that any harassment in any form is not tolerated among work colleagues or in the workplace.

Code of Practice for Dealing with Complaints of Bullying & Harassment in ETB (ETB) Workplaces

This code is available on our website www.kwetb.ie or the ETBI website www.etbi.ie

This Code sets out KW ETB's commitment to creating and maintaining an environment where all members of the ETB Community are free to work, study and visit without fear of bullying and harassment from any source. The purpose of the Code is to prevent and deter bullying behaviour and harassment and where it occurs to have effective procedures in place to address the matter.



Chapter 5

Abbreviations and Appendices



List of Common Abbreviations

AFEF	Adult and Further Education Forum
BTEI	Back to Education Initiative
CEDEFOP	European Centre for the Development of Vocational Education
CEEEOA	Chief Executive and Education Officers' Association
CEEP	European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest
CEO	Chief Executive Officer
CSO	Central Statistics Office
DES	Department of Education and Skills
ELT	English Language Training
ENFO	Information on the Environment [Agency]
EPIT	Education Plan Implementation Team
EPWG	Education Plan Working Group
ESOL	English for Speakers of Other Languages
ETB	Education and Training Board
ETUC	European Trade Union Confederation
EU	European Union
FÁS	Foras Áiseanna Saothaoir – the national training and employment authority
FE	Further Education
FETAC	Further Education and Training Awards Council
HETAC	Higher Education and Training Awards Council
HSCL	Home School Community Liaison
HR	Human Resources
IAPCE	Irish Association of Pastoral Care
ICT	Information and Communications Technology
IT	Information Technology
IVEA	Irish Vocational Education Association
JCSP	Junior Certificate Schools Programme
KPI	Key Performance Indicator
KW ETB	Kildare and Wicklow Education and Training Board
LCA	Leaving Certificate Applied
MIS	Management Information Systems
NQAI	National Qualifications Authority of Ireland
OSF	Organisational Services Forum
PLC	Post Leaving Certificate
PMDS	Performance Management and Development System
SCP	School Completion Programme
SLSF	Second Level Services Forum
SMT	Senior Management Team
SEN	Special Educational Needs
SNA	Special Needs Assistant
SPIDAS	Special Initiatives for Disadvantaged Adults
SWOT	Strengths, Weaknesses, Opportunities and Threats
TUI	Teachers Union of Ireland
UNICE	Union of Industrial and Employers' Confederations of Europe
ETBNPF	Vocational Education Committees' National Partnership Forum
VTOS	Vocational Training Opportunities Scheme
WPIT	Work Programme Implementation Team



Kildare and Wicklow Education and Training Board Bord Oideachais agus Oiliúna Chill Dara agus Chill Mhaintáin

CODE OF PRACTICE FOR TEACHERS.

1. General:

KW ETB values its teaching staff and recognises their efforts and the enormous contribution they make to the achievement of the Board's aims and objectives.

2. Scope of the Policy:

This policy refers to all of the Board's teachers at second-level and at further and adult education levels.

3. Definition of Teacher Professionalism:

Teacher professionalism is acting with integrity inside and outside the classroom. Professionalism is engaging in behaviour that supports learning, consists of high expectations, caring and the ability to communicate effectively with not only students and parents but also with your fellow teachers, support staff, and administration. Accepting the strengths and weaknesses of each person and focusing on working together as a team to identify and achieve individual and community goals.

4. KW ETB's Expectations of its Teachers:

4.1 KW ETB expects its teachers to be qualified in accordance with the Teaching Council of Ireland (Registration) Regulations 2009.

4.2 To have knowledge of their subject area and pedagogy and the necessary skills to put that knowledge into practice. The acquisition of this knowledge and these skills is not a once off exercise. Rather they are achieved in the context of a lifelong learning experience, formally and informally.

4.3 In this regard the Board in addition to encouraging teachers to develop personally and professionally will assist them in building on their existing skills through the provision of assistance towards the cost of relevant courses.

4.4 The Board also requires its teaching staff to be compliant with the requirements of the Teaching Council established under the Teaching Council Act 2001 to:

- Promote teaching as a profession
- Promote the professional development of teachers
- Maintain and improve the quality of teaching in Ireland
- Regulate professional practice.

4.5 The Board believes that professionalism in teaching requires teachers to have empathy or the capacity for participation in another's feelings or ideas.

4.6 Therefore, teachers must:

- Know their students,
- Listen to them,
- Understand them,
- Care for them regardless of ability, colour, creed or socio-economic background,
- Assist and facilitate them in their learning process.

4.7 The development of self-esteem and self-confidence in all is a central tenet of the Board's belief system.

5. Interactions with Parents:

- 5.1 Teachers' professional interactions with parents need to focus attention on effective strategies and techniques for working with parents, especially given the varying home circumstances and attitudes that parents bring to the school.
- 5.2 Teachers must recognise the 'in loco parentis' dimension of their role and they must acknowledge the role of the parents as the primary educators of their children.
- 5.3 As professionals, teachers must subscribe to the importance of parent-teacher interactions and the tenacity and work required to effectively develop strong relationships with the parents of students. Teachers need to appreciate that this is an important part of the success of their work and that a poor attitude can negatively impact on teacher success with parents.
- 5.4 An intensified self-reflection process about working with families as a means for improving teaching and learning is also important in this context.

6. Collaboration/Collegiality:


- 6.1 The Board expects its teachers to take responsibility for their students' achievements and to do this they must work not only in an individual capacity, but also collaboratively with school management, the Education and Training Board, the Department of Education and Skills, colleagues, students, parents and relevant community interests. What takes place in any individual classroom impacts on all.

- 6.2 Teachers who have a collaborative and collegial ethos will look on teaching as a shared practice that gives them the opportunity to reflect and to exchange with other professionals leading to a collective body of knowledge and a spirit of teamwork.
- 6.3 Collegiality creates a professional community and a professional identity among teachers. It has the potential to inspire every teacher to become an educational leader in his/her own right.
- 6.4 Some examples of collaboration and collegiality as listed hereunder:
 - Staff meetings
 - Curriculum development
 - Parent Teacher meetings
 - Policy development
 - School-based professional development
 - Planning.
 - School Self Evaluation

7. Moral and Ethical Obligations:

Members of the teaching profession in KW ETB have the responsibility to conduct themselves in a manner that reflects and upholds basic professional standards. Embedded in this responsibility are the core values of professionalism, those principles that define teachers' moral and ethical obligations, both individual and collective, to serve their students, schools and communities. Such principles are expressed in the teacher-professional's attitude, behaviour, conduct and practice and they include:

- Commitment to excellence in the practical craft of teaching and their own continual professional development.

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- Honesty and integrity as epitomised by the highest standards of ethical behaviour in all their relationships with students, management, colleagues, parents and the community. The Committee expects that all of its teachers will uphold the honour and dignity of the teaching profession and exemplify those qualities and values that they seek to inspire in students.
 - Respect for and empathy with others as demonstrated in their fair and equitable treatment of students.
 - Likewise, their relationships with their colleagues should be marked by a positive sense of collegiality and a dedication to working as part of a team for the benefit of the students, the school and the community.
 - Dedication and responsibility as evidenced by their sense of duty and service, especially to their students. All teachers must strive to exhibit both courage and leadership in articulating their practice and in making it an example for others.

8. Review:

This policy will be reviewed every two years.

9. Summary:


- 9.1 In KW ETB, therefore, the definition of teacher professionalism far exceeds the simple notion that a teacher is qualified to teach. Teacher professionalism extends beyond one's ability to understand content.
- 9.2 The teacher must discover if the students are being reached in an effective way, that they are understood from all perspectives

and that the interactions of the classroom and beyond make a positive difference in their lives.

- 9.3 It is the responsibility of the Principal/Manager, working collaboratively with his/her staff, to set the tone for the creation of a positive, energetic, professional working environment.

- 9.4 Therefore, teachers are expected to:

- a) Be qualified as per the requirements of the Teaching Council (Registration) Regulations 2009.
- b) Be familiar with subject content.
- c) Devise relevant teaching methodologies, supported by suitable resources.
- d) Plan in a structured way and keep records and diaries in relation to annual, term, weekly and daily plans.
- e) Be prepared for all classes.
- f) Assess, monitor and evaluate each student's work on a regular basis and keep relevant records.
- g) Evaluate and review own teaching methods, materials and schemes of work and make changes as appropriate on an individual basis or in co-operation with the Manager/Principal, CEO and/or Inspectorate.
- h) Manage time judiciously in terms of assignment deadlines and course completion.
- i) Communicate effectively with students, school management and KW ETB in relation to all relevant matters.
- j) Show respect for the interests and welfare of students.
- k) Be responsive to student's needs.

