

**National Programme of Training
for
Boards of Management**

Appointment Procedures

2013

Overview

- Procedures governing the appointment of
 - Principal
 - Permanent Teacher
 - Fixed term Teacher
 - Special Needs Assistant
- Post of Responsibility

Selection & Appointment of Principal & Teachers

- Valid post (other than principal) check:
 - CID entitlement
 - Panel arrangements/status
 - Staffing schedule of relevant year
 - School's internal panel
 - Notification of all staff
- Appendix D must be followed

Selection & Appointment of Principal & Teachers

- Prior approval of the Patron must be sought
- Appointments by the BoM shall be subject to & conditional on
 - Current registration with Teaching Council
 - Confirmation of qualifications
 - Sanction of Minister
 - Approval from Medmark
 - Garda vetting

Selection & Appointment of Principal & Teachers

Compliance with:

- Rules for National Schools
- Law generally
- Policies of the employer
- Rules & Regulations of DES
- Other as appropriate
- Selection Board appointed

Advertising - Post as Principal

- Notify all of the teaching staff of the school including those on leave
- Vacancies for Principal should not be advertised in July or August save in exceptional cases
- Applications by cv. or on application form

Permanent & Fixed Term Teachers

- Vacancies shall be:
 - notified to all teaching staff of the school
 - advertised with a full advertisement in at least one national daily newspaper ***or***
 - the post may be advertised on recognised sites

Advertisement

Shall state re school:

1. Name, address, roll number & patronage
2. Number of teaching posts including principal
3. Nature of vacancy (principal/teaching post)
4. Status of post (*permanent, fixed term, whole or part time*)

Advertisement *contd. ...*

5. Expected date of commencement
6. Address to which applications should be sent (postal or email)
7. Latest date for receipt of applications
8. Whether a CV or Application Form is required

Advertisement *contd.*

9. Initial duties - may be subject to change
10. List of documents required
11. Any other documentation

Advertisement *contd.*

May state

1. Whether a list of suitable applicants may be set up (exception: for post of principal)
2. Whether an SAE is required
3. That applicants should mark the envelope "Application"
4. Whether a minimum number of applications are required

Electronic applications...

Choice for BoM

- Separate email account set up
- Access restricted to selection board only
- Closing date & time adhered to as per email
- Once minimum number received (if so specified) selection board downloads at short listing meeting
- Assessed in accordance with normal procedures

Electronic applications contd...

- Calls to interview and documentation re same sent by email and request a receipt
- bcc option/individual emails to candidates – confidentiality
- Printed copies of email communications should be retained on personnel file/s
- Subsequent vacancies – change password if using the same email address for electronic applications

Electronic applications contd...

- All email applications deleted at completion of process
- All relevant data held securely only for as long as necessary in compliance with data protection requirements

Selection Board – Composition

■ **Principal teacher post**

- Chairperson of the BoM + at least 2 independent assessors appointed by the Patron after consultation with Chairperson
- Gender balance

■ **Teaching post**

- Chairperson, Principal + 1 independent assessor appointed by the Patron after consultation with Chairperson
- Gender balance
- Principal designate on selection board when selecting a teacher before new principal has taken up duty

Selection Board – contd...

Special Needs Assistant

- Chairperson of the BoM, Principal + 1 external assessor nominated by the Patron
- Gender Balance

Caretaker, Secretary posts

- Chairperson of the BoM, Principal + 1 external assessor nominated by the BoM
- Gender Balance

Disclosure of interest ...

Member of the selection board/BoM who stands in a material relationship to a person who is a candidate for appointment as a teacher or other member of staff of the school including the principal shall

- disclose to the BoM the fact of the relationship
- the nature thereof
- take no part in any deliberation or decision of the BoM concerning the appointment from very start of process to ratification of successful candidate by BoM

Disclosure of interest *contd.*

Board members are required to make disclosure not only in the case of a family relationship but in respect of any relationship which could be regarded as prejudicial to ensuring absolute impartiality in the selection process.

Professional relationship of itself not necessarily a material relationship

Disclosure and decision shall be recorded in the minutes

Shortlisting ...

