



Circular Letter 0015/2016

To: The Managerial Authorities of Recognised Primary Schools

Seniority of Teachers

The Minister for Education and Skills directs you to implement the regulations and procedures contained in this Circular regarding the revised criteria for seniority of permanent teachers in Primary Schools.

This Circular supersedes all previous circulars, memoranda, rules and regulations in relation to Seniority of teachers in Primary Schools including Primary Circular 0002/2004.

1. Importance of Seniority

1.1 The sequence in which teachers are appointed in a permanent/CID capacity to a school determines the seniority of teachers. Seniority is important in deciding the order in which teachers are eligible to be placed on the re-deployment panel when the enrolment figures drop sufficiently to warrant the suppression of a post and in determining teachers' eligibility for an acting post of responsibility.

2. Responsibility of Board of Management

2.1 A teacher can only be appointed in a Permanent/CID capacity where they are appropriately qualified and registered with the Teaching Council. The Board of Management, based on the teacher's date of commencement of duty in the school in a permanent/CID capacity, determines the seniority of teachers. An exception to this is where a teacher is on a statutory absence when appointed to the post e.g. maternity leave, adoptive leave etc., in such instances the teacher's seniority commences from the date when the teacher should have commenced duty in the school in a permanent/CID capacity but for the teacher's absence on statutory leave.

2.2 Once a teacher's order of seniority has been established by the Board it cannot be changed without the prior sanction of the Patron.

2.3 Each Board of Management should ensure that the seniority listing of teachers employed in a permanent/CID capacity is posted on the staff notice board each September.

3. Rules for Determining Seniority

3.1 A Principal teacher is always the most senior teacher in a school, irrespective of length of service given in a school. A Principal teacher can only relinquish a post of Principal teacher and remain employed as a teacher in the same school provided there is a permanent vacancy in the school. Where a Principal teacher relinquishes the post of Principal and takes up the available permanent vacancy in the school s/he becomes the most junior teacher in the school. Previous service given in the school does not count for seniority purposes.

3.2 Status of CID holders

A teacher employed on a contract of indefinite duration holds an employment status that is equal to that of a permanent teacher and is awarded seniority in accordance with the provisions of this circular.

3.3 Service given previously in the same school as a substitute or fixed term (qualified or unqualified) teacher does not count towards seniority.

3.4 A teacher due to be re-deployed but who is subsequently retained in the school retains their seniority. The following is the order of seniority where two or more teachers commence employment in a permanent/CID capacity on the same day:-

- A teacher awarded a Contract of Indefinite Duration in the same school
- A teacher appointed to a permanent post in the school from the main redeployment panel
- A teacher appointed to a permanent post in the school from the supplementary panel
- A teacher appointed to a permanent post in the school by open competition.

3.5 Determining order of seniority where two or more teachers commence employment in a permanent/CID capacity on the same day by the same method of appointment:-

- If two or more teachers commence duty on the same day following an interview process, the Board of Management should establish their order of seniority based on the order the teachers were ranked in the interview process i.e. the teacher who was ranked highest following the interview process should be given the higher seniority ranking.
- Where two or more teachers commence duty on the same day through any other means of appointment, the Board of Management should determine their order of seniority, in a fair and transparent manner, taking account of the overall needs of the school

3.6 If a teacher leaves a school either voluntarily or is redeployed and is subsequently reappointed to the school in a permanent capacity at a later date then the teacher's seniority will commence from the date of re-commencement of employment in a permanent capacity.

3.7 Job sharing service is reckoned as full service for the purpose of seniority. All approved absences e.g. career break, maternity leave, adoptive leave, parental leave, paternity leave, sick leave do not affect a teacher's seniority.

3.8 The order of seniority set out in this circular in relation to determination of surplus permanent/CID holding teachers for redeployment supercedes all other Department circulars in this regard.

4. Seniority in an Amalgamated School

4.1 In the case of an amalgamated school, where a teacher has given unbroken permanent/CID service continuously in one or more of the schools being amalgamated, the aggregate of that service will be reckoned in determining seniority.

4.2 A principal(s) who becomes a privileged assistant(s) in the amalgamated school will retain a seniority ranking next to the Principal, irrespective of the length of actual service in his/her former school(s). Where there is more than one privileged assistant it is the length of service as Principal of the former school which determines the order of seniority.

4.3 The seniority of a privileged assistant who is redeployed via the panel or who voluntarily moves into a school will commence from the date of taking up duty in the new school.

5. Further Information

5.1 In accordance with the introductory paragraph the regulations in this circular are to be implemented by the employer. Thus all queries should initially be brought to the attention of the employer who may wish to consult with their representative organisation, who may in turn wish to consult further with the Department at the following email address:-

teachersna@education.gov.ie

Queries relating to redeployment should be emailed to Teacher Allocations Section at:-

primaryallocations@education.gov.ie

This Circular can be accessed on the Department's website under www.education.ie

Alfie Barrett
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Teacher/SNA Terms and Conditions Section
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