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- l) Be punctual for all classes, meetings etc.
 - m) Refrain from use of mobile phones and/or personal social media in the classroom or school corridors
 - n) Be responsible for all materials and resources and ensure that they are in good working order.
 - o) Attend and participate in all staff meetings.
 - p) Engage in professional and staff development.
 - q) Attend and participate in all relevant staff seminars.
 - r) Work collaboratively with students, management, parents and the community.
 - s) Work collaboratively with colleagues to ensure a good, positive and professional work environment.
 - t) Ensure that professional standards are upheld at all times and be role models for their student.
 - u) Be familiar with relevant policies
 - v) Avoid sarcasm in relation to students and colleagues.
 - w) Be facilitator at all times in relation to their work and their professionalism.

Grievance Procedure for Staff employed by Education and Training Boards (ETBs)

Original Grievance Procedure nationally agreed on 31 March 2010. Amended 1 July 2013 in line with the provisions of the Education and Training Boards Act, 2013

CLARIFICATION

The **Grievance Procedure for staff employed by Education and Training Boards** has been amended in line with the provisions of the Education and Training Boards Act, 2013, on 1 July 2013 and replaces the nationally agreed grievance procedure dated 31 March 2010. It continues to supersede all existing local procedures.

Any grievance lodged under the nationally agreed Grievance Procedure up to and including 30 June 2013 shall continue to be processed in accordance with the Grievance Procedure of 31 March 2010.

Issued by the ETBI/Unions' Consultative Forum

INTRODUCTION

This Grievance Procedure for staff employed by Education and Training Boards (formerly Vocational Education Committees) was developed and agreed following discussions between ETBI (formerly IVEA) and the trade unions representing staff in the ETB sector. The procedure was prepared in accordance with the Labour Relations Commission's Code of Practice on Grievance Procedures and was formally agreed between the parties at national level on 31 March 2010.

There is a statutory obligation on employers to provide all new employees with written details of disciplinary and grievance procedures, within 28 days of taking up employment.

Kildare & Wicklow Education and Training Board/ETB will provide a copy of this Grievance Procedure to staff on appointment within this timeframe and will include the procedure in employee programmes of induction.

POLICY

It is the policy of Kildare & Wicklow Education and Training Board to:

- Encourage management at all levels to develop channels of communications and working relationships that will prevent or minimise the incidence of grievances.
- Endeavour to foster a working environment and working relationships in which the

informal resolution of differences is the norm.

- Provide effective and fair facilities by which staff can seek redress of grievances.
- Resolve grievances fairly within the timeframes specified in the stages and at the earliest stage when a grievance/s arises.

Reasonable time off (with substitution where required) should be granted to union representatives to facilitate their attendance at meetings convened and directly related to the processing of a grievance.

In each ETB school, college, centre and office, management and unions should agree structures for consultations through which any proposals for changes in working conditions or work practices affecting the terms of employment of the staff may be discussed prior to their proposed implementation. In the absence of agreement about such proposals, both parties should maintain the status quo ante which refers to and describes the position that obtained immediately prior to the decision/action/change that gave rise to the collective grievance involving the majority of staff affected by the proposed change. In the event of a dispute about such proposals, the staff member or staff members concerned, may process and determine the issue through this Grievance Procedure which has been agreed between management and trade unions representing staff.

PRINCIPLES

The agreed Grievance Procedure provides a comprehensive method for the resolution of grievances in the interests of the avoidance of conflict. Issues raised under it will be processed in accordance with the principles of full consultation and agreement during

the process and in accordance with the general principles of natural justice and fair procedures which include:

- **The grievance procedure is a voluntary procedure and once engaged, the parties are expected to participate in, and abide by, the provisions of the procedure.**
- The ETB CEO has the right to delegate an officer of the ETB to hear the grievance in his/her stead at stage 3 or indeed any stage within the grievance procedure.
- The employee/s concerned has/have the right to a fair and impartial determination of the issues concerned, taking into account any representations made by, or on behalf of, the employee/s and any other relevant or appropriate evidence, factors, circumstances.
- The employee/s concerned is/are given the opportunity to avail of the right to be represented during the procedure.
- An employee/s will not be penalised in any way for making a complaint in good faith regardless of whether or not the complaint is upheld.
- Pending the outcome to the processing of a grievance under the Formal Procedure, both parties will maintain the status quo ante which refers to and describes the position that obtained immediately prior to the decision/action/change that gave rise to the collective grievance involving the majority of staff affected by the proposed change.
- Every effort shall be made to adhere to the time limits prescribed in the procedure. The time limits laid down for Stages 2, 3 and 4 *under the Formal Procedure* may be extended only



by mutual agreement of the parties concerned.

- All relevant documentation concerning the grievance shall be made available at each of the meetings at each of the stages of the procedure.
- An employee/s may withdraw a complaint at any stage of the procedure. There is no impediment to an aggrieved employee confirming withdrawal from the provisions of the nationally agreed Grievance Procedure and seeking recourse outside of the procedure in line with statutory entitlements. In such circumstances, the Grievance Procedure provisions terminate at that point and cannot be re-engaged.
- In the event that a grievance is referred to a third party, both sides will co-operate fully with the proceedings in accordance with the Industrial Relations Acts, 1946 – 2001.
- The Grievance Procedure shall not operate during periods of approved leave unless by mutual agreement of the parties.
- **"Notice" of proposed meetings/hearings under this procedure:** "Notice" counts from the next working day directly after the date the notice is sent/posted.

DEFINITION OF GRIEVANCE

A grievance may be defined as a complaint which an employee/s has concerning any aspect of his/her/their employment, working environment or professional working relationships.

The process is for the purpose of discussing and resolving matters which are not subject to the Teachers' Conciliation Council or national industrial relations fora. This procedure covers individual and

collective grievances, i.e. complaints raised by or on behalf of a group of employees. In cases where there is a collective grievance arising across a multiple number of schools/colleges/centres/offices operated by an individual ETB – the procedure can be used but should be commenced at stage 3.

EXCLUSIONS

The grievance procedure does not cover:

- Matters relating to improvements in pay or existing terms and conditions of employment which are of general application, i.e. matters appropriate to the collective bargaining process or;
- Matters which will develop into a claim covered within the scope of the (Teachers') Conciliation and Arbitration Scheme or;
- Matters which will form a claim for statutory entitlement where provisions already exist within the State's IR machinery for the hearing and/or adjudication of such issues.
- Complaints of bullying/harassment or sexual harassment shall be dealt with under the agreed sectoral Codes for dealing with such complaints.
- Any matter which comes within the ambit of the Department of Education and Science circular letter 59/2009.
- Anonymous allegations.
- Matters which are the subject of legal proceedings.
- Matters unrelated to employment.

INFORMAL RESOLUTION OF GRIEVANCES

Management and employee opinions may be at variance on occasion but

most routine complaints are capable of being resolved on an informal basis without recourse to the formal grievance procedure. Where a complaint arises, the parties concerned (staff member/s and management representative/s) are encouraged to strive to understand the other party's position and should seek, as far as possible, a mutually acceptable solution through informal means.

Without prejudice to his/her right to invoke immediately the Formal Grievance Procedure, a staff member who believes s/he has been treated unjustly or unfairly is encouraged to raise his/her grievance with his/her Principal/Co-ordinator/immediate supervisor as a matter of first instance, or to raise his/her grievance through an informal approach by his/her union representative.

MEDIATION

Mediation if appropriate and subject to the agreement of the parties to the grievance is not excluded by way of a mechanism to resolving grievance/s at informal or formal stages.

FORMAL PROCEDURE

Stage 1

The staff member/s or his/her/their union representative/s or representative/s shall set out the grievance in writing, to the Principal/Co-ordinator/immediate supervisor who shall arrange a meeting between the parties as soon as possible but no later than **5 working days** from the date of receipt of the grievance. At this meeting both sides shall seek a mutually acceptable resolution of the grievance.

A statement of the outcome of the meeting shall be prepared by the recipient of the grievance for signing

off by both parties. If the matter is not resolved, it will be referred, by the recipient, to a Stage 2 meeting to be held within a further **10 working days**.

Stage 2


A stage 2 meeting shall be attended by the Principal/Head of Centre/Head of Section and the employee/s, and/or the relevant trade union representative/s. The Principal/Head of Centre/Head of Section may be accompanied by a Deputy Principal/senior colleague from the school/centre/office.

At this meeting both sides shall seek a mutually acceptable resolution of the grievance. A statement of the outcome of the meeting shall be prepared by the Principal/Head of Centre/Head of Section for signing off by both parties. If the matter is not resolved, it will be referred, by the Principal/Head of Centre/Head of Section to a Stage 3 meeting to be held within a **further 10 working days**.