[Date stamp each application as it is received]

- Chairperson shall submit **all** applications to the selection board
- Where the minimum number specified by BoM not received post re-advertised
- Notes/documents created by Selection Board retained for 18 months

Shortlisting

- Selection Board shall meet as soon as practicable - *Appendix D* p 43
- Familiarise itself with
 - job description – tasks and responsibilities
 - person specification – competencies required

The ideal candidate

- Criteria for selection should link directly to the job description
- For each listed criterion outline the key competencies
- Distinguish between essential skills and abilities (without them a candidate could not do the job) and desirable skills and abilities (which would be an added bonus)
- Add any overriding factors that are relevant

Selection Board

- Selection Board shall establish criteria for assessment of the applicants which takes into account ...
 - *Rules for National Schools currently applicable*
 - *Requirements of the post*
 - *Provisions of Employment Equality Acts, 1998 – 2007*
 - *Code of practice (Equality Authority)*
 - *Professional qualifications*

Selection Board

- *Registration with TC*
- *Teaching experience*
- *Other relevant experience*
- Copy of criteria sent to each candidate called for interview
- Records of criteria for assessment retained

Interviews

How many to call

- If there are three eligible applicants or fewer, all are called for interview by Selection Board.
- More than three eligible applicants, then at least three are called for interview.

Invitation to Interview

- Applicants called to interview shall be given
 - at least **7 days clear** notice in writing
 - a specific interview time outside school hours
 - a copy of the criteria for the post
 - information on school
 - directions to interview location

Interview

Copies for each selection board member of

- Advertisement
- Criteria for post
- Applicants' letters, cvs or application forms, inspectors' reports etc. as appropriate
- Agreed questions
- Marking schedule
- Timetable

Environment

- Venue – appropriate room with good heating, lighting and ventilation
- Timetable for interviews
- Place names of those on interview panel
- Water for panel and candidate/s
- Comfortable chair, same height as interviewers, at comfortable distance
- No interruptions – phone/doorbell/other
- Suitably comfortable and private waiting area so that candidates do not meet each other
- Receptionist role

Interview Structure

- Interview must be structured
- Questions linked directly to the requirements of post & Rules for NS
- Scheduling the interviews
 - Time
 - sufficient time - interview, discussion
 - do not schedule too many in one day

Role of Chairperson ...

- Welcome candidate
- Introduce the panel to the candidate and explain who is on panel
- Steer the interview
- Ensure that all members avoid any bias or discrimination
- Follow up with supplementary questions - points which need clarification after other selection board members have finished

Role of Chairperson ... *contd.*

- Ask the candidate at end of interview
 - Any points s/he would like to add in support of application
 - Anything s/he would like to add to his/her replies
 - Any questions for the selection board
- Ensure that individual marking sheets/notes are kept
 - Written record of questions asked
 - Selection board's evaluation in respect of each individual candidate
 - Collect each assessor's individual marking sheet p 45
- Ensure compliance with legislation
- Wrap up interview in a pleasant manner

Conducting Interview

- Establish rapport
- Obtain information
 - Questioning and observing candidate
 - open questions
 - probing questions
 - closed questions
- Lead to close
 - opportunity for candidate to ask questions and fill in any remaining gaps
- Evaluation after each interview – allow time

Assessing and Scoring

- Each criterion distinct and separate – should not overlap
- Assign a weighting to each criterion to reflect its importance *i.e. one criterion may be twice as important as another*

Method of Assessment

- Marking Sheet supported by notes
- Notes normally include
 - References to responses to questions
 - Evidence given in terms of criteria
 - Overall assessment of candidate's suitability for appointment

Record Keeping & Note Taking

- Research indicates that interviewers are not good at recalling information heard during interview
- Memory alone will not work
- Necessary to have
 - frequent summaries
 - good structure
 - accurate notes, while not a transcript
- Take notes
 - key words in quotation marks
 - after interview write a well constructed summary

Avoid Discrimination

- Ensure Selection Board is familiar with Equality Legislation – 9 grounds
- Ask similar core questions of all candidates
- Assess candidates objectively against the criteria
- Award marks, then discuss
- Keep records for 18 months

Checking References

An obligatory criterion

- Checking references of successful candidate is obligatory
- Follow up on a written reference with a phone call
 - Construct a set of questions around the job specification and the competencies you are looking for and ask the referee to respond
 - Seek clarification of level, depth, and range of experience and skills demonstrated

Ranking

- List candidates who are deemed suitable for employment in order of merit
- Individual marks shall be added and these totals used to produce a ranking order of candidates deemed suitable for appointment
- Chairperson in written report shall furnish this ranked order and the marks to BoM nominating the candidate for appointment

Ranking contd...

