



Circular 0045/2016

**To: The Managerial Authorities of Recognised Secondary,
Community and Comprehensive Schools
and
the Chief Executives of Education and Training Boards**

**Public Service Stability Agreement 2013 – 2018 (Haddington Road Agreement/
Lansdowne Road Agreement) and the Financial Emergency Measures in the
Public Interest Acts 2013 and 2015**

Teachers

SECTION 1 – INTRODUCTION

1. The purpose of this Circular is to notify Managerial Authorities, Education and Training Boards and teachers of the changes to the salaries of teachers and other measures. These changes arise from the Public Service Stability Agreement 2013 – 2018 (Haddington Road Agreement/ Lansdowne Road Agreement) and the Financial Emergency Measures in the Public Interest Acts 2013 and 2015.

Application of the Lansdowne Road Agreement and the Financial Emergency Measures in the Public Interest Acts 2013 and 2015

2. For the purposes of the initial implementation of this Circular, the general position in relation to union representation in the second level sector is taken to be as follows:

Sector	Union Representation
Voluntary Secondary Sector	ASTI
Education and Training Board Sector (excluding Designated Community Colleges)	TUI
Designated Community Colleges	TUI and ASTI
Community and Comprehensive Schools	TUI and ASTI

3. While the above is not definitive and certain issues of dual representation require further consideration, it provides an initial basis for the implementation of the Lansdowne Road Agreement. It is stressed however, that the application of the Lansdowne Road Agreement is entirely conditional upon adherence to its terms by the teachers to whom it is applied.
4. Under Data Protection legislation, the Department of Education and Skills/Education and Training Boards cannot routinely use information held on the payroll systems in regard to an individual teacher's trade union membership for the purposes of application or non-application of the Lansdowne Road Agreement in respect of that individual teacher.
5. Having regard to the above and the terms of the Financial Emergency legislation, the Lansdowne Road Agreement as set out in Section 2 of this Circular will apply to teachers employed in Education and Training Board schools and centres (apart from Designated Community Colleges).
6. The Financial Emergency Measures in the Public Interest Act 2013 and 2015 as set out in Section 3 of this Circular will apply to teachers employed in Voluntary Secondary schools. Recognising the fact that TUI has accepted the Lansdowne Road Agreement and that members of TUI are entitled to the benefits and protections associated with the Agreement, the position of TUI members in Voluntary Secondary schools will be the subject of further guidance and a further clarification will issue shortly in relation to such teachers.
7. The Lansdowne Road Agreement as set out in Section 2 of this Circular will apply to teachers employed in Designated Community Colleges and Community and Comprehensive Schools who are TUI members. The Financial Emergency Measures in the Public Interest Act 2013 and 2015 as set out in Section 3 of this Circular will apply to all other teachers employed in such schools.

TUI members who are employed in Designated Community Colleges:

TUI members who are employed in Designated Community Colleges should complete the form at Appendix 1 and submit the form by post to the Payroll section of their employer Education and Training Board by **5pm on Tuesday 13 September 2016**, to enable the payroll adjustments under the Agreement to be implemented in respect of their salary. Teachers should retain a copy of the completed and signed form.

TUI members who are employed in Community and Comprehensive Schools:

TUI members who are employed in Community and Comprehensive Schools should complete the form at Appendix 1 and submit it to the Principal of their school, who will then enter the information on the Online Claims System. **The deadline for submission of information on the OLCS is 5pm on Tuesday 13 September 2016.** Accordingly, TUI member teachers should submit the completed form to the Principal in time to allow the information to be inputted onto the OLCS by this deadline. Teachers should retain a copy of the completed and signed form.

Circulation

8. Please ensure that copies of this Circular are provided to all members of the Board of Management/ Education and Training Board and its contents are brought to the attention of all teachers in your employment including those on leave of absence.
9. This Circular can be accessed on the Department's website under <http://www.education.ie>.
10. Queries in relation to this Circular should be addressed to LRAQueries@education.gov.ie

Philip Crosby
External Staff Relations
14 July 2016

Padraig Maloney
Payroll Division
14 July 2016

SECTION 2 – THE LANSDOWNE ROAD AGREEMENT

11. This section applies to teachers employed in Education and Training Boards schools (apart from Designated Community Colleges). This section also applies to teachers employed in Designated Community Colleges and Community and Comprehensive Schools who are TUI members.