In the event of a complaint being made against a Principal/Head of Centre/Head of Section, the Grievance Procedure will commence at stage 2 by the submission of the grievance in writing, to the Principal/Head of Centre/Head of Section. A copy of the grievance shall be simultaneously forwarded by the aggrieved party/ies to the Head of HR.

The Principal/Head of Centre/Head of Section shall arrange a meeting **within 7 working days of receipt of the grievance**. This stage 2 meeting shall be attended by the Principal/Head of Centre/Head of Section and the employee/s, and/or the relevant trade union representative/s. The Principal/Head of Centre/Head of Section may be accompanied by a Deputy Principal/senior colleague from the school/centre/office.

At this meeting both sides shall seek a



mutually acceptable resolution of the grievance. A statement of the outcome of the meeting shall be prepared by the Principal/Head of Centre/Head of Section for signing off by both parties. If the matter is not resolved, it will be referred, by the Principal/Head of Centre/Head of Section to a Stage 3 meeting to be held within a **further 10 working days**.

Stage 3

If the matter has not been resolved at stage 2, the relevant trade union/branch representative should seek a meeting with the Chief Executive Officer on behalf of the aggrieved employee.

If the grievance is resolved by conciliation, the matter is concluded. If the grievance is not resolved by conciliation, the Chief Executive Officer shall adjudicate on the grievance and shall convey a decision, in writing, to the aggrieved employee and to any other party/parties concerned, within **10 working days** of the hearing specified at Stage 3.

In the event of a complaint being made against a Chief Executive Officer, the Grievance Procedure will commence at stage 3 by the submission of the grievance in writing, to the Chief Executive Officer. A copy of the grievance shall be simultaneously forwarded by the aggrieved party/ies to the Head of HR.

The HR Manager shall arrange a meeting within **7 working days** of receipt of the grievance. This stage 3 meeting shall be attended by the Chief Executive Officer and the employee/s, and/or the relevant trade union representative/s. The Chief Executive Officer may be accompanied by a colleague/s.

At this meeting both sides shall seek a

mutually acceptable resolution of the grievance. A statement of the outcome of the meeting shall be prepared by the Chief Executive Officer for signing off by both parties.

Stage 3 shall conclude with a determination by the Chief Executive Officer. Appeals of a stage 3 grievance determination shall be made in accordance with stage 4.

Stage 4

Stage 4 concerned to ETB teachers and certain other grades/staff that do not currently have access to the LRC/Labour Court under the State's IR machinery:

It is open to an aggrieved party to appeal the decision from Formal Procedure Stage 3 to Formal Procedure Stage 4 which will be heard by an independent officer, nominated by the Labour Relations' Commission and agreed between the respective signatories to this Grievance Procedure. In activating this stage of the procedure, written submissions (and supporting documentation) should be made directly to the independent officer within **10 working days** of the date of the issuing of the decision by the CEO at Stage 3. The written submission and supporting documentation should be simultaneously copied to the CEO of the ETB, by the aggrieved party.

It should be clearly understood that by invoking Stage 4 of this procedure, that the emphasis involves conciliation with a view to resolution between the parties of the grievance/s at hand. However, in the event that this is not achieved – the parties will be subject to a decision adjudicated upon which will be binding on the parties.

The independent officer will be responsible for inviting the parties to the grievance to attend an oral hearing/s on a date so determined by

him/her but which **ideally** would not exceed **20 working days** from the date of referral by the party invoking stage 4. All documentation submitted to the independent officer by either party should simultaneously be copied by that party to the other party no later than **5 working days** in advance of the date of the oral hearing.

At the oral hearing/s each party shall be invited to speak to their written statements (which will have been submitted no later than **5 working days prior to the oral hearing/s date**) following which the independent officer will seek to conciliate a resolution of the grievance between the parties concerned.

Only in the event that the parties fail to reach agreement through this conciliation process, will the independent officer adjudicate an outcome on the grievance/s which shall be understood to be binding on the parties.

The independent officer will have recourse, as s/he may require/ determine, to technical advisory assistance only, concerning the specific nature of the grievance at

issue. This may be undertaken by contacting both a management and union nominee understood to have particular expertise in the nature of the grievance concerned who would assist in providing advice as determined appropriate and on request only from the independent officer.

A statement of the outcome of the conciliated agreement or, in the event of a binding decision having been necessitated, a statement detailing this determination, will issue no later than **20 working days** from the date of the oral hearing and conveyed to the CEO of the ETB (for implementation) and copied to the party/parties concerned to the grievance. This shall conclude the Grievance Procedure.

Stage 4 concerned to other ETB employees:

In the case of all other ETB staff, referral of the grievance beyond the conclusion of stage 3 would be to the appropriate LRC forum in accordance with normal practice.



Towards 2016

Revised Procedures for Suspension and Dismissal of Teachers

Circular Letter 59/2009

Vocational Education Committees Now Education and Training Boards

1. Background

Under the terms of **Towards 2016** the parties undertook to review and revise existing procedures for the suspension and dismissal of teachers comprehended by Section 24(3) of the Education Act 1998. The parties noted that the provisions of Section 24 of the Education Act 1998 do not apply to teachers of a school established by a vocational education committee and that sequential discussions would be required in the vocational education sector on revisions to procedures in that sector that would have regard to the discussions and developments in relation to other teachers. The following procedures have now been agreed in that context.

ETBs, boards of management and Principals have a responsibility for the quality and effectiveness of education and the management of staff in a school as set out in the Education Act 1998.

While no procedures can be definitive about the range of circumstances which might give rise to the initiation of disciplinary procedures in general these are likely to be related to misconduct, a threat to the health and safety of students and/or sustained failure to perform adequately the professional duties and responsibilities expected of a teacher.

The following agreed procedures provide for two separate and independent strands which should be utilised in appropriate circumstances;

- Procedures relating to professional competence issues
- Procedures relating to work, conduct and matters other than professional competence

The procedures apply to all teachers other than those teachers serving in a probationary capacity. In relation to teachers serving in a probationary capacity the existing probation arrangements will continue to apply.

The procedures are designed to deal solely with issues of employment and supersede all existing disciplinary procedures in existence prior to this agreement save for those provided in law. Issues relating to registration are a matter for the Teaching Council.

It will be open to any of the parties to seek a review of these procedures.

2. General Principles underpinning these procedures

Apart from considerations of equity and justice, the maintenance of a good industrial relations atmosphere at workplace level requires that acceptable procedures be in place and be observed. Disciplinary procedures are necessary to ensure both that discipline is maintained in the workplace and that disciplinary measures can be applied in a fair and consistent manner.

Such procedures serve a dual purpose in that they provide a framework which enables management to maintain satisfactory standards and employees to have access to procedures whereby alleged failures to comply with these standards may be fairly and sensitively addressed.

The essential elements of any procedures for dealing with disciplinary issues are that they be rational and fair, that the basis for disciplinary action is clear, that the range of penalties that can be imposed is well-defined and that an internal appeal mechanism is available.

Every teacher is personally accountable for his/her own behaviour and work performance. Early intervention at the appropriate level to address perceived inappropriate behaviour is desirable for all parties so as to minimise the risk of having to escalate sanctions as provided for in these procedures.

Every effort will be made by the Principal to address alleged or perceived shortcomings in work and conduct through informal means without invoking the formal disciplinary procedure.


Where circumstances warrant, a teacher may be placed on administrative leave with full pay pending an investigation, or pending the outcome of an investigation, a disciplinary hearing/meeting or the outcome of a disciplinary hearing/meeting.

The procedures are intended to comply with the general principles of natural justice and provide:

- *that there will be a presumption of innocence. No decision regarding disciplinary action can be made until a formal disciplinary meeting has been convened and the employee has been afforded the opportunity to respond to the allegations raised*
- *that the employee will be advised in writing in advance of a disciplinary meeting of the precise nature of the matters concerned and will be given copies of all relevant documentation. In the*

case of a complaint, this detail will include the source and text of the complaint as received. A complaint should be in writing.

- *that details of the allegations, complaints or issues of professional competence be put to the teacher concerned*
- *that the right of a teacher concerned to have access to and to view his/her personnel file (to include all records in relation to the teacher in hardcopy or electronic format, held by the school/ETB) will be fully respected*
- *that the teacher concerned is given the opportunity to avail of representation by a work colleague or trade union representative/s*
- *that the teacher concerned be given the opportunity to respond fully to any such allegations, complaints or issues of professional competence*
- *that the teacher concerned has the right to examine and challenge all evidence available and to call witnesses or persons providing such evidence for questioning.*
- *that the teacher concerned has the right to a fair and impartial examination of the issues being investigated, taking into account the allegations or complaints themselves, the response of the teacher concerned to them, any representations made by or on behalf of the teacher concerned and any other relevant or appropriate evidence, factors or circumstances*
- *that the ETB, as employer, has a duty to act reasonably and fairly in all interactions with staff and to deal with issues relating to conduct or professional*



competence in a confidential manner which protects the dignity of the teacher

- that all matters relating to the disciplinary procedure are strictly confidential to the parties and their representatives*
- that it will be considered a disciplinary offence for any person to intimidate or exert inappropriate pressure on any person who may be required to attend as a witness.*
- that where a decision is taken to impose a disciplinary sanction, the sanction imposed will be in proportion to the nature of the conduct/behaviour/performance that has resulted in the sanction being imposed*
- that these procedures are without prejudice to the right of a teacher to have recourse to the law to protect his/her employment.*

Reasonable and appropriate support, training and assistance will be provided.

