

Dear Principals and Chairpersons,

The Department of Education and Skills has recently issued a document entitled:

[Guidance on contractual and employment issues arising from COVID -19.](#)

It relates to employment contracts and contracts with service providers, in the context of the Covid-19 pandemic. Boards should read the document, but may notice that some of the issues discussed in the document, do not arise in their school. I wish to draw your attention to the following:

Ancillary staff whose salaries are entirely grant -funded

DES advises that ancillary staff members, whose salaries are *entirely* grant-funded, should continue to be paid as normal. If such staff usually apply for job-seekers allowance, during school closures, such as Easter or summer holidays, these arrangements should continue as normal.

Ancillary staff whose salaries are partially grant-funded

DES advises that ancillary staff whose salaries are partially grant-funded, should continue to have the grant-funded part of their salaries paid as usual. Boards of management should examine the scope of their schools to continue to pay the remainder of the salaries as normal, where possible. The document contains some suggestions, if this is not possible.

DES have issued a [Table](#) in relation to the payment of ancillary staff which may be of assistance to Boards.

Contracts with service providers

Where, due to COVID-19, a service provider is *not* providing a service to the school, DES outlines a number of steps to be considered by the school. Depending on the individual contract, there will be differing legal or financial implications arising and DES advises schools to seek the appropriate advice in all cases.

The general principal would be that (having considered the steps set out in the document), a school should not pay for a service, which it is not receiving, subject, to the school taking advice on the legal and financial implications of any non-payment.

DES have also advised that schools making contractual payments to service providers, should ask them to [self-declare](#), that they are not also in receipt of COVID-19 financial supports. If they are in receipt of financial supports, schools should refer to the guidance document and seek further advice in this regard from [FSSU](#) .

[Contractual issues with service providers may be complex, in the context of COVID-19. Schools should ensure that they are properly advised in relation to these matters. Please call us on 01-6292462 or email us at \[info@cpsma.ie\]\(mailto:info@cpsma.ie\) with any queries in this regard.](#)