Inclusion of S&S Moiety in the Teacher Pay Scales with effect from 1 September 2016

12. Under the Haddington Road Agreement and as stated in Circular 6/2014, participation in the Supervision and Substitution scheme is compulsory for all teachers, save for those who availed of the opt-out arrangement.
13. A gross additional payment of €1,592 will be included in the Common Basic Scale for teachers in two moieties - half on 1 September 2016 and half on 1 September 2017.
14. Increased pay scales for teachers covered by the Lansdowne Road Agreement, which include the €796 increase with effect from 1 September 2016, are attached at Appendix 2. Increased casual hourly part-time rates with effect from 1 September 2016 are attached at Appendix 3.

Continued Alleviation and Restoration of the FEMPI Act 2013 Pay Reductions

15. The Financial Emergency Measures in the Public Interest Act 2013 imposed pay reductions on public servants on salaries of €65,000 or greater. As set out in Circular 5/2014, alleviation measures apply in the case of teachers who lose pensionable salary both through the FEMPI Act 2013 pay reduction and the withdrawal of the Supervision and Substitution allowance under the Haddington Road Agreement. The net effect was that the FEMPI Act 2013 pay reduction for higher earners was reduced by up to €1,769 per teacher. For teachers covered by the Lansdowne Road Agreement, these alleviation measures will continue until the restoration of the pay reductions.
16. The FEMPI Act 2013 pay reductions for higher earners will be restored in two stages. The first half of the reduction will be restored on 1 April 2017. The second half of the reduction will be restored on 1 January 2018. Specific directions in relation to this restoration will be issued by the Department closer to the time of its implementation.

Expiry of Increment Measures

17. As previously notified in Circular 0030/2016, no increment deferrals are provided for under the terms of the Lansdowne Road Agreement. No increment will be deferred beyond 1 July 2017 as a result of the increment measures contained in the Haddington Road Agreement. Increment dates revised by the operation of the Haddington Road Agreement will remain in place.

Continuation of Improved CID Arrangements introduced under the Ward Report

18. Circular 0024/2015 introduced improved CID arrangements for teachers following the report of the Expert Group on Fixed-Term and Part-Time Employment in Teaching established under the Haddington Road Agreement (the Ward Report).
19. Circular 0024/2015 will continue to apply in respect of teachers covered by the Lansdowne Road Agreement.

Protection against Compulsory Redundancy

20. The Lansdowne Road Agreement continues the Government's commitment that compulsory redundancy will not apply in the public service, save where existing exit provisions apply.

Croke Park Hours – Increase in time available for planning and development work on other than a whole-school basis and review of usage

21. With effect from the beginning of the 2016/17 school year, an amount of time up to but not in excess of 8 hours (of the 33 hours) will be available for planning and development work on other than a whole-school basis and as approved by management.
22. With effect from the beginning of the 2017/18 school year, an amount of time up to but not in excess of 10 hours (of the 33 hours) will be available for planning and development work on other than a whole-school basis and as approved by management.
23. The terms of Circular 0043/2014 will continue to apply in respect of the usage of the time quantum provided for in paragraphs 21 and 22 above.
24. A review of the usage of the Croke Park hours will commence immediately and will conclude so that any changes agreed can be implemented as soon as practicable but no later than the commencement of the 2017/18 school year.
25. The review will take place within the context that that the central purpose of the additional time is to provide for essential activities such as parent-teacher meetings and school planning to take place without reducing class contact/tuition time. The review will have regard to teacher professional judgement, system and school requirements and experience to date of best practice in the utilisation of the hours. Drawing on good practice, the review will make recommendations to optimise the most professional and valuable usage of the additional hours by teachers.

SECTION 3 – THE FINANCIAL EMERGENCY MEASURES IN THE PUBLIC INTEREST ACTS 2013 AND 2015

26. This section applies to teachers employed in Voluntary Secondary schools. This section also applies to teachers employed in Designated Community Colleges and Community and Comprehensive Schools who are not TUI members.

Suspension of Incremental Progression

27. Incremental progression for teachers not covered by the Lansdowne Road Agreement is suspended from 11 July 2016 until 30 June 2018.

Non-inclusion of S&S Moiety in the Teacher Pay Scales with effect from 1 September 2016

28. Teachers not covered by the Lansdowne Road Agreement will not receive the S&S moiety of €796 on 1 September 2016. Such teachers will continue to be paid at the existing pay scales as set out in Appendix 2 of this Circular.
29. Where a teacher not covered by the Lansdowne Road Agreement is in receipt of the non-casual, personal hourly part-time rate, this rate will continue to be based on the existing pay scales set out at Appendix 2 (i.e. without the inclusion of the S&S moiety of €796 on 1 September 2016).
30. The casual hourly part-time rates to apply from 1 September 2016 are set out at Appendix 3 of this Circular.