In this context, a major focus of the work of the Support Services at Primary and

Post Primary level will be the provision of appropriate advice and assistance to schools and teachers in the formulation of improvement plans and, where relevant, in their implementation. Arrangements will also be put in place to provide for the timely accessing of those services as required.

3. Procedures relating to teachers experiencing professional competence issues

Preamble

As is the norm with any profession it is a matter for the individual teacher, in the first instance, to

maintain appropriate standards of teaching and to personally address competence issues if and when they arise. Furthermore it is a teacher's responsibility and obligation to ensure that he or she avails fully of all opportunities of assistance towards remediation of professional competence issues.

In this context it is fully accepted that a significant majority of teachers discharge their duties in a competent and efficient way and provide a service in line with the best traditions of teaching. Accordingly any process geared to address matters of professional competence is aimed at a minority of individuals within a profession. It is also the case that any such process must recognise the reality that professional competence issues are often of a transient nature and may have their origin in issues of a personal or professional nature which are of relatively short time duration.

There may also be instances where concerns are raised regarding a teacher's professional competence through parental complaints. In such cases the concerns will be addressed by the Principal in the first instance in accordance with agreed complaint procedures. The Principal will consider the nature of the complaint before determining whether the issue falls to be considered under the procedures relating to professional competence. If the procedures relating to professional competence are subsequently invoked the parent who made the complaint will be so advised and informed of the final outcome of the process.

It follows that the approach to dealing with matters of professional competence should involve a number of stages moving from informal stages to formal stages which may at the

end of the process have recourse to disciplinary action (up to and including dismissal). This must of course have regard to the right and duty of the ETB to act immediately in matters of serious misconduct or where it considers that a threat exists to the health, safety and welfare of students.

Stage 1 **Informal Stage**

- 1.1 As outlined in sections 22 and 23 of the Education Act 1998, the Principal, as part of his/her day-to-day responsibility for the management of the school, has responsibility for the guidance and direction of teachers, the provision of leadership to teachers and students and the creation, together with the board of management, of an environment which is supportive of learning among the students and which promotes the professional development of teachers. The Education Act provides also that the Principal shall have all and such powers as are necessary or expedient in that regard. The Principal is, therefore, in the best position to identify when professional competence issues arise in a teacher's work.
- 1.2 Where the Principal has concerns that there may be issues of professional competence in a teacher's work s/he will advise the teacher, orally, of the specific nature and extent of these concerns and furnish the teacher with any relevant documentation relating to the issue.
- 1.3 At this stage the teacher should be given a copy of the agreed procedures and be advised to familiarise himself/herself with the various stages of the procedures that may be invoked and the range

of sanctions available to the CEO/EO/ETB in the event of sustained underperformance

- 1.4 The Principal will seek to explore with the teacher the underlying cause(s) and where possible agree the steps that need to be taken to address the matter. In this context the Principal will advise the teacher of available internal and/or external supports and endeavour to assist the teacher in accessing those supports. These may include the Employee Assistance Service, the Primary Professional Development Service, Leadership Development for Schools (LDS), Second Level Support Service (SLSS) and /or other external agencies that are relevant and/or appropriate in the circumstances having regard to the nature of the particular issues.
- 1.5 It is intended that through dialogue between the Principal and the teacher the issues are resolved to the satisfaction of the Principal and that both agree that no further action is necessary
- 1.6 It is intended that professional competence issues of a transient nature should be resolved through informal mechanisms, normally within a three month period excluding holiday periods.
- 1.7 Where a teacher has failed to engage positively with the processes and the Principal continues to have concerns that there are professional competence issues of a sustained nature, the Principal will notify the teacher of his/her intent to refer the matter to the Chief Executive Officer (CEO) or Education Officer (EO) with a view to the initiation of the formal process



Stage 2

Initiation of the formal process


- 2.1 The Principal will advise the CEO/EO of his/her concerns and provide a written report to him/her. The teacher will be given a copy of the report simultaneously, and will be afforded an opportunity to provide a written response as part of the process of consideration of the matter.
- 2.2 At this stage it is open to the teacher to invoke Stage 3 of this procedure within 10 school days of receipt of the report. Where the teacher adopts this course of action it is on the strict understanding that he/she cannot then seek to revert to any earlier stage of the process and that the Principal and CEO/EO will proceed to the next stage as appropriate.
- 2.3 Alternatively where the teacher does not take up this option the CEO/EO will consider the report of the Principal and any written response provided by the teacher. At this stage the teacher will be provided with an opportunity to address the CEO/EO on the matter if he/she so wishes. The CEO/EO will then make a decision on how to proceed. This decision may involve the CEO/EO finding that :
 - There are insufficient grounds to conclude that there is an issue of professional competence,
 - There are sufficient grounds as to warrant the initiation of the formal process.
- 2.4 Where the CEO/EO is of the view that there are sufficient grounds he/she will charge the Principal with defining the required improvement plan for the teacher in question.
- 2.5 The Principal will meet with the teacher concerned to discuss the improvement plan.
- 2.6 The plan will specify the perceived deficiencies in the teacher's performance and the required improvement expected of that teacher. It will also set out the range of supports and training available to the teacher and suggestions as to which should be availed of by the teacher in the context of improving his or her performance. The improvement plan will also set out a timeframe within which the required improvement should be put into effect. Appropriate supports will be made available to the Principal is drawing up the improvement plan.
- 2.7 While bringing about the improvement in his or her performance is the primary responsibility of the individual teacher the Principal/CEO/EO will support and facilitate that teacher in bringing about the required improvement.
- 2.8 Normally, it would be expected that the required remediation of professional competence issues would take place within the timeframe set down in the improvement plan which should be no less than a three month period excluding holiday periods. This period may be extended by the Principal, subject to the agreement of the CEO/EO, to allow the teacher further time to fully implement the improvement plan.
- 2.9 Following the conclusion of the time period provided for improvement, the Principal will furnish a written report to the CEO/EO and the teacher setting out his/her views on the outcome.

- 2.10 Where the Principal reports that the required improvement has been brought about the CEO/EO will inform the teacher in writing confirming his/her intention to conclude the formal process.
- 2.11 Where the Principal reports to the CEO/EO that the required improvement in teaching performance has not been brought about following the conclusion of the period allowed for this process, the CEO/EO will consider the matter, as provided for below.
- 2.12 The teacher will be given an opportunity to provide an oral and written response to the Principals' report as part of the process of consideration of the matter.
- 2.13 Following consideration of the teacher's response the CEO/EO may decide that
- Sufficient progress has been made by the teacher and that the procedure is being brought to a conclusion
 - The improvement plan should be modified
 - the required improvement has not being brought about by the teacher

Stage 3 External Review

- 3.1 Where the CEO/EO decides that the required improvement has not been brought about the CEO/EO will request the Chief Inspector to arrange for a review of the work of the individual teacher. The teacher will be so informed by the CEO/EO in such instances. The request for the review should include details of the nature of the CEO's/EO's concerns, the supports offered to the teacher, the extent to which these supports were availed of by the teacher and the outcomes.
- 3.2 Before approving the review the Chief Inspector* will satisfy himself/herself that the appropriate support has been offered to the teacher and that, despite this, the teachers work is still considered to be unsatisfactory. The Chief Inspector may seek further information from the CEO/EO as s/he deems necessary. Where a teacher has availed of the option at Stage 2 to invoke Stage 3 of the process the Chief Inspector will satisfy himself/herself of this fact before initiating the review.
- 3.3 All documentation provided to the Chief Inspector will be furnished to the teacher.
- 3.4 The function of carrying out an external review which is vested in the Chief Inspector in consequence of this agreement, is separate from and without prejudice to the statutory function of the Chief Inspector as set out in Section 13 of the Education Act 1998.
- 3.5 Where the Chief Inspector agrees to the request he/she may assign such and so many personnel to conduct the review as appears to him/her to be necessary. In assigning a person or persons to the conduct of this task the Chief Inspector will have regard to the requirement that any individual/s so assigned have a competence which is relevant to the review.
- 3.6 The review may involve a series of visits to the teaching and learning situation and will be normally be carried out by a member/members of the Inspectorate. The person/ persons assigned by the Chief Inspector will have whatever access to the teaching and learning situation as is necessary by them in order to provide a professional view on the competence of the teacher. There may be instances,





having regard to the nature of a particular case, where the member/ members of the Inspectorate may be accompanied by a person with particular expertise relevant to the issues of concern raised by the CEO/EO. In all instances the review process will be led by a member of the Inspectorate.

