



TO BOARDS OF MANAGEMENT, PRINCIPAL TEACHERS AND TEACHING STAFF IN PRIMARY SCHOOLS

Staffing arrangements in Primary Schools for the 2015/16 school year

Introduction

The purpose of this circular is to inform all primary school management and staff of the staffing arrangements for primary schools for the 2015/16 school year.

The allocation of teaching posts to schools is contingent on schools complying with the redeployment arrangements in place for the 2015/16 school year.

The redeployment of surplus permanent/CID holding teachers is the mechanism used to fill teaching posts and is key to the ability of the Department to manage within its payroll budget and ceiling on teacher numbers. Boards of Management will not be permitted to commence a recruitment process to fill a teaching vacancy until the Department is satisfied that vacant positions are not required for the redeployment of any remaining surplus permanent/CID holding teachers.

The key points to note are:

- **Friday 6 March 2015** is the key date for schools to:
 - Notify relevant Panel Operator of any permanent or fixed term vacancy
 - Notify the Department's Primary Teacher Allocations Section of GAM/EAL cluster arrangements
 - Return Main Redeployment Panel Application Form to the Department's Primary Teacher Allocations Section
 - Submit completed staffing appeals form for the March meeting of the Primary Staffing Appeals Board to the Department's Primary Teacher Allocations Section
- The Main Redeployment Panels will be published in end-March/start of April 2015 with a timeline up to 1 May 2015 for schools to appoint teachers from the panels to vacancies.

Contents of Circular

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Appendix C: Updated list of all schools showing the following allocations data for the 2015/16 school year

- GAM/EAL allocation for each school
- Permanent allocation for schools with high concentration of pupils that require language support
- List of circa. 1,700 base schools for full-time permanent resource posts

Appendix D: Form GAcluster2015 - Notification of newly clustered GAM/EAL posts for the 2015/16 school year

Appendix E: Application Form for Permanent/CID Holding Teachers' Access to the Main Redeployment Panel for the 2015/16 school year

Appendix F: Application to the Primary Staffing Appeals Board 2015/16 School Year

Further information/FAQs

Any additional information on the teacher allocation process and also regular updates on progress on clearing redeployment panels will be published on the Department's website.

The Department has also published an [FAQ](#) (Frequently Asked Questions) document on Redeployment Arrangements at Primary Level for Surplus Permanent and CID Holding Teachers through the Main Panel and an [FAQ document on Circular 0005/2015](#), Staffing Arrangements in Primary Schools for the 2015/16 School Year.

Queries

If, after reading [this circular and the related FAQ documents](#), you have queries in relation to the staffing allocation for your school, you may e-mail the queries to primaryallocations@education.gov.ie. Please include the school roll number and school name in the subject line with any email enquiry.

Hubert Loftus
Principal Officer
Teacher Allocations Section

February 2015

Key dates for schools in relation to the teacher allocation and redeployment process