Withdrawal of Alleviation of the FEMPI Act 2013 Pay Reductions

31. The Financial Emergency Measures in the Public Interest Act 2013 imposed pay reductions on public servants on salaries of €65,000 or greater. As set out in Circular 5/2014, alleviation measures were applied in the case of teachers who lost pensionable salary both through the FEMPI Act 2013 pay reduction and the withdrawal of the Supervision and Substitution allowance under the Haddington Road Agreement. The net effect was that the FEMPI Act pay reduction for higher earners was reduced by up to €1,769 per teacher.
32. For teachers not covered by the Lansdowne Road Agreement, this alleviation will cease with effect from 1 September 2016 and the FEMPI Act 2013 pay reductions will be applied in full from that date.

Croke Park Hours

33. For teachers who are not covered by the Lansdowne Road Agreement, the arrangements set out in Circular 0043/2014 will no longer apply and therefore the provisions of Circular 25/2011 will apply in full.

34. Teachers who are not covered by the Lansdowne Road Agreement will not benefit from any measures introduced following the review of usage of the Croke Park hours which will take place in the 2016/17 school year.

Withdrawal of Improved CID Arrangements introduced under the Ward Report

35. Circular 0024/2015 introduced improved CID arrangements for teachers following the report of the Expert Group on Fixed-Term and Part-Time Employment in Teaching established under the Haddington Road Agreement (the Ward Report).
36. Circular 0024/2015 is withdrawn with immediate effect in respect of teachers not covered by the Lansdowne Road Agreement. CID arrangements for teachers not covered by the Lansdowne Road Agreement will revert to the arrangements contained in Circular 34/2009 e.g.
- A teacher must have in excess of 4 years continuous service before becoming eligible to be considered for a CID;
 - A teacher with a part-time CID must hold additional hours for in excess of 4 continuous years before becoming eligible to have those hours considered for inclusion in their CID;
 - The fact that a teacher is employed to cover the absence of another teacher on career break or secondment will resume as objective grounds for refusing a CID;
 - Access to the CID Adjudication system will only be available to teachers who have in excess of 4 years continuous service.

Full details of the applicable arrangements are set out in Circular 34/2009.

Withdrawal of Protection against Compulsory Redundancy and Redeployment Schemes

37. Teachers who are not covered by the Lansdowne Road Agreement are not protected against compulsory redundancy. Where a school is closing or has teachers in employment surplus to its overall allocation or surplus in specific subjects, the current redeployment arrangements will not apply to teachers not covered by the Lansdowne Road Agreement. Redundancy will instead apply to such teachers.

Withdrawal of Enhanced Redundancy Payments where a Teacher is made Redundant

38. Under a collective agreement, public servants within the education and training sector who are made redundant are entitled to an *ex gratia* payment of up to 3 weeks pay per year of service in addition to their statutory redundancy entitlements. This collective agreement will no longer apply to teachers who are not covered by the Lansdowne Road Agreement. Such teachers will instead receive statutory entitlements only in the event of redundancy.

APPENDIX 1

LRA TEACHER CONSENT FORM - CIRCULAR 0045/2016

To be completed by teachers employed in Designated Community Colleges and Community and Comprehensive Schools who are TUI members.

Name	
PPSN	
Teacher Payroll Number (not Teaching Council registration number)	
School	
School Address	
School Roll Number	

I confirm that I am a member of the TUI and I hereby consent to this data and data relating to my union affiliation in the payroll systems of the Department of Education and Skills or my employer Education and Training Board being used for the purposes of determining application of the Lansdowne Road Agreement in my case, in accordance with the relevant provisions of Circular 0045/2016.

Signature: _____

Date: _____

Designated Community Colleges: Teachers who are TUI members and are employed in Designated Community Colleges should complete this form and submit it by post to the Payroll section of their employer Education and Training Board by **5pm on Tuesday 13 September 2016**.

Community and Comprehensive Schools: Teachers who are TUI members and are employed in Community and Comprehensive Schools should complete this form and submit it to the Principal of their school, who will then enter the information on the Online Claims System. **The deadline for submission of information on the OLCS is 5pm on Tuesday 13 September 2016.** Accordingly, you should submit the completed form to the Principal in time to allow the information to be inputted onto the OLCS by this deadline.

You should retain a copy of the completed and signed form.