- 3.7 The teacher, who is the subject of the external review, shall cooperate in full with the review process and any failure to so cooperate will in itself be a disciplinary matter. Any such lack of cooperation may also be taken into account by the person/persons assigned by the Chief Inspector in formulating their conclusions.
- 3.8 The person/persons assigned by the Chief Inspector will present a report to the Chief Inspector who, in turn, will make this report available to the CEO/EO and to the teacher. The report will set out the conclusions reached in relation to the concerns raised by the CEO/EO.
- 3.9 The CEO/EO will provide the teacher with an opportunity to make a written response to the Chief Inspector's report within 15 school days of receipt of the report by the teacher.
- 3.10 The CEO/EO will consider the report of the Chief Inspector and the written response from the teacher within 10 school days of receipt of the written response from the teacher. The CEO/EO may decide:
- that no further action is warranted
 - to proceed to a disciplinary process within the remit of the CEO/EO
 - that this is an issue for the ETB to consider

Where it is decided that no action

is warranted the teacher will be so informed in writing within five school days

- * *The reference to the Chief Inspector includes members of the Inspectorate to whom this function is delegated by the Chief Inspector.*

Stage 4

Hearing

- 4.1 In accordance with the provisions of the Education and Training Boards Act 2013 suspension and dismissal of staff are reserved functions. Consequently the following procedures will apply; If the CEO/EO decides to proceed to a disciplinary process within his/her remit, the teacher will be provided with an opportunity to attend at a meeting with the CEO/EO accompanied by his/her trade union representative/s or a colleague subject to an overall maximum of two.
- The teacher will be given at least 7 school days' notice of the meeting. The notice should state the purpose of the hearing and that fact that disciplinary action may be considered.
- At the meeting the teacher will be given an opportunity to make his/her case in full and to challenge any evidence that is being relied upon for a decision.
- Following the hearing the CEO/EO shall make his/her judgement on the matter. In formulating his/her judgement the CEO/EO will take account of the conclusions set out in the report of the Chief Inspector, any other evidence and the teacher's representation (if any) thereon.

The CEO/EO shall notify the teacher of his/her decision and any intended disciplinary action if that be the outcome of his/her deliberations. If it is decided to take disciplinary action, the CEO/EO may avail of any of the following range of sanctions:

- Final written censure
- deferral of an increment
- withdrawal of an increment or increments

Where disciplinary action is proposed the case will be reviewed by the CEO/EO within a specified time period to consider whether further disciplinary action, if any, is required

The CEO/EO will act reasonably in all cases when deciding on the appropriate disciplinary action. The nature of the disciplinary action should be proportionate to the issue of professional competence.

- 4.2 If the CEO/EO considers that the matter requires to be referred to the ETB, as a reserved function, he/she shall do so. The teacher will be provided with an opportunity to attend at a meeting of a sub-committee of the ETB accompanied by his/her trade union representative/s or a colleague subject to an overall maximum of two.

The teacher will be given at least 7 school days' notice of the meeting. The notice should state the purpose of the hearing and that fact that disciplinary action may be considered.

At the meeting the teacher will be given an opportunity to make his/her case in full and to challenge any evidence that is being relied upon for a decision.

Following the hearing the sub-committee of the ETB will make its report to the ETB. A copy of the report will be given to the teacher.

- 4.3 The ETB will consider the report of the sub-committee. The teacher will be provided with an opportunity to attend at a meeting of the ETB accompanied by his/her trade union representative/s or a colleague subject to an overall maximum of two.

The teacher will be given at least 7 school days' notice of the meeting. The notice should state the purpose of the hearing and that fact that disciplinary action may be considered.

At the meeting the teacher will be given an opportunity to make his/her case in full and to challenge any evidence that is being relied upon for a decision.

Following the hearing the ETB shall make its judgement on the matter. In formulating its judgement the ETB will take account of the conclusions set out in the report of the Chief Inspector, the report of the sub-committee of the ETB, any other evidence and the teacher's representation (if any) thereon. The ETB may decide to

- to refer the matter to the CEO/EO
- to impose disciplinary action.

In the event that the matter is referred to the CEO/EO the procedures set out in paragraph 4.1 above will apply.

The ETB shall notify the teacher of its decision and any intended disciplinary action if that be the outcome of its deliberations. If it is decided to take disciplinary action,



the following range of sanctions may be availed of

- Suspension (for a limited period and/or specific purpose) with pay
- Suspension (for a limited period and/or specific purpose) without pay
- Suspension in accordance with the Vocational Education Acts
(to be amended with ETB ACT)

Where disciplinary action short of suspension in accordance with the Vocational Education Acts is proposed the case will be reviewed by the ETB within a specified time period to consider whether further disciplinary action, if any, is required.

The ETB will act reasonably in all cases when deciding on the appropriate disciplinary action. The nature of the disciplinary action should be proportionate to the issue of professional competence

Stage 5

Appeal

- 5.1 It will be open to the teacher to appeal against the proposed disciplinary action of the CEO/EO or the ETB as appropriate. Such an appeal will be heard by an independent appeal panel appointed by the ETB as set out in Appendix A.
- 5.2 The procedures for appealing to the independent appeal panel are as set out in Appendix A.

Notification to Department of Education and Science and the Teaching Council

The CEO/EO will inform the Department of Education and Science of the nature of the disciplinary action and will comply with any requirements of the Teaching Council in accordance with the provisions of Section 37 of the Teaching Council Act 2001.

Disciplinary procedures for teachers employed in vocational education committees now Education and Training Boards

Circular Letter 59/2009

Preamble

This disciplinary procedure for teachers employed in vocational education committees was developed and agreed following discussions between the Department of Education and Skills, school managerial bodies and recognised teacher unions representing teachers in these sectors. It takes account of employment legislation and the Labour Relation Commission's Code of Practice on Disciplinary Procedures. This disciplinary procedure supersedes all existing local and national disciplinary procedures. Principals, teachers and ETBs will be made aware of and be made fully conversant with this procedure and adhere to its terms

Introduction

As is the norm with any profession it is a matter for the individual teacher, in the first instance, to maintain appropriate standards of work and conduct and to personally address such issues if and when they arise. Furthermore it is a teacher's responsibility and obligation to ensure that he or she avails fully of all opportunities of assistance towards remediation of such issues.

In that context it is fully accepted that a significant majority of teachers discharge their duties in a competent and efficient way and provide a service in line with the best traditions of teaching. Accordingly any process geared to address matters of work

and conduct is aimed at a minority of individuals within the profession. It is also the case that any such process must recognise the reality that such matters are often of a transient nature and may have their origin in issues of a personal or professional nature which are of relatively short time duration. Isolated issues or omissions of a minor nature will where possible be dealt with informally.

It follows that the approach to dealing with matters of work and conduct should involve a number of stages moving from informal stages to formal stages which may at the end of the process have recourse to disciplinary action (up to and including dismissal). Although disciplinary action will normally follow the progressive stages the procedure may be commenced by the school at any stage of the process if the alleged misconduct warrants such an approach.


Scope

This procedure relates to work and conduct issues and matters other than professional competence and applies to all teachers other than those serving in a probationary capacity. Issues of professional competence are outside the scope of this procedure, and should be addressed through the *Procedures Relating to Professional Competence*.

Allegations in respect of child abuse as defined in the Child Protection Guidelines for Primary and Post-Primary Schools are dealt with in the first instance under those guidelines

Informal Stage

It is intended that problems relating to work and conduct are resolved, where possible, through informal means. To this end the Principal will discuss any unsatisfactory conduct with the teacher concerned and inform him/her of the



required improvements. The teacher will be given an opportunity to offer explanation and comment. Where an improvement might be effected without recourse to disciplinary action guidance will be provided as appropriate and due attention will be given to whether the shortcoming is due to personal, health or domestic circumstances. In such cases help and advice will be given where possible. The teacher will also be informed that unless the necessary improvement is made the matter may proceed to the formal disciplinary procedure

Where a teacher's work or conduct does not meet the required standards despite informal intervention as set out above the matter will be dealt with under the following disciplinary procedure.

Stage 1:

Verbal Warning

A formal disciplinary meeting with the teacher will be convened by the Principal. The teacher will be given at least five school days' written notice of the meeting. The notice should state the purpose of the meeting and the specific nature of the complaint together with any supporting documentation. The teacher concerned may be accompanied at any such meeting by his/her trade union representative or a work colleague.

