**OUTCOME OF DEPARTMENT OF EDUCATION AND SKILLS, INTO AND TUI DISCUSSIONS – 29 NOVEMBER 2016**

Discussions in November 2016, facilitated by the Chair of the Teachers’ Conciliation Council and involving the staff side unions (ASTI, TUI, INTO), the Department of Education and Skills and the Department of Public Expenditure and Reform led to agreement on the issues set out below.   
  
Discussions had previously taken place between the Department of Education and Skills, the Department of Public Expenditure and Reform, the TUI and the INTO which resulted in the agreement on ‘New Entrant Pay and Related Commitments, 16 Sept 2016’.  In addition, the implementation of the DES/TUI Agreement, May 2016 is ongoing.

**Supervision and Substitution Scheme**

Opt-Out

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

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

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

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

Opt-In

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

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

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

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

**Fixed-Term and Part-Time Employment**

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

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

**Pay Measures for New Entrant Teachers**

INTO and TUI negotiated a document with the Department of Education and Skills and Department of Public Expenditure and Reform titled “Agreement New Entrant Pay Issue and Related Commitments, 16 September 2016”. The pay measures set out in that document are replicated in the document under consideration by ASTI. As provided for in the September 16th document, the issue of the H.Dip allowance has already been tabled at the TCC on 18 October 2016.

**Partial Sick Leave Absences**

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

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

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

**Teacher Wellbeing**

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

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

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

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

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

The following improved services will be introduced immediately:

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

**Junior Cycle**

The new Junior Cycle programme is being implemented following agreements reached in May and July 2015. A statement of assurances has been provided by the Department of Education and Skills in respect of concerns raised by ASTI (see document titled “Junior Cycle – Statement of Assurances 29 November 2016 – Department of Education and Skills & Association of Secondary Teachers Ireland”). These assurances are in line with assurances provided in direct discussion with the TUI and at the regular meetings of the Implementation Committee established under the Agreements.

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

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

1. It should be noted that opting for this arrangement will have the effect of reducing the teacher’s retirement lump sum and pension following his/her retirement. [↑](#footnote-ref-1)