Key action	Date for action to be completed
The staffing schedule enrolment tables at Appendix A enables schools to check their mainstream staffing levels for the 2015/16 school year. The enrolment thresholds in Appendix B enables schools to check if they are entitled to Administrative Principal and/or Administrative Deputy Principal status.	Immediate
Schools must notify their relevant Panel Operator (e.g. Diocesan Secretary, etc.) of any impending permanent and fixed term vacancy as a consequence of the staffing schedule or any other reason known at this stage. Teachers who plan to retire on or before 31 August 2015 should notify their Board of Management before Friday 6 March 2015.	Friday, 6 March 2015
Subsequent permanent and fixed term vacancies must be notified by schools to their relevant Panel Operator (e.g. Diocesan Secretary etc.) within 5 working days of the vacancy becoming known to the Chairperson or Principal.	Within 5 working days of vacancy becoming known to the Chairperson or Principal
The GAM/EAL allocation at Appendix C has been updated for schools that had a change in the number of classroom posts in the 2014/15 school year. This impacts on some of the existing clustering arrangements. Such schools are now required to make appropriate arrangements to re-cluster their GAM/EAL hours into full-time (25 hour) posts with nearby neighbouring schools. Base schools must notify the Department's Primary Teacher Allocations Section on Form GAcluster2015 (Appendix D) of new clustering arrangements for GAM/EAL hours	Friday, 6 March 2015
Schools that have surplus permanent/CID holding teachers should arrange for the completed Redeployment Panel Application Form(s) in Appendix E to be returned to the Department's Primary Teacher Allocations Section.	Friday, 6 March 2015
The Staffing Appeals Board will be holding its meetings in March, May and October 2015. The first meeting will be held in March 2015. The closing date for submission of completed appeals forms (Appendix F) for the March meeting is Friday 6 March 2015.	Friday, 6 March 2015
The Department is aiming to have the redeployment panels published by end-March / start of April 2015.	End-March/Start of April 2015
Closing date for schools to submit their application for developing post(s) on the basis of their projected enrolments for September 2015.	27 March 2015
Schools with vacancies have until Friday, 1 May 2015 to fill their vacancies from the Main Redeployment Panels. Thereafter, Panel Officers will be appointed to facilitate the redeployment of surplus permanent/CID holding teachers.	Friday, 1 May 2015
Schools with base resource posts are listed at Appendix C. After the NCSE approved allocations of resource hours have issued, schools unable to access surplus teaching capacity in these full-time base posts will be allocated mainly part-time temporary resource hours.	May 2015 onwards

Section 1

Staffing arrangements for the 2015/16 school year

The following are the main elements of the staffing arrangements that will operate in primary schools for the 2015/16 school year:

1. Mainstream Classroom Teaching Posts

The enrolment tables for the operation of the staffing schedule for the 2015/16 school year are listed at [Appendix A](#) of this Circular. This enables schools to now check their **mainstream staffing levels for the 2015/16 school year**.

The enrolment tables at Appendix A includes the **staffing schedules for DEIS Urban Band 1 schools**.

Posts allocated on the basis of the staffing schedule are specifically for mainstream classes and should be deployed accordingly. School authorities are requested to ensure that the number of pupils in any class is kept as low as possible, taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment etc.). However, school authorities should, where possible, use their autonomy under the staffing schedule to implement smaller class sizes for junior classes.

2. Administrative Principal and Administrative Deputy Principal

The criteria for the appointment of **Administrative Principal and Administrative Deputy Principal** posts are based on pupil numbers.

The relevant enrolment thresholds are outlined in [Appendix B](#) of this Circular.

3. Developing School Criteria for the 2015/16 School Year

A developing school is defined as a school where the enrolment on 30 September, 2015 is projected to exceed the enrolment on 30 September, 2014:

- i) by a minimum numerical increase (as specified at (a) and (b) below)

and

- ii) by having a stipulated excess of 5 pupils above the required appointment figure

Where a school is expanding the number of intake classes which would generate a new stream, the school must have received prior approval for such expansion from both the school patron and from the Planning and Building Unit of the Department.

- (a) For primary schools with a Staffing of Principal plus 6 Mainstream Class Teachers or fewer, the minimum numerical increase in enrolment over the 30 September 2014 enrolment referred to at (i) above is 15 pupils. An average class size in excess of 28 pupils must also apply to such schools seeking a post under this criterion (see exceptions below). This is calculated by applying the number of mainstream posts anticipated for the 2015/16 school year (excluding developing post) to the number of pupils projected to be enrolled in September 2015.
- (b) For primary schools with a Staffing of Principal plus 7 Mainstream Class Teachers or greater the minimum numerical increase in enrolment over the 30 September 2014 enrolment referred to at (i) above is 25 pupils.

Schools must qualify under both criteria at (i) and (ii) above and in the case of such schools, an additional permanent post(s) may be sanctioned provisionally pending the confirmation of the valid enrolment on 30 September, 2015. The staffing will be adjusted in the light of the actual valid enrolments on 30 September, 2015.

Two exceptions exist:

1. Developing schools seeking the appointment of the 2nd mainstream class teacher (P+2)

In such instances, schools projecting a minimum numerical increase on 30 September 2015 of 15 pupils in excess of 30 September 2014 enrolment are not required to meet either the stipulated excess number of 5 pupils on the appointment figure or the stipulated average class size. However, the minimum projected enrolment of 56 pupils must be achieved to secure a 2nd mainstream class teacher on developing school grounds for the 2015/16 school year.

2. Schools seeking the appointment of more than one developing school post

In such instances, schools must meet the requirement of minimum numerical increase and the stipulated excess number of 5 pupils on the appointment figure for the first developing school post. In the case of each post sought thereafter, the stipulated excess number of 5 pupils on the appointment figure must be met.

Schools should email their applications for an additional teaching post(s) on developing grounds to the Department's Primary Teacher Allocations Section, primaryallocations@education.gov.ie on or before **Friday, 27 March 2015.**

While later applications will also be considered, schools are encouraged to have their applications sent to the Department's Primary Teacher Allocations Section on or before **Friday, 27 March 2015.**

Schools are reminded that in the context of seeking additional resources from the Department on developing school grounds it is very important that the projected enrolment is realistic. The school's staffing will be adjusted downwards in light of projected enrolment not being achieved on 30 September 2015.

4. Island Schools

In the event that a reduction in the pupil numbers of an island school will result in the loss of the first mainstream class teacher (i.e. P+ 1) or second mainstream class teacher (i.e. P+ 2), the posts may be retained, subject to:

- in the case of 1st mainstream class teacher the total number of pupils in the school being 8 or above and the school being the only primary school remaining on the island, or
- in the case of the 2nd mainstream class teacher the total number of pupils in the school being 45 or above and the school being the only primary school remaining on the island.

5. GAM/EAL (General Allocation Model and Language Support)

A school's GAM/EAL allocation for the 2015/16 school year is based on its mainstream classroom posts for the 2014/15 school year.

The GAM/EAL allocation has been updated for the 2015/16 school year to reflect changes in the number of classroom posts in schools in the 2014/15 school year. The GAM/EAL allocation for all schools is listed in [Appendix C](#) (Columns A and B).

Where there has been a change in the GAM/EAL hours for any of the schools involved in a cluster, the existing cluster is regarded as ceased and this position is reflected at Appendix C (Column D).

Where there has been no change to the GAM/EAL allocation for any of the schools involved in an existing cluster, Appendix C has been compiled on the basis that the cluster remains in place (Column C). **Note:** There is no requirement to send the Form GAcluster2015 to the Department if there is no change in the cluster.

Schools with hours available for clustering now have a period until **Friday, 6 March 2015** to enter into a cluster arrangement to achieve a full-time post (25 hours) through sharing arrangements with other neighbouring school(s).

Following the school led process for clustering of GAM/EAL hours, a Department led clustering process will be initiated after 6 March 2015 for any remaining hours in schools that have not been clustered.

Newly established schools which open for the 2015/16 school year:

Schools that are newly established in the 2015/16 school year (excluding amalgamated schools) will have their GAM/EAL allocation based on their mainstream classroom posts for the 2015/16 school year.

Schools with posts sanctioned under the Developing Schools criteria for the 2015/16 school year:

Schools which have been approved for 2 or more developing posts for the 2015/16 school year will have their GAM/EAL allocation for the 2015/16 school year adjusted to take account of the first developing post approved (i.e. will receive sanction for an additional 5 hours GAM/EAL allocation for the 2015/16 school year).

Such schools should apply for their developing posts as soon as possible so as to facilitate their GAM clustering arrangements.

Clustering Arrangements for shared GAM/EAL posts:

Schools are reminded that once a GAM/EAL cluster has been established it remains in place from year to year and any future change to the cluster combination **can only be made** if:

1. There is a change in the GAM/EAL hours for any one of the schools in the cluster in a subsequent school year, or,
2. All schools in the cluster agree to end the cluster arrangement. Agreement to end the cluster arrangement for the 2016/17 school year must be notified to the Department's Primary Teacher Allocations Section by 31 December 2015 (An email or letter from all schools in the cluster must be provided).

Completing Form GAcluster2015

Schools must notify the Department on Form GAcluster 2015 ([Appendix D](#)) of their new clustering arrangements for GAM/EAL hours for the 2015/16 school year. Completed forms should be returned to the Department's Primary Teacher Allocations Section as soon as possible but no later than close of business on **Friday, 6 March 2015**.

GAM/EAL hours that are clustered into new full-time posts and received before this deadline will be automatically approved by the Department. Schools that do not return the completed form within the above timeframe or where all of a school's GAM/EAL hours are not clustered into full-time posts will be included, as appropriate, in the Department led clustering process.

If necessary, the Department will use the opportunity to engage in a Department led clustering process of remaining GAM/EAL hours to facilitate the redeployment of any remaining surplus permanent teachers.

It continues to be the case that because of the later timeline for the allocation of resource hours by the NCSE, schools will not be permitted to combine GAM/EAL and NCSE approved resource hours together into full-time posts.

6. Additional Allocations for Schools with High Concentrations of Pupils that require Language Support (EAL)

Schools that were allocated a permanent language support post(s) (EAL) in the 2014/15 school year will retain this post(s) for the 2015/16 school year. The relevant schools are listed at Appendix C.

The continued requirement for the above additional permanent language support posts will be reviewed on a regular basis by the Department, having regard to enrolment trends and the number of pupils requiring language support.

Appeal Process:

See Section 4 for the appeal criterion for additional temporary language support post(s) provided on the basis of appeals to the Staffing Appeals Board.

7. Resource Posts

83% of all NCSE approved hours in the 2014/15 school year were allocated to schools with resource base posts.

There will be no changes to the location of resource base posts for the 2015/16 school year.

However, it is open to the management of a school with a base post to opt out of being a base school, particularly if the NCSE resource hour allocation for that school is low. The Department's Primary Teacher Allocations Section should be contacted to facilitate the withdrawal of the base post from the school.

The full list of circa 1,700 base schools is published in Appendix C (Column E) of this Circular.

Base schools will be required to co-operate with their neighbouring schools to ensure that any surplus capacity in the (25 hour) resource posts is made available to neighbouring schools to meet their NCSE approved resource hour requirements. Failure to do so may result in the post being re-based in a neighbouring school instead.

Schools that do not have a resource base post are required to check for available surplus capacity in base posts in neighbouring schools before making an application to the Department's Primary Teacher Allocations Section. A check for any nearby surplus capacity will also be done by the Department's Primary Teacher Allocations Section before any sanction is given to fill these hours.

Where a school that does not have a base post has been approved for 25 or more NCSE approved hours, a temporary post will be sanctioned for the 2015/16 school year. Where a school has less than 25 hours that cannot be met from other schools, sanction will be given for part time hours to fill this post.

A school is **not permitted to employ a fixed term or part-time teacher** to cover NCSE approved hours until they receive prior written sanction from the Department's Primary Teacher Allocations Section.

8. Local Arrangements in relation to Teachers in Shared Posts (GAM/EAL and Resource)

Due to the later timeline for the allocation of resource hours by the NCSE, schools **are reminded that they cannot combine GAM/EAL and NCSE approved resource hours** together into full-time posts.

However, when the allocations and redeployment process for surplus permanent/CID teachers is completed later in the summer, schools that have complied with the arrangements outlined in this Circular will be given some discretion to operate, where possible, their own **temporary local arrangements in relation to the day to day work arrangements of teachers in full-time shared posts**. These arrangements are aimed at minimising any time lost in travelling between schools.

The temporary local arrangements could, for example, operate between schools along the following lines for the 2015/16 school year:

	School A	School B
Number of resource base posts allocated to the school	1 post	Nil
Number of GAM/EAL posts shared	Nil	1 shared with school A
GAM/EAL Allocation	10 hours	15 hours
NCSE Allocation	20 hours	5 hours

Schools A & B could enter into a temporary local arrangement whereby the GAM/EAL teacher in School B provides for School B's combined GAM/EAL and Resource hour requirement of 20 hours and provides a further 5 hours to School A.

The teacher in the resource base post in School A remains in that school and provides 25 hours (combined GAM/EAL & Resource hours) for School A.

Section 2

Background detail in relation to Staffing Arrangements for the 2015/16 school year

1. Redeployment Arrangements

It is important for schools to note that while the main panel is in operation, permanent and fixed term teaching vacancies can only be filled from the relevant main redeployment panel.

Boards of Management are not permitted to commence a recruitment process to fill a permanent or fixed term teaching vacancy (this includes replacing a teacher on career break, on secondment, on job sharing arrangements and filling a fixed term (temporary) EAL post) in any other manner until the Department is satisfied that vacant positions are not required for the redeployment of any remaining permanent/CID holding teachers on a main panel.

The timing of when teaching vacancies can be filled in any other manner will depend on how quickly permanent/CID holding teachers are redeployed into vacancies. The Department will publish regular panel updates on its website which will inform schools and teachers of progress being made on the redeployment of permanent/CID holding teachers.

2. Contract of Indefinite Duration (CID)

Schools should not submit CID forms to the Department at this stage. The timeline for doing this will be determined following the publication of a separate Circular letter on the implementation of the recommendations in the Report of the Expert Group on Fixed-term and Part-time employment in primary and second level education. This Expert Group was chaired by Peter Ward, SC and the report was published in September 2014.

The Department is currently engaged with the relevant stakeholders in relation to the implementation of the report with the focus on the recommendations due to be implemented at the commencement of the 2015/16 school year. The Circular letter implementing those recommendations will be published on the Department's website.

3. Holding Open a Vacancy

Schools that are given provisional approval for a teaching post(s) on the basis of projected enrolments for September 2015 must keep open one vacancy (which can be either a permanent or a fixed-term vacancy) to cater for the redeployment of any surplus permanent teachers that arise later in 2015 (either in the school with the provisionally approved post or in a neighbouring school).

This applies to provisionally approved school posts, as follows:

- a developing school post
- a post approved under the staffing appeals criterion for small schools
- a post approved under the staffing appeals criterion for alleviating some of the pressure on class sizes at infants level for primary schools that make a significant contribution by absorbing demographic growth
- a temporary post approved under the staffing appeals criterion for EAL support

Only one of the above vacancies in a school is required to be kept open. The requirement to keep open a vacancy does not arise if all the permanent and fixed term vacancies in the relevant schools are filled by surplus permanent/CID holding teachers from the main redeployment panel.

A vacancy that is being kept open can only be filled on a fixed-term basis to Friday 23 October 2015.

As early as possible in October, the Department will inform the relevant school(s) whether this vacancy is required to facilitate the redeployment of a surplus permanent/CID holding teacher. If the post is required for the redeployment of a surplus permanent/CID holding teacher, the fixed-term contract must cease on 23 October 2015.

If the post is not required for the redeployment of a surplus permanent teacher, it can be filled at that stage in the normal manner. However, it is important to note that schools cannot commence the advertising and recruitment process for those vacancies until the Department has confirmed that it is not required for the redeployment of a surplus permanent/CID holding teacher. It is important that these arrangements are reflected in the contract for the fixed-term post.

The latest date for filling a permanent post on a permanent basis (and in accordance with the terms of this circular) is Monday, 2 November 2015 (the teacher must be appointed to the school on or before this date).

Thereafter, a permanent post may be filled only on a fixed-term basis (and in accordance with the terms of this circular) unless the appointee is a permanent/CID holding teacher from the main redeployment panel.

These arrangements do not apply to Principal posts which will continue to be filled in the normal manner on a permanent basis.

4. Valid Enrolments

The number of mainstream class teachers appropriate to a school for the 2015/16 school year is determined by reference to the school's valid enrolment on 30 September 2014. The schedule of enrolment of pupils required for the appointment and retention of mainstream class teachers for the 2015/16 school year is attached at Appendix A.

Only pupils who were **validly** enrolled on 30 September 2014 are taken into account for the purpose of determining staff numbers. In this regard the terms of Department Circulars

24/02 - Determination of Valid Enrolment in Primary Schools - and 32/03 – Retention of Pupils in Primary Schools - must be adhered to. Schools are reminded that a child must not be allowed to attend or be enrolled in a primary school before the fourth anniversary of his/her birth.

Pupils retained on the school register on 30 September for the purpose of compliance with the Education and Welfare Act, 2000 should not be counted towards valid enrolment for the purpose of determining staff numbers.

It is important to note that valid enrolments are only those pupils that are enrolled on 30 September and who are expected at that stage to continue to be enrolled in the school for the duration of the school year. If there are any short-term enrolments in the school (including pupils from another country that are temporarily enrolled to help improve their standard of English or where it is known that pupils will transfer to another school shortly after 30 September) these pupils cannot be included in the enrolment return from the school.

Boards of Management and Principal Teachers are reminded about the importance of ensuring the accuracy of enrolment returns to the Department. They have a responsibility to immediately notify the Department of any error or irregularity in their enrolment returns. The Department's standard policy for cases that involve any deliberate overstatement of enrolments is to refer them to An Garda Síochána.

Section 3

Redeployment Arrangements for the 2015/16 school year

The detailed redeployment arrangements are set out in **FAQ** format on the Department website.

The redeployment arrangements involve the following:

1. Redeployment process for permanent/CID holding teachers

- (i) Each main panel is created for permanent/CID holding teachers in order to ensure that vacancies are offered in the first instance to these teachers. It is envisaged that the main panels will be published in end-March/start of April, 2015. The latest date by which schools must have offered their vacancies to teachers on the main panel is 1 May, 2015. Thereafter, Panel Officers will be appointed to facilitate the redeployment of any remaining surplus permanent/CID holding teachers.
- (ii) Teaching vacancies must be offered prior to 1 May, 2015 to permanent/CID holding teachers on a main panel in the following order of priority:
 - a. Permanent vacancies within the panel area (e.g. diocese)
 - b. Specified-purpose vacancies and fixed-term vacancies within the panel area (e.g. diocese) that are for the duration of the full school year or are sanctioned on or before the first working day of November and are for the duration of the remainder of the school year.
- (iii) Surplus permanent/CID holding teachers may opt to accept a post outside the 45km radius and this can help reduce the requirement for the operation of the contingency arrangements set out at No. 2 and No. 3 below.

2. Inter-diocesan redeployment

Where the arrangements outlined at No. 1 above do not bring about the redeployment of all surplus permanent/CID holding teachers on a diocesan panel, all posts remaining vacant in schools in adjoining dioceses must be available to those teachers, with the filling of those post(s) to be achieved through inter-diocesan co-operation on a fixed-term basis.

3. Redeployment arrangements for any residual surplus permanent/CID holding teachers

If, following the processes outlined at 1 & 2 above, there are any residual surplus permanent/CID holding teachers, additional arrangements will be required to facilitate their redeployment into vacancies in schools.

These additional arrangements will be used only in those cases where no viable alternative options are available for the redeployment of the remaining surplus permanent/CID holding teachers. The precise arrangements to be used will be determined on a case by case basis in discussions with the relevant education partners and the relevant Patron. The following principles will be used for the operation of these arrangements:

- (i) In the first instance the position will be examined on whether any flexibility in the Haddington Road Agreement 2014-2016 in relation to the 45km radius for redeployment can be appropriately applied as a means of redeploying the surplus permanent/CID holding teacher to a school of the same patronage.
- (ii) In the second instance the scope for the redeployment of the surplus permanent/CID holding teacher to be achieved on an elective basis will be examined through the teacher applying to be placed on a panel of a different patronage. It will be a matter for the relevant patron to consent to this application.
- (iii) If no other viable option is available then a temporary assignment to a vacancy in a school of a different type of patronage will be made. This temporary assignment will be for the duration of the relevant school year. Any teacher on a temporary assignment in this manner will retain their existing panel rights for the relevant redeployment panel for their original school. Such teachers will not acquire panel rights in respect of the redeployment panel associated with the school of temporary assignment. These teachers will be required to adhere to the requirements of the Board of Management in relation to its obligation to uphold the ethos of the school, consistent with law.

The Department's approach in relation to the operation of the residual arrangements outlined will be to seek agreement through consensus. In this regard there will be ongoing consultation with all the relevant stakeholders in relation to the operation of the redeployment process.

Section 4

Primary Staffing Appeals Board

1. Arrangements for 2015/16 School Year

The Appeals Board, which operates independently of the Minister and the Department, will review appeals for the 2015/16 school year. The appeals criteria are set out at 4 below.

The first meeting of the Staffing Appeals Board to deal with appeals for the 2015/16 school year will be held in March. Further meetings will be held in May and October 2015.

The closing dates for submission of staffing appeals for the first meeting of the Staffing Appeals Board is **Friday 6 March, 2015**.

The closing dates for submission of staffing appeals and dates of future meetings will be posted on the Department website in due course.

Please note that closing dates will be strictly adhered to and accordingly, appeals received after a particular closing date will not be considered by the Board at that meeting.

Appeals must be submitted to Primary Teacher Allocations Section, Department of Education and Skills, Cornamaddy, Athlone, Co. Westmeath, on the standard application form, clearly stating the criterion under which the appeal is being made. Please mark the envelope “Staffing Appeals”.

The standard application form is available at [Appendix F](#).

The DEIS status of a school will be taken into account in any appeal application.

2. Ombudsman

In light of amendments to the Ombudsman Act 2012, any school taking the view that the Primary Staffing Appeals Board has not applied the appeals criteria fairly to its appeal may submit a complaint to the Ombudsman.

The role of the Ombudsman in relation to any appeal is to review that the Appeal Board dealt with it fairly and in accordance with the appeals criteria. It is not therefore an avenue for schools to seek additional resources.

The Office of the Ombudsman can be contacted at www.ombudsman.gov.ie

3. A Board of Management may appeal only once in a particular case

The Appeals Board's adjudication will be regarded as a final determination in relation to the post(s) and no further applications to the Appeals Board in respect of the 2015/16 school year shall be considered unless there is change in the circumstances of the school.

4. Appeals Criteria

The Appeals Board may determine that a departure from the staffing schedule is necessary in the circumstances outlined at (a) to (g) below:

a) Exceptional accommodation difficulty

Where a departure from the staffing schedule is warranted to meet exceptional accommodation difficulties. The school must demonstrate to the Board's satisfaction why an additional teaching post is warranted to meet the exceptional accommodation difficulty.

b) October 2014 enrolment

Where the Appeals Board is satisfied, on the basis of verifiable evidence, that the required pupil numbers were enrolled in September* or October 2014, but due to circumstances outside the control of the school were not enrolled on the 30 September, 2014. However, for staffing purposes, a pupil can be included in the enrolment of only one school in any school year**.

*A pupil who leaves the school before 30 September and does not return to the school in the school year will not be eligible for consideration under this criterion.

** In the event that the school in which the pupil was enrolled on 30 September can verify that the pupil did not need to be counted for the appointment or retention of a teacher in that school, the Appeals Board will consider allowing the pupil to be counted as part of the enrolment for staffing purposes in the school to which s/he has transferred.

c) Developing Post based on Additional Enrolments After 30 September 2015

This criterion applies only to those schools provisionally sanctioned for a developing post(s) which did not reach sufficient enrolments on 30 September 2015 to retain the post. As this criterion relates to verification of actual enrolment on 30 September 2015, the Appeals Board can only consider appeals under this criterion at the October Appeals Board meeting.

Where the Board considers that, in relation to the granting of a post under the **developing school criterion**, the projected pupil numbers required to retain the post were enrolled or

are likely to be enrolled by the last day of term in December 2015, but due to circumstances outside the control of the school were not enrolled as expected on 30 September 2015.

A post allocated by the Board under this criterion will be sanctioned on a provisional basis subject to confirmation of the required enrolment being achieved before 31 December 2015. As with Criterion B, a pupil can be included in the enrolment of just one school in any school year.

In the event that the school in which the pupil was enrolled on 30 September can verify that the pupil did not need to be counted for the appointment or retention of a teacher in that school, the Appeals Board will consider allowing the pupil to be counted as part of the enrolment for staffing purposes in the school to which s/he has transferred.

d) EAL support

Where at least 20% of the total enrolment of the school is made up of pupils that require EAL (English as an additional language) support (pupils with less than B1 (Level 3) proficiency), the Board of Management can lodge an appeal for a review of the proposed allocation for pupils requiring EAL support.

Having considered the circumstances outlined by the school and having regard to the high number of pupils requiring EAL support, additional post(s) may be approved to meet the educational needs of such pupils. Schools should note that decisions by the Board, based on projected enrolments of EAL pupils, are subject to review after confirmation of 30 September, 2015 enrolment. The decision may be revised if projected enrolments do not materialise.

Schools sharing the same campus can make a joint application to the Appeals Board for an EAL post based on the combined EAL enrolment in both schools.

e) Small schools

As part of Budget 2012 measures, the pupil thresholds in small schools were increased. This appeals criterion is applicable to these schools and they may submit an appeal in either of two instances:

1. Where a school with four classroom teachers or less which is losing a classroom post for the 2015/16 school year provides supported evidence that the enrolment will increase sufficiently by 30 September 2015 to retain the post for the subsequent school year (i.e. the 2016/17 school year) the Appeals Board can allow the school to retain the classroom post. The relevant retention thresholds are set out in Appendix A.

or

2. Where a school with three classroom teachers or less is not gaining a classroom post for the 2015/16 school year but can provide evidence that it will gain the additional classroom post for the subsequent school year (i.e. the 2016/17 school

year), assuming no change in the staffing schedule the Appeals Board can allow the school to gain a post for the 2015/16 school year. The relevant appointment thresholds are set out at Appendix A.

f) School losing 3 or more posts

If a school is losing 3 or more posts, an application can be made to the Staffing Appeals Board with a view to seeking to have a portion of the loss in posts deferred to the 2016/17 school year on the basis that it is impacting in a particularly adverse manner on a schools' overall allocation.

g) Alleviating some of the pressure on class sizes at infants level for schools that make a significant contribution by absorbing demographic growth

This appeals criteria is targeted at schools that are not gaining an additional teaching post under the developing schools criteria but nevertheless make a significant contribution to the provision of school places which assists the response to demographic growth within their area and as a result are under significant pressure on their class sizes at infants level. A key indicator in relation to these schools is a significant increase in junior infants enrolments.

It is envisaged that these schools will typically be in areas of significant population growth. Each school should note that if it is expanding the number of intake classes which would generate a new stream, the school must have received prior approval for such expansion from both the School Patron and from the Planning and Building Unit of the Department.

Schools that meet the four criteria listed below may submit an appeal to the Appeals Board for an additional teaching post for the 2015/16 school year.

The four criteria to enable an appeal to be submitted are as follows:

1. The school is projecting, on a realistic basis, an increase in its overall enrolments for 30 September 2015 and the level of the projected increase:
 - a) is sufficient for the school to gain an additional teaching post for the 2016/17 school year (assuming no change in the staffing schedule)
 - b) is insufficient for the school to gain an additional teaching post for the 2015/16 school year under the Developing School Criteria
2. The school had an increase in its overall enrolments in each of the last 2 school years (2014/15 and 2013/14)
3. The number of junior infants enrolled in the school is increasing each year and it enrolled a minimum of 30 junior infants on 30 September 2013
4. That as a result of the increasing enrolment of junior infants, the school is under significant pressure on its class sizes at infants level (junior and/or senior infants).

Each application to the Appeals Board will be considered on its merits. The Appeals Board will assess whether, in its opinion, the school is deploying all of its mainstream classroom teachers in an appropriate manner. The Appeals Board will prioritise those schools that, in its opinion, are under greatest pressure on their class sizes at infants level as a result of their increasing enrolments of junior infants. Any posts granted by the Appeals Board will be allocated on a provisional basis pending confirmation of actual enrolments on 30 September 2015.

5. Accuracy of Enrolment Information Submitted as Part of Appeals to the Primary Staffing Appeals Board

Boards of Management and Principal Teachers are reminded about the importance of ensuring the accuracy of enrolment information submitted to the Primary Staffing Appeals Board. The Department's standard policy for cases that involve any deliberate overstatement of enrolments for the purposes of obtaining any additional resources from the Department is to refer these cases to An Garda Síochána.