At the meeting the teacher will be given an opportunity to respond and state his/her case fully and to challenge any evidence that is being relied upon for a decision. Having considered the response the Principal will decide on the appropriate action to be taken. Where it is decided that no action is warranted the teacher will be so informed in writing within

five school days. Where it is decided that disciplinary action at this stage is warranted the Principal will inform the teacher that he/she is being given a verbal warning. Where a verbal warning is given it should state clearly the improvement required and the timescale for improvement. The warning should inform the teacher that further disciplinary action may be considered if there is no sustained satisfactory improvement. The teacher will be advised of his/her right to appeal against the disciplinary action being taken and the appeal process

A copy of the verbal warning will be retained on the personnel file by the ETB and a copy will be given to the teacher. The verbal warning will be active for a period of 6 months and subject to satisfactory service will cease to have effect following the expiry of the 6 months period. The record will be removed from the file after the six months period subject to satisfactory improvement during the period.

There may however be occasions where an employee's work or conduct is satisfactory throughout the period the warning is in force only to lapse very soon thereafter. Where such a pattern emerges and there is evidence of an undermining of the disciplinary process, the employee's previous conduct and pattern of behaviour may be considered as a whole in a future disciplinary procedure.

Stage 2:

Written Warning

If, having received a verbal warning, the teacher's conduct is perceived by the Principal to be less than satisfactory in relation to that required at Stage 1 a meeting will be arranged between the teacher and the Principal and a senior officer nominated by the CEO.

The teacher will be given at least seven school days written notice of the meeting. The notice should state the purpose of the meeting and the specific nature of the complaint together with any supporting documentation. The teacher concerned may be accompanied at any such meeting by his/her trade union representative/s or a colleague/s subject to an overall maximum of two.

At the meeting the teacher should be given a clear statement of the areas/s where his or her conduct is perceived as unsatisfactory. The teacher will be given an opportunity to respond and state his/her case fully and to challenge any evidence that is being relied upon for a decision and be given an opportunity to respond. Having considered the response the Principal and the senior officer nominated by the CEO will decide on the appropriate action to be taken. Where it is decided that no action is warranted the teacher will be so informed in writing within five school days. Where it is decided that disciplinary action at this stage is warranted the teacher will be informed that he/she is being given a written warning. Where a written warning is given it should state clearly the improvement required and the timescale for improvement. The written warning should inform the teacher that further disciplinary action may be considered if there is no sustained satisfactory improvement. The teacher will be advised of his/her right to appeal against the disciplinary action being taken and the appeal process.

A copy of the written warning will be retained on the personnel file by the ETB and a copy will be given to the teacher. The written warning will be active for a period not exceeding 9 months and subject to satisfactory service will cease to have effect following the expiry of the 9

month period. The record will be removed from the file after the nine months period subject to satisfactory improvement during the period.


There may however be occasions where an employee's work or conduct is satisfactory throughout the period the warning is in force only to lapse very soon thereafter. Where such a pattern emerges and there is evidence of an undermining of the disciplinary process, the employee's previous conduct and pattern of behaviour may be considered as a whole in a future disciplinary procedure.

Stage 3:

Final Written Warning

If having received a written warning, the Principal perceives that the teacher's conduct remains less than satisfactory or there is an occurrence of a more serious offence a meeting will be arranged between the teacher and the Principal and a senior officer nominated by the CEO. The teacher should be given at least seven school days' written notice of the meeting. The notice should state the purpose of the meeting and the specific nature of the complaint together with any supporting documentation. The teacher concerned may be accompanied at any such meeting by his/her trade union representative/s or a colleague/s subject to a maximum of two

At the meeting the teacher should be given a clear statement of the areas/s where his or her conduct is perceived as unsatisfactory. The teacher will be given an opportunity to respond and state his/her case fully and to challenge any evidence that is being relied upon for a decision and be given an opportunity to respond. Having considered the response the Principal and the senior officer nominated by



the CEO will decide on the appropriate action to be taken. Where it is decided that no action is warranted the teacher will be so informed in writing within five school days. Where it is decided that disciplinary action at this stage is warranted the teacher will be informed that he/she is being given a final written warning. Where a final written warning is given it should state clearly the improvement required and the timescale for improvement. The final written warning should inform the teacher that further disciplinary action may be considered if there is no sustained satisfactory improvement. The teacher will be advised of his/her right to appeal against the disciplinary action being taken and the appeal process.

A copy of the final written warning will be retained on the personnel file by the ETB and a copy will be given to the teacher. The final written warning will be active for a period not exceeding 12 months and subject to satisfactory service will cease to have effect following the expiry of the 12 month period. The record will be removed from the file after the twelve month period subject to satisfactory improvement during the period.

Stage 4:

If it is perceived that the work or conduct has continued after the final written warning has issued or the work or conduct issue is of a serious nature a comprehensive report on the facts of the case will be prepared by the Principal and forwarded to the CEO/EO. A copy will be given to the teacher.

In accordance with the provisions of the Vocational Education Committee Amendment Act 2001 suspension and dismissal of staff are reserved functions. Consequently the following procedures will apply;

- 4.1 If the CEO/EO decides to proceed to a disciplinary process within his/her remit, the teacher will be provided with an opportunity to attend at a meeting with the CEO/EO accompanied by his/her trade union representative/s or a colleague subject to an overall maximum of two.

The teacher will be given at least 7 school days' notice of the meeting. The notice should state the purpose of the hearing and that fact that disciplinary action may be considered.

At the meeting the teacher will be given an opportunity to make his/her case in full and to challenge any evidence that is being relied upon for a decision.

Following the hearing the CEO/EO shall make his/her judgement on the matter. In formulating his/her judgement the CEO/EO will take account of the report from the Principal, any other evidence and the teacher's representation (if any) thereon.

The CEO/EO shall notify the teacher of his/her decision and any intended disciplinary action if that be the outcome of his/her deliberations. If it is decided to take disciplinary action, the CEO/EO may avail of any of the following range of sanctions:

- Final written censure
- deferral of an increment
- withdrawal of an increment or increments

Where disciplinary action is proposed the case will be reviewed by the CEO/EO within a specified time period to consider whether further disciplinary action, if any, is required

The CEO/EO will act reasonably in all cases when deciding on the appropriate disciplinary action. The nature of the disciplinary action should be proportionate to the work or conduct issue that has resulted in the sanction being imposed.

- 4.2 If the CEO/EO considers that the matter requires to be referred to the ETB, as a reserved function, he/she shall do so. The teacher will be provided with an opportunity to attend at a meeting of a sub-committee of the ETB accompanied by his/her trade union representative/s or a colleague subject to an overall maximum of two.

The teacher will be given at least 7 school days' notice of the meeting. The notice should state the purpose of the hearing and that fact that disciplinary action may be considered.

At the meeting the teacher will be given an opportunity to make his/her case in full and to challenge any evidence that is being relied upon for a decision.

Following the hearing the sub-committee of the ETB will make their report to the ETB. A copy of the report will be given to the teacher.

- 4.3 The ETB will consider the report. The teacher will be provided with an opportunity to attend at a meeting of the ETB accompanied by his/her trade union representative/s or a colleague subject to an overall maximum of two.

The teacher will be given at least 7 school days' notice of the meeting. The notice should state

the purpose of the hearing and that fact that disciplinary action may be considered.

At the meeting the teacher will be given an opportunity to make his/her case in full and to challenge any evidence that is being relied upon for a decision.

Following the hearing the ETB shall make its judgement on the matter. In formulating its judgement the ETB will take account of the report of the sub-committee of the ETB, any other evidence and the teacher's representation (if any) thereon. The ETB may decide

- to refer the matter to the CEO/EO
- to impose a disciplinary sanction.

In the event that the matter is referred to the CEO/EO the procedures set out in paragraph 4.1 above will apply.

The ETB shall notify the teacher of its decision and any intended disciplinary action if that be the outcome of its deliberations. If it is decided to take disciplinary action, the following range of sanctions may be availed of

- Suspension (for a limited period and/or specific purpose) with pay
- Suspension (for a limited period and/or specific purpose) without pay
- Suspension in accordance with the terms of the Vocational Education Acts (to be amended with the ETB legislation)

Where disciplinary action short of suspension in accordance with the terms of the Vocational Education Acts, now Education and Training Boards ACTs, is proposed the case



will be reviewed by the ETB within a specified time period to consider whether further disciplinary action, if any, is required.

The ETB will act reasonably in all cases when deciding on the appropriate disciplinary action. The nature of the disciplinary action should be proportionate to the work or conduct issue that has resulted in the sanction being imposed.

Gross Misconduct

In the cases of serious misconduct at work or a threat to health and safety to children or other personnel in the school the stages outlined above do not normally apply and a teacher may be dismissed without recourse to the previous stages.