- Confirmation of receipt of suitable references (either verbal or written) for the highest ranked candidate must be included in the written report
- Vacancies [except for the post of principal] arising within 4 months of the date on which the BoM approves the successful candidate are filled from the list supplied to the BoM only if such a list/panel was referred to in the advertisement

Appointment: Principal, Teacher, SNA

- Written report to the BoM as already outlined
- BoM meeting
- BoM appoints
- Chairperson seeks the approval of the Patron in writing for the appointment

Principal/Teacher in Convent/Monastery schools....

- If a member of a religious order is to be appointed, BoM shall so appoint once all necessary issues in regard to registration, qualifications, vetting, references etc. are complied with
- Where a number of posts are guaranteed in reorganised school (not a convent/monastery setting) BoM appoint subject to above requirements

Notification to applicants

- Approval received from Patron – notify the successful candidate in writing
- Letter states offer is subject to *inter alia*:
 - Sanction of Minister
 - Confirmation of qualifications
 - Continued registration with Teaching Council
 - Compliance with vetting
 - Medical screening

Notification to applicants contd...

- Unsuccessful candidates notified once BoM has received written notification of acceptance from successful candidate
- Chairperson and successful candidate complete the relevant appointment form and forward same to the DES
- Sanction of DES once procedures are complied with
- BoM enter into the appropriate agreement - contract

Notification to applicants *contd.*

Special Needs Assistant (SNA)

Successful candidate gets a letter offering post **subject to:**

- Receipt of certificate of medical fitness - OHS
- Successful outcome of vetting
- Confirmation of Qualifications
- Other...

Notification of Appointment Form sent to Non Teaching Staff (NTS) Payroll section, DES

Documents retained

- Advertisement
- Established criteria for post
- Short listing criteria
- Assessment questions
- Individual & aggregate marking sheets for each candidate
- Reports and notes of the selection board
- Decision of the selection board
- Written report to the BoM
- Copy of letter to Patron seeking written approval for the appointment

Documents retained *contd.*

- Letter of approval from Patron
- Letter offering the post to the candidate approved by the Patron
- Letter of acceptance from the candidate
- Appointment Form – DES (copy of original)

Contract of Employment

Fixed Term Contract

- Insert objective grounds
- Insert commencement date and end date
- Sign, file & give a copy to the teacher

Permanent Teacher

- Letter of offer
- Sign, file & give a copy to the teacher
- Circular 60/2009 given to teacher

New appointments – Terms & Conditions

- Full name and address of the employer
- Place of work
- Job title
- Details of the contract
- Date employment began
- Details of rest periods and breaks as required by law

Disputes:

- Complaints
- Grievance & disciplinary procedure
- Mediation
- Dismissal
- Pensions

[Employer should clarify health & safety issues also]

The Law ...

Main sources of dispute

- Gender balance of interview panels
- Acceptance of material after closing date
- Advertising – teachers on leave
- Discriminatory questioning
 - to date mainly on grounds of gender, age and disability
- Breach of procedure

Summary

- Job and person specification
- Identify selection criteria based on person spec.
 - competencies
 - relative weighting
- Adopt a structured approach
 - prepared questions to elicit relevant information/evidence
- Assess evidence provided against selection criteria
- Complete marking scheme in accordance with selection criteria
- Collect and retain notes

Posts of Responsibility

- **Deputy Principal**
- **Assistant Principal**
- **Special Duties Posts**

Consultation re duties

Principal consults with staff to

- Agree schedule of duties
- Proposed schedule of duties submitted to Board
- Board approves duties & informs staff
- Post advertised following BoM meeting

Advertisement

- Vacancy posted in the staff room – all staff access to it
- Notice of advertisement sent by registered post to all teachers on leave
- Notice must contain agreed schedule of duties
- Advertised for 5 consecutive school days
- Specify the closing date for receipt of applications – (10 school days from last day of posting the notice)
- Teachers must apply in writing

Appointment Procedures

Eligibility of teachers to apply

- Qualified permanent and fixed term teachers – (incl. provisional and restricted recognition)
- Teachers on approved leave – career break, secondment, parental leave, carer's leave, sick leave, maternity leave, adoptive leave, etc.
- Job Sharing
- Shared post – eligible in base school only

Criteria – Circular 28/11

Criteria	Marks
■ Length of service	■ 30
■ Knowledge, understanding & capacity to meet needs of job	■ 15
■ Capacity to contribute to overall development of the school	■ 15
■ Interpersonal & communication skills	■ 15
■ Capacity to contribute to overall organisation & management	■ 15

