

Redeployment Scheme for Post Primary Qualified Teachers Surplus to Requirements in Consequence of School Closure

Context

Under the terms of *Towards 2016* the parties have recognised that the effective use of resources is essential for the provision of high quality public services and that in relation to how teachers are allocated to schools effective and efficient arrangements for the redeployment of teachers are essential to deal with situations where teachers are surplus to the requirements of individual schools. In that context the parties agreed to enter into discussions to agree new arrangements in relation to the redeployment of teachers so that the arrangements can operate in respect of the 2007/2008 school year.

The parties subsequently agreed that discussions as set out in *Towards 2016* would take place in a sequenced manner and that the first issue to be discussed are the arrangements that will apply in the case of school closure. The parties were particularly mindful that a number of schools were due to close in 2006/2007. It was agreed that the first set of discussions are without prejudice to the subsequent discussions.

The Agreement

The following arrangements have been agreed by the parties in relation to all recognised second level schools and will apply to qualified permanent and CID post primary teachers who are comprehended by the Teachers Conciliation Scheme and who are surplus to requirement in consequence of school closures.

The arrangements are designed to give such teachers maximum choice and options of alternative employment provided vacancies exist. The arrangements supersede all previous agreements in relation to school closures or redeployment/transfer associated with school closure.

- 1 Following consultation with the parties, the Minister will appoint a Director of the Redeployment Scheme who will be charged with implementing the scheme in accordance with the terms of this agreement. Each management body and teacher union may appoint an advisor to the Director. These advisors will be available to the Director for consultation purposes at his/her discretion.

All recognised second level schools, or where appropriate their respective VECs, where required by the terms of the scheme, must notify all applicable vacancies in the school to the Director of the Redeployment Scheme. It shall be a condition of the subsequent filling of such a vacancy that it was notified to the Director as soon as it arises and as part of this process. No appointment shall be made without the express written authority of the Director.

2. The applicable vacancies for the purposes of the Redeployment Scheme are:
 - All permanent vacancies in whole or part posts *
 - All new temporary vacancies (other than substitute vacancies in consequence of career breaks, secondments, job-sharing, sick leave and maternity leave) in whole or part posts
 - posts which are required to be re-advertised due to the absence of a suitably qualified teacher
 - temporary posts (other than substitute vacancies in consequence of career breaks, secondments, job-sharing, sick leave and maternity leave) where the post is expected to continue and where the serving teacher in that post is in their first year of service.

- * The parties will review the position of the CID holders on less than full hours in a receiving school in the context of the ongoing discussions on the implementation of the Protection of Employees (Fixed Term Work) Act 2003

3. In the case of each post or part of a post coming within the scope of the Redeployment Scheme, the school authority, or VEC as appropriate, will identify the reason for the proposed appointment and indicate its subject/programme preferences for the filling of the post. The Director may require a school or VEC to disclose any further information he/she considers necessary for the effective operation of the scheme.
4. The school authorities of schools that are closing will notify the Director of the details of those teachers who are to be redeployed to another school.
5. The Director will draw up a panel of teachers to be redeployed.
6. In all cases the Director may assign a teacher to a school within a maximum radius of 50 kilometres from his/her existing school or where the teacher so requests from his/her place of residence.
7. The Director will, to the greatest extent possible, seek to match a surplus teacher to a vacancy having regard to the curricular needs of the school and that surplus teacher's qualifications and previous teaching experience.

8. In the case of a teacher within the Community and Comprehensive School sector, the Director will assign that teacher to that post which, in the opinion of the Director, is most appropriate having regard to:

- the curricular needs of the school
- the teacher's preference where more than one post exists
- the desirability to take account of a teacher's prior teaching experience and qualifications
- travelling time for the teacher
- any other factor deemed relevant by the Director

9. (a) In the case of a teacher within the Voluntary Secondary School sector, the Director will, in the first instance and where practicable, assign that teacher to that post in the Secondary School sector which is most appropriate having regard to:

- the curricular needs of the school
- the teacher's preference where more than one post exists
- the desirability to take account of a teacher's prior teaching experience and previous schools
- travelling time for the teacher
- any other factor deemed relevant by the Director

(b) In the event that, in the opinion of the Director, no such post exists in the Voluntary Secondary School sector, then the Director will assign the teacher to a post in the Community and Comprehensive School sector or the Vocational Education Committee sector having regard to:

- the curricular needs of the school
- the teacher's preference where more than one post exists
- the desirability to take account of a teacher's prior teaching experience and previous schools
- travelling time for the teacher
- any other factor deemed relevant by the Director

10. (a) In the case of a teacher within the Vocational Education Committee sector, and in the event of a suitable vacancy not being available within that particular VEC scheme in the first instance the Director will, where practicable, assign the teacher to that post in the Vocational Education Committee sector which is most appropriate having regard to:

- the curricular needs of the school
- the teacher's preference where more than one post exists
- the desirability to take account of a teacher's prior teaching experience and previous schools
- travelling time for the teacher
- any other factor deemed relevant by the Director

(b) In the event that, in the opinion of the Director, no such post exists in the Vocational Education Committee sector, then the Director will assign the teacher to a post in the Community and Comprehensive School sector or the Secondary School sector having regard to:

- the curricular needs of the school
- the teacher's preference where more than one post exists
- the desirability to take account of a teacher's prior teaching experience and previous schools
- travelling time for the teacher
- any other factor deemed relevant by the Director

11. In reaching decisions in relation to redeployment the Director will take account of the overall impact of redeployment at individual school level and the desirability of ensuring, as far as possible, that no individual school is required to absorb, either in one year or over a period of years, a disproportionately large number of redeployed teachers relative to the number of its vacancies. In addition, in any given 4 year period, the Director will ensure that no more than 50% of a school's available vacancies are filled through the redeployment scheme.
12. Having due regard to the sequencing arrangements and other factors outlined in this document, where the Director cannot readily match a teacher to a post, he/she may, at his/her absolute discretion, assign the teacher to that school whose curricular needs, in the opinion of the Director, most closely match the teacher's qualifications and teaching experience. Where in consequence of a redeployment decision a school has a residual curricular need it is open to that school to apply through the curricular concession process in the normal way.
13. The Director will satisfy him/her self that the teacher being redeployed will respect the ethos of the school to which he/she is being assigned and the teacher will agree to respect the ethos of the school in question.
14. The assignments made by the Director will be binding on all parties and the teacher will become a member of the teaching staff of the receiving school and an employee of the board of management or VEC as appropriate, and, subject to the terms of paragraph 15, be governed by the terms and conditions applicable to that sector.
15. Teachers redeployed in consequence of these arrangements will transfer their reckonable teaching service for promotion purposes in the closing school to the receiving school and this service will be reckonable for promotion purposes in the receiving school. This is subject to one exception that a teacher being redeployed from a closing voluntary secondary school to a receiving voluntary secondary school will not transfer reckonable teaching service for promotion purposes.

16. All post-holders (including Principals and Deputy Principals) will retain their posts of responsibility allowance on a personal basis on redeployment and will not impact on the receiving school's entitlements to posts of responsibility on the agreed schedule for a period of seven years. Posts at the level of Principal and Deputy Principal will not, however, fall to be filled from this scheme. Post-holders will be required to carry out in-school management duties in the receiving school in line with the needs of that school.
17. It will be open to the parties at the behest of a redeployed teacher or a receiving school to seek a review of a redeployment decision by the Director by 31st March of the year after redeployment took place. In conducting this review the Director will consider the extent to which the terms of the scheme were met and any other relevant factors raised by the parties. The Director may at his/her absolute discretion either confirm the original redeployment or put in place a revised redeployment within the terms of the scheme.
18. The parties will endeavour to ensure that the processes of allocation and redeployment will operate in an efficient and timely manner with maximum notification of timeframes on an annual basis.
19. This scheme may be reviewed at the request of either party and is without prejudice to the outcome of further discussions required under *Towards 2016* or any successor to that agreement.