The following are some examples of gross misconduct for which any or each of Stage 1 to 3 of the disciplinary procedure may not apply depending on the gravity of the alleged offence:

- Theft
- Deliberate damage to school property
- Fraud or deliberate falsification of documents
- Gross negligence or dereliction of duties
- Refusal to comply with legitimate instructions resulting in serious consequences
- Serious or persistent incapacity to perform duties due to being under the influence of alcohol, unprescribed drugs or misuse of prescribed medication.
- Serious breach of health & safety rules
- Serious abuse/misuse of the schools property/equipment
- Serious breaches of confidentiality

- Serious bullying, inappropriate behaviour, sexual harassment or harassment against an employee or customer, including students.
- Violent/disruptive behaviour
- Downloading/disseminating pornographic material from the internet
- Circulation of offensive, obscene or indecent e-mails or text messages.

Note: the above list is not exhaustive.

For the purposes of this section gross misconduct may also relate to an act which took place or allegedly took place outside the school where such act, or alleged act, gives rise to a serious concern on the part of the board of management in relation to the health and safety of students and/or staff of the school.

If there is an allegation of serious misconduct the teacher may be suspended on full pay pending an investigation and the conclusion of any appeal process.

In the course of investigation the teacher concerned has the right to have the allegations brought to his/her attention and he/she has the right to respond to all allegations. If the investigation upholds a case of serious misconduct the normal consequence will be dismissal.

Stage 5

Appeal

It will be open to the teacher to appeal against the proposed disciplinary action. In the case of sanctions being imposed at Stage 1 the appeal will be to the EO or other senior officer nominated by the CEO. In the case of sanctions imposed at Stages 2 and

3 of these procedures such an appeal will be to the CEO/EO . In the case of a sanction being imposed under stage 4 of the procedure an appeal will be to a disciplinary appeal panel appointed by the ETB as set out in Appendix A.

The procedures for appealing are as set out in Appendix A.

Notification to Department of Education and Skills and the Teaching Council

The CEO/EO will inform the Department of Education and Science of the nature of the disciplinary action and will comply with any requirements of the Teaching Council in accordance with the provisions of Section 37 of the Teaching Council Act 2001.

Appendix A

Teachers Disciplinary Appeal Panel

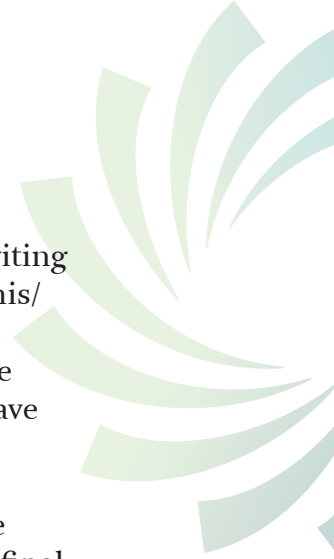
1. The ETB shall appoint a Teachers Disciplinary Appeal Panel which shall comprise;
 - An independent Chairperson from a panel nominated by the Minister for Education and Science
 - A representative of the recognised management body
 - A nominee of the relevant teacher union
2. No member shall be appointed to the Panel to consider a case referred to the Panel who has had any prior interest in or dealings with that particular case.

Appeal Process

3. A teacher may seek a review of disciplinary proceedings by the Panel on one or more of the following grounds:
 - i. the provisions of the agreed procedures were not adhered to
 - ii all the relevant facts were not ascertained
 - iii all the relevant facts were not considered or not considered in a reasonable manner
 - iv the teacher concerned was not afforded a reasonable opportunity to answer the allegation
 - v the teacher concerned could not be reasonably be expected to have understood that the behaviour alleged would attract disciplinary action
 - vi the sanction recommended is disproportionate to the underperformance or misconduct alleged
4. A teacher who has been notified that it has decided to take disciplinary action against him or her may, within 10 school days of receiving the notification of the decision, request in writing that the disciplinary proceedings be reviewed by the Panel.
5. If no such request is received from the teacher concerned within the period of ten school days the appropriate authority may proceed to implement the disciplinary action proposed.
6. Where a teacher requests that disciplinary proceedings be reviewed by the Panel the following submissions shall be made;
 - i a written statement by the teacher concerned of the grounds on which



- the review is being sought, to be furnished to the Panel and the employer within 10 school days of the submission of the request for an appeal referred to above.
 - ii a written counter statement by the employer, to be submitted to the Panel and the teacher concerned within 10 school days of the receipt by the employer of the teachers statement referred to above
 - iii any other submission which the Panel may request from the teacher concerned or the appropriate authority, to be furnished in such form and within such time as the Panel may specify in its request
7. The Panel may reject a request for a review of disciplinary proceedings where;
- i the teacher concerned fails to make a submission required under paragraph 6.i above within the prescribed time limit, or
 - ii the Panel, having considered any submissions made under paragraph 6.i. above , is of the opinion that the case made by the teacher concerned is frivolous, vexatious, or without substance or foundation.
8. Where a request is rejected by the Panel the employer may proceed in accordance with the terms of this procedure as though the request had not been made.
9. Where the Panel has decided to review the disciplinary procedures having considered the submissions it shall set a date for a hearing within 20 school days of receipt by the Panel of the request for an appeal.
10. The Panel may, at its sole discretion, invite any person to give evidence orally or in writing. The Panel shall consider and decide on any request from a party to the procedure to give evidence orally or in writing.
11. The teacher making the appeal is entitled, if he or she wishes, to make oral submissions to the Panel either in person or through a serving teacher, a wholtime official of the union holding recognition for his or her grade or other such person as the Panel agrees may be present for that purpose.
12. Where the Panel meets for the purpose of taking oral evidence or hearing oral submissions the following are entitled to be present;
- i the teacher concerned
 - ii any person in accordance with paragraph 11 above who is entitled to make submissions on behalf of the officer concerned
 - iii The CEO/EO and the Chair (or nominee) of the ETB
 - iv any other person whom the Panel agrees may be present
13. Proceedings before the Panel shall be informal
14. Having made such enquiries as it considers necessary and having considered any submissions made or evidence given the Panel shall form an opinion as to whether or not grounds for a review of the case have been established and shall issue its opinion within ten school days of the hearing to the CEO/EO or ETB as appropriate, the teacher concerned and their representative.

- 
15. Where that opinion is to the effect that such a case has been established by the officer concerned, the Panel may, at its sole discretion, recommend to the CEO/EO or ETB as appropriate that;
 - i no further action should be taken in the matter, or
 - ii the disciplinary action decided by the CEO/EO or ETB as appropriate should be amended in a specified manner, or
 - iii the case should be re-considered by the CEO/EO or ETB as appropriate to remedy a specified deficiency in the disciplinary procedures (in which event the provisions of this Code shall continue to apply)
 16. Where that opinion is to the effect that such a case has not been established the CEO/EO or ETB as appropriate will proceed with the disciplinary action.
 17. A decision to take disciplinary action should be notified in writing to the teacher concerned and his/her representative. Where no further action is to be taken the allegation will be deemed to have been withdrawn.
 18. Subject to the provisions of the Vocational Education Acts the final decision in respect of an appeal panel recommendation rests with the CEO/EO or ETB as appropriate which shall set out in writing the basis for the decision.

MANAGEMENT GUIDE

PROBATION MANAGEMENT FOR NEW TEACHERS

PROBATION MANAGEMENT FORMS AN INTEGRAL PART OF THE KILDARE AND WICKLOW ETB POLICY ON THE INDUCTION OF NEW TEACHERS.

Probationary period extends the recruitment, selection and induction process, by establishing a specified time period for evaluating a new employee's performance, behaviour, attitudes and work habits. It is the final and most important phase of the selection process.

All Principals / Managers must take particular care to ensure that all new staff members are clear on what is expected of them and that they receive regular feedback on their performance and supports where required.

All Principals / Managers must ensure that the probationary management system is administered fairly, structured properly and applied consistently.

The purpose of the probationary period:

- To allow the new employee to train up to his/her new role, understand the organisation & culture and assess his/her own suitability for the job/organisation, and to seek further supports if required.
- To allow the employer to assess performance, to offer orientation, training support and mentoring if required.

Contractual Obligation & Communication

The probation clause must be correctly stated in all contracts of employment. It must make provision for a probation period and also a process for performance management if probation is not running satisfactorily. The Probation System should also be outlined in the induction process and a copy of the form made available to new staff.

Total probation period should not extend beyond 12 months unless in exceptional situations where there is a serious performance issue that has been addressed during the first 12 months of employment. **Note** – if a teacher starts in November, then they are on probation until the following November.

All employees will be advised at the outset of employment that their employment is subject to probationary period. The Principal/Manager who will be performing the review should issue dates of review to the new employee. All new employees should have at least two reviews with their Manager/Principal

It is important that a new employee is fully supported during his/her first few months of employment – this is usually through the provision of a good mentoring scheme, information, induction and other training supports.