Early submission of this form will assist in enabling the Department of Education and Skills/ Education and Training Board to implement the adjustments to your salary under the Lansdowne Road Agreement at the earliest possible date.

APPENDIX 2

- (a) Revised incremental salary scale for teachers covered by the Lansdowne Road Agreement who **entered teaching before 1 February 2012**, to apply with effect from 1 September 2016. Qualification allowances continue to be paid to this cohort of teachers as appropriate.

Existing scale		
(continues for teachers covered by FEMPI Acts i.e. <u>not</u> covered by the Lansdowne Road Agreement)		
Appointed prior to 1 January 2011		Appointed between 1 January 2011 and 31 January 2012
Point	€	Point
	28,092	1
	29,549	2
1	31,213	3
2	31,972	4
3	33,041	5
4	34,113	6
5	35,775	7
6	36,853	8
7	37,929	9
8	40,640	10
9	41,994	11
10	43,612	12
11	45,222	13
12	46,844	14

Revised scale from 1 September 2016		
(applies <u>only</u> to teachers covered by the Lansdowne Road Agreement)		
Appointed prior to 1 January 2011		Appointed between 1 January 2011 and 31 January 2012
Point	€	Point
	28,888	1
	30,345	2
1	32,009	3
2	32,768	4
3	33,837	5
4	34,909	6
5	36,571	7
6	37,649	8
7	38,725	9
8	41,436	10
9	42,790	11
10	44,408	12
11	46,018	13
12	47,640	14

13	48,200	15
14	49,996	16
15	49,996	17
16	49,996	18
17	52,472	19
18	52,472	20
19	52,472	21
20	52,472	22
21	55,744	23
22	55,744	24
23	55,744	25
24	55,744	26
25	59,359	27

13	48,996	15
14	50,792	16
15	50,792	17
16	50,792	18
17	53,268	19
18	53,268	20
19	53,268	21
20	53,268	22
21	56,540	23
22	56,540	24
23	56,540	25
24	56,540	26
25	60,155	27

- (b) Revised incremental salary scale for teachers covered by the Lansdowne Road Agreement **who entered teaching on or after 1 February 2012**, to apply with effect from 1 September 2016. Qualification allowances are not payable to this cohort of teachers.

Existing scale for those appointed on or after 1 February 2012	
(continues for teachers covered by FEMPI Acts i.e. <u>not</u> covered by the Lansdowne Road Agreement)	
Point	€
1	31,009
2	33,168
3	33,950
4	36,576
5	37,795
6	39,251
7	40,700
8	42,160
9	43,380
10	44,996
11	44,996
12	44,996
13	47,225
14	47,225
15	47,225
16	47,225
17	50,170
18	50,170
19	50,170
20	50,170
21	53,423
22	53,423
23	53,423
24	58,765
25	59,940

Revised scale from 1 September 2016 for those appointed on or after 1 February 2012	
(applies <u>only</u> to teachers covered by the Lansdowne Road Agreement)	
Point	€
1	31,805
2	33,964
3	34,746
4	37,372
5	38,591
6	40,047
7	41,496
8	42,956
9	44,176
10	45,792
11	45,792
12	45,792
13	48,021
14	48,021
15	48,021
16	48,021
17	50,966
18	50,966
19	50,966
20	50,966
21	54,219
22	54,219
23	54,219
24	59,561
25	60,736

APPENDIX 3

Revised casual hourly part-time rates with effect from 1 September 2016 for part-time and substitute teachers in all schools

(a) Revised casual hourly part-time rates with effect from 1 September 2016 for teachers who entered teaching prior to 1 January 2011

Category	Ongoing Rate From 1/9/2016	Value of Statutory Annual Leave Accumulated per Hour Worked from 1/9/16
Hourly casual qualified	41.98	5.72
Hourly unqualified	35.95	4.90

(b) Revised casual hourly part-time rates with effect from 1 September 2016 for teachers who entered teaching between 1 January 2011 and 31 January 2012:

Category	Ongoing Rate from 1/9/2016	Value of Statutory Annual Leave Accumulated per Hour Worked from 1/9/16
Hourly casual qualified	37.40	5.10
Hourly unqualified	32.35	4.41

(c) Revised casual hourly part-time rates with effect from 1 September 2016 for teachers who entered teaching on or after 1 February 2012:

Category	Ongoing Rate from 1/9/2016	Value of Statutory Annual Leave Accumulated per Hour Worked from 1/9/16
Hourly casual qualified	36.09	4.92
Hourly unqualified	32.35	4.41