Length of Service

- Leave of absence of 1 school year or longer taken after 1.09.1999 not reckonable
- Leave of absence for periods of less than a school year is reckonable and does not affect the year in question being fully counted
- Maternity leave, unpaid maternity leave, adoptive leave, unpaid adoptive leave, leave in lieu of adoptive leave, parental leave and certified sick leave do not constitute leave of absence for this circular

Length of Service *contd.*

- Substitute/Temporary service given in the school for a minimum of 60 days reckonable as a full year
 - subject to verification
- Job sharing counts as 1 year
- Service given in a school prior to its amalgamation into existing school is reckonable

Selection Board

- 3 person board (in context of Appeal is 4)
 - Chairperson, Principal, Independent Assessor from agreed list
- All applicants to be interviewed even if only one applicant

Interview

- Marking sheet supported by notes
- Notes normally include
 - References to responses to questions
 - Evidence given in terms of criteria

Marking

- Most transparent method is to ascertain the highest number of years served by any applicant and allocate that person 30 marks for service e. g.
 - **Teacher 1: 18 years**
 - **Teacher 2: 20 years**
 - **Teacher 3: 5 years**
- 30 marks for service to teacher 2
- Therefore teacher 1 gets 27 marks
- Teacher 3 gets 7.5 marks

Appointment

- BoM Meeting - written report from selection board to the BoM recommending the appointment of successful candidate
- BoM
 - intention to offer the post to named candidate/s posted on notice board
 - 10 school days to initiate appeal
 - If no appeal
 - appointment confirmed
 - contract
 - notify the DES – PoR amend form
 - If appeal – implement appeals procedure

Appeal Process

- Letter of appeal must be lodged with the chairperson within 10 school days
- Letter of appeal must state grounds of appeal e.g.
 - alleged breach of procedure
 - lack of fairness in applying criteria
 - lack of consultation and agreement
 - other ...

Appeal Process *contd.*

- Chairperson responds initially, by registered post to the appellant within **10 school days**
- Should the appellant wish to proceed he/she must inform the chairperson within **5 school days**

Appeal Process *contd.*

- **Where the appeal is to proceed**
 - Chairperson contacts Patron & INTO CEC rep. to establish Arbitration Board
- **Arbitration Board appointed**
 - Nominee of Patron Body
 - Nominee of INTO
 - An agreed Chairperson

Appeal Process *contd.*

Chairperson BOM provides (on a confidential basis) the Chairperson of Arbitration Board, within 5 school days, with 3 copies of all relevant documentation including

- letter of appeal
- response of the chairperson
- marking sheets

Appeal Process *contd.*

Arbitration Board shall arrange hearing without delay and invite ...

- the appellant
- the respondents i.e. BoM
- witnesses, if any

Appeal Process *contd.*

Arbitration Board

- shall ensure that all normal rules of due process and fair procedures apply
- all documentations to be copied to all parties in advance of the hearing
- chairperson of Arbitration Board clarify the procedures s/he intends to adopt
- all parties invited to the hearing and given reasonable notice of it by Arbitration Board

Appeal Process *contd.*

- Appellant shall be entitled to be accompanied and assisted by a person of his/her choice
- Each party shall be afforded an opportunity to present its case to Arbitration Board
- Arbitration Board shall be entitled to question each party or seek further information

Appeal Process *contd.*

- Where appropriate, the Arbitration Board shall afford each party an opportunity to provide further information on the clear understanding that the other party will have an opportunity to respond to same
- Adjournments are allowed if necessary

Appeal Process *contd.*

Arbitration Board withdraws to deliberate

- If appeal rejected – this decision only is recorded
- If appeal upheld – BoM is advised where to recommence process...
 - initial consultation/allocation of duties
 - advertising stage
 - interview stage

Arbitration Board Findings *contd.*

- Outcome notified by the Arbitration Board Chairperson to
 - Chairperson BoM
 - Appellant
 - Patron
- Outcome of Arbitration Board final and binding

Common reasons for appeal

- Breach of procedure
- Nature of the consultation process
- Duties not inclusive in nature
- Duties too onerous
- Advertising of posts – not adhering to deadlines
- Independent assessor not from agreed list

Common reasons for appeal *contd.*

- Lack of clarity as to what post is under consideration where simultaneous interviews are being held
- Marking scheme *e.g. calculating the length of service*
- Bias in framing the duties or applying the criteria

References

- Constitution of Boards & Rules of Procedure, DES, 2011
- DES Circulars & Booklets *www.education.gov.ie*
- Guide to Employment Law *www.djei.ie*
(*previously www.entemp.ie*)