The length of Probation Period.

The first period of review should be after the first three months of employment. The second period of review should be after six months of employment.

Taking consideration of the Unfair Dismissals Legislation, probation period should not be longer than a maximum of 12 months. This is inclusive of review periods.

If there are performance issues it is important that the teacher is well aware of all the issues at hand and has had an opportunity to respond and constructively discuss, agree and act on the areas for improvement.

Where there are established areas for improvement every attempt to support and assist the teacher in correcting poor performance must be made.

Suspension of Probation

Should an employee go on approved leave eg. Maternity leave. The probation period should be put **on hold** until the person returns to employment. The employee should be notified of this situation, in writing, prior to the commencement of their leave. They should be advised on the new dates of duration of the probation.

Management of Probation Period.

The actual probation meeting should be a two-way forum. The meeting should review the employee's knowledge, performance, areas of exceptional standard and any shortfalls. The meeting should also focus on the employee's perception of their first few months and where the organisation can offer more supports and better induction systems.

The employee should have a copy of the probation review form before hand and should be encouraged to do a self-evaluation and bring this to the meeting to support discussion.

If performance is not satisfactory:

Areas for improvement should be indicated, discussed and agreed at the first meeting. The Principal/Manager, in certain cases, should consider offering advice, further mentoring, training, support, in class supports and perhaps supportive counselling.

Another review meeting should be pre-arranged, with areas for improvement / discussion highlighted. At all times the employee must be fully aware of why further meetings are arranged.

A letter advising the employee of the next probation meeting and the areas for review should be sent to the teacher. This should also refer to the probation clause in the contract of employment. If the teacher wishes he/she can bring a friend/colleague to further meetings for their own support.

Records of all meetings should be kept so an accurate account of the employee's progress is maintained. This would include completed forms, notes of all conversations, agreements and supports.

IF THERE IS NO SUSTAINED IMPROVEMENT IN PERFORMANCE:

If a person's probation period is clearly not satisfactory and there is a view that the Principal/Manager will recommend to the CEO that the contract is not renewed. Prior to making such a recommendation it is important to note that the employee must be afforded due and fair process.

If no renewal of contract becomes necessary employees should be invited to a final / performance meeting to discuss their poor performance or conduct as needs be. They should be advised of their right to representation/witness and also be aware of the possible outcome of the meeting. All the relevant facts must be considered, especially all representations made by the employee. The Principal/Manager should ensure in ALL cases to seek advice from a senior HR Official prior to any action being taken. The Principal/Manager may have the support of a HR Officer at all such meetings. The Principal should forward all documentation to the HR Official and the CEO recommending non-renewal of contract. The CEO will have the final decision.

Non renewal of contracts will normally be for:

- deficiency in work performance
- negative attitude and non cooperation
- not suitable; does not fit to the School /ETB culture, beliefs and expectations.
- Child protection / Health and safety matters

Expectations of all staff are clearly outlined in KWETB Code of Professional Conduct

All the above must be factually substantiated; this is very important.

Relevant pieces of Legislation:

The Unfair Dismissals Acts 1977–2001
Industrial Relations Acts 1976–1990
Minimum Notice and Terms of Employment Act 1973–1991
Employment Equality Act 1998-2004
& Natural Justice under Common Law

The Probation Model:

Each Principal/Manager(s) should decide –

1. What standards of performance and professionalism they expect based on the policies of the school and KWETB
2. What areas of performance are to be measured/managed during the probation period? Do they wish to add in further criteria to the probation review form?

Some of the Key areas that can be examined are:

- **Punctuality**

A lack of good punctuality calls into question the reliability of the probationer and can affect the smooth running of the school/centre. It can indicate a lack of awareness of consequence and a low sense of responsibility – it can also highlight an inability to prioritise time.

If there is a problem, every effort should be made to identify what is the source of the problem and whether it can be resolved.

- **Absenteeism**

It is important for managers to determine the pattern of absenteeism by an employee at a very early stage, to identify possible causes and to devise a measured response. Absenteeism causes significant disruption to all concerned, student, school/centre management and colleagues. (Poor attendance, regular unauthorised absences, can reflect a poor attitude to workplace and may indicate that the employee is unmotivated or unsuitable for the work)

- **Note:** For both of the above, records must be used, they should be factual and not up for question. KW ETB Head Office will maintain records and trend analysis.

- **Ability to do the job**
Is the teacher/employee displaying their expertise and knowledge. Is the employee competent and progressing the syllabus and managing discipline and class activity? Is the teacher prepared for class, communicating with students effectively and supporting student learning and progression?
- **Professionalism**
Is the employee displaying a high degree of professionalism in their approach to work, their behaviour and general conduct. Is the employee complying with the Code of Professional Conduct as laid down by Kildare and Wicklow ETB
- **Attitude**
Is the employee displaying a good attitude to work, students, colleagues, management, parents and the school /centre itself? This is an important question as it not only highlights the employees ability to do the tasks for their job but also their ability to integrate and get involved in a positive way with team work. It will also highlight issues of authority, the ability to follow directions and take advice. If the employee is overly negative about the organisation this will affect the feeling both internally and externally on the organisation. It will have a direct effect on students, colleagues, parents and school management.

Example of the Internal Process:

1. All new teachers will receive notice in the Employee Handbook, Contract and/or induction to inform them that they are on a probationary period, are due to have a minimum of two review meetings with their Principal/Manager. A copy of the general review form will be issued to them for review and preparation for their meeting. This letter will issue in September each year.
2. A copy of the letter will be sent to all Principals/Managers.
3. The Principal/Manager should contact the teacher and arrange a time, date and location for review.
4. All Teachers and Principals/Managers are free to receive more information on the performance review process prior to the performance review from the HR department.
5. If the probation review is successful a copy of the completed form should be sent to the HR department for Personnel File.

6. If the probation review is not successful, the teacher must be made fully aware of the areas of improvement; another meeting time must be set.
7. The Principal/Manager may need to arrange certain supports to assist the teacher in correcting poor performance. This should be done promptly.
8. HR will support the Principal/Manager in drafting letters or reports that are to be issued to the Teacher.
9. Copies of all documents should be sent to HR for Personnel File.
10. If there is still no improvement at the second review meeting, the situation must be dealt with on a case-by-case basis and all action should be taken in conjunction with the HR Department. .

Progress Report – First Review Meeting

School/Centre _____

Teacher _____

Subject(s) _____

	<u>Excellent :</u>			<u>Satisfactory</u>	<u>Satisfactory</u>	<u>Needs Improvement</u>	<u>N/A</u>	<u>Comment</u>
Attendance/Punctuality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Class Discipline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Classroom Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
- Preparation								
- Planning								
- Organisation								
- Record Keeping								
- Quality of the Teaching	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
- Ability of the teacher	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
- Methodology_	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Interactions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
- Students								
- Staff								
- Parents								
- Management								
- Community								
Cooperation/Team Work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	

Excellent: Very Satisfactory Satisfactory Needs Improvement N/A Comment

Other (Please Specify)

☐☐☐☐☐

☐☐☐☐☐

☐☐☐☐☐

Overall Performance

Where has the teacher displayed strength?

The following areas for improvement and more focus have been agreed:

Date of the Next Review Meeting:

Overall Comment from Principal/Manager

Your next Review Meeting is due on the:

Overall Comment from Teacher

Signature of Principal/Manager:

Date:

Signature of Teacher

Date:

**-----
Received and posted on personnel file: Date:**

Progress Report – Second Review Meeting

School/Centre _____

Teacher _____

Subject(s) _____

	Excellent	Very Satisfactory	Satisfactory	Needs Improvement	N/A	Comment
Attendance/Punctuality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Class Discipline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Classroom Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
- Preparation						
- Planning						
- Organisation						
- Record Keeping						
- Quality of the Teaching	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
- Ability of the teacher	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
- Methodology_	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Interactions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
- Students						
- Staff						
- Parents						
- Management						
- Community						
Cooperation/Team Work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	<u>Excellent</u>	Very Satisfactory	Satisfactory	Needs Improvement	N/A	Comment
Other (Please Specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Overall Performance						
Overall performance and progression since last review						

I am recommending a further probation review meeting: The following key areas need more focus and improvement:

- ◆
- ◆
- ◆
- ◆
- ◆

The following supports will be put in place to assist the teacher:

- ◆
- ◆
- ◆
- ◆
- ◆
- ◆

Signature of Principal / Centre Manager:	Date:
Probationary period is satisfactory and I am recommending employment with Kildare and Wicklow ETB	
Signature of Principal/Manager:	Date:
<u>Comment from Teacher</u>	
Signed (Teacher)	Date: