

**AN ROINN OIDEACHAIS & EOLAÍOCHTA**  
**DEPARTMENT OF EDUCATION & SCIENCE**

# Panel Rights for Teachers

(Updated Version – May 2005)



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OF THIS BOOKLET HELD BY YOU**

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#### **ABOUT THIS BOOKLET**

The aim of this booklet is to provide information in relation to panel rights for teachers. Questions which frequently arise are answered. While care has been taken in the preparation of the material by nature it cannot cover every single aspect of this matter.



# Panel Rights for Teachers

## Section 1 ~ Background to Panels

### 1. What is the Panel?

The panel serves two purposes:

- (i) as a means for redeployment of permanent teachers;
- (ii) as a means to gain permanent employment for temporary qualified teachers.

### 2. Is there more than one Panel?

Yes. At present panels exist for:

- Teachers employed in schools which are under the patronage of the Catholic Church. The Catholic panels are compiled on a diocesan basis. Accordingly, each diocese has its own panel. Panel offers will only be received from schools within the geographical area of the diocese.
- Teachers employed in schools which are under the patronage of the Church of Ireland, Methodist Church in Ireland, Presbyterian Church in Ireland or under joint patronage. The Church of Ireland, Methodist Church in Ireland and Presbyterian Church panels are compiled on a diocesan or united diocesan basis. Accordingly, each diocese or united diocese has its own panel. Panel offers will only be received from schools within the geographical area of the diocese or united diocese.
- Teachers who are members of religious orders. In the case of religious panels, each Religious Order has its own panel.
- Teachers in multi-denominational schools which are affiliated to Educate Together. The multi-denominational panels are operated by Educate Together on a national basis.
- Certain teachers, with restricted recognition teaching in special schools, special classes in ordinary schools as set out in Appendix A and as Resource teachers in ordinary schools. Special Education Section 1 of the Department of Education & Science operates the Special Education panel on a national basis.

Within each of the categories of panels mentioned above there is a Main Panel and a Supplementary Panel.

#### The main panel

- The main panel is made up of permanent teachers whose posts have been suppressed and temporary qualified teachers who have a minimum of 5 years temporary service.

The supplementary panel

- The supplementary panel is made up of temporary qualified teachers who have between 3 and 5 years temporary service.

The supplementary panel becomes operative when:

- The main panel is clear; *or*
- The remaining teachers on the main panel refuse offers from Boards of Management on grounds of distance and letters of refusal from these teachers have been received in and approved by Special Education Section 1 for the Special Education panel or Primary Payments Section of the Department of Education & Science for all other panels.

**3. How will I know which panel applies to me?**

When you are invited by the Department to apply for panel rights, the application form indicates which panel applies to you.

Queries regarding the Special Education panel should be addressed to the:

**Special Education Section 1, Department of Education & Science,  
Cornamaddy, Athlone, Co. Westmeath.**

Queries regarding any other panels should be addressed to the:

**Primary Payments Section, Department of Education & Science,  
Cornamaddy, Athlone, Co. Westmeath.**

## SECTION 2 ~ *Eligibility of Teachers and Operation of Panels*

### 1. What conditions must be satisfied in order to gain access to the panel?

If you are a **permanent teacher** and wish to have your name placed on the main panel you need to:

- Be a fully qualified primary teacher.  
and
- Be probated in accordance with Rule 95 of the Rules for National Schools, and the appropriate Department of Education and Science circulars.  
and
- Be serving in a recognised primary school in a permanent capacity for the school year in which panel rights are claimed.  
Or
- Have restricted recognition and be teaching in certain categories of special schools, special classes in a primary school or as a resource teacher in a primary school. (For eligibility for the Special Education Panel see Appendix A).

If you are a **temporary teacher** currently employed in a primary school and wish to have your name placed on either the main or supplementary panel, you need to:

- Be a fully qualified primary school teacher with more than 5 years temporary service for inclusion on the main panel or 3 to 5 years temporary service for the supplementary panel. Temporary teaching service prior to holding a permanent post and temporary teaching service prior to forfeiting panel rights is not reckonable.  
and
- Be probated in accordance with Rule 95 of the Rules for National Schools and the appropriate Department of Education and Science circulars.  
and
- Be serving in a recognised primary school in a temporary capacity for the school year in which panel rights are claimed.  
Or
- Have restricted recognition and be teaching in certain categories of special schools, special classes in a primary school or as a resource teacher in a primary school. (For eligibility for the Special Education Panel see Appendix A).

**NOTE 1:** If you are a teacher with **provisional recognition** you are not entitled to have your name placed on any panel. However, once you are granted full recognition, your service given prior to recognition is counted when determining eligibility for obtaining panel rights.

**NOTE 2:** If you are a **post primary trained teacher**, you are not eligible for panel rights unless you have been granted restricted recognition to teach in certain special schools - then you are eligible for panel rights for the Special Education Panel.

## 2. How does the panel system operate?

### a. Identification and Invitation Stage

The Department identifies on an annual basis:

- Permanent teachers whose posts are to be suppressed. The most junior permanent teacher goes on the Panel. See Note highlighted below regarding exceptions. The Board of Management and the permanent teachers are both formally advised in writing of the imminent suppression of the post.  
and
- Temporary teachers who, based on their temporary service, are eligible for main or supplementary panels rights, as appropriate. Temporary teachers are formally invited in writing to have their name placed on the panel.

Both permanent and temporary teachers are invited to have their names placed on the panel appropriate to the school e.g. Catholic Diocese of Elphin.

### NOTE - EXCEPTIONS:

- Another teacher may opt to have his/her name placed on the panel for redeployment instead of the most junior teacher, with the approval of the Board of Management. (Example: A school is to lose a Mainstream Class Post and the most junior teacher in the school is the Learning Support teacher. No other teacher within the school wishes to take the Learning Support post. Should one of the other teachers volunteer to have his/her name placed on the panel instead of the Learning Support teacher, this would be acceptable. If no teacher volunteers for the panel, then the most junior teacher must go on the panel. The staffing in the school must be reorganised to suit the schools post allocation.)
- Where a post for categories of special schools and special classes as outlined in APPENDIX A or a resource post in an ordinary school is being withdrawn and the teacher in this post has restricted recognition but is not the most junior teacher in the school, the teacher with restricted recognition is the one to have his/her name placed on the Special Education Panel.

### b. Compliance

It is imperative that the teacher returns the signed panel form to the Department before the specified deadline (Please retain proof of postage). If the signed form is not returned by the specified date, the teacher forfeits his/her panel rights.

### c. Compilation

On receipt of signed panel forms, the Department will then compile a list of teachers who are eligible to have their names placed on the panel.

**d. Referral of panels to the Patrons**

In the case of Catholic and Church of Ireland, Methodist Church in Ireland and Presbyterian Church in Ireland schools, these lists are referred to the Patrons for inclusion on the panel. In relation to multi-denominational schools the names are forwarded to Educate Together.

The final decision to admit a teacher to a panel rests with the Patron or Educate Together for the Educate Together Schools, as appropriate.

The various Panel lists are available from the Patron or Educate Together for the Educate Together Schools, as appropriate.

**e. Filling of vacancies by Boards of Management**

A Board of Management seeking to fill a permanent vacancy is obliged to offer the post in writing to teachers on the panel. A Board of Management will only be permitted to advertise a post following sanction from the Department.

Sanction to advertise will only be given when:

- Both the main and the supplementary panels are clear,  
or
- Where remaining teachers on both panels have refused an offer on grounds of distance. Sanction to advertise is granted when letters of refusal have been received in Special Education Section 1 in relation to the Special Education panel or Primary Payments Section in relation to all other panels.



## SECTION 3 ~ *Forfeiting and Deferring Panel Rights/ Exemption from Panel*

### 1. **If I do not respond to the panel offer form within the time specified, what happens to my panel rights?**

You will forfeit your panel rights. In addition, if you are a permanent teacher, payment of salary will cease from the end of the school year or immediately if the school year has commenced, unless you secure an alternative post through open competition.

### 2. **As a permanent teacher what does deferring my panel rights mean?**

Deferring panel rights means postponing your redeployment. You can defer your panel rights in the following circumstances only:

- To take up a temporary position which is vacant in your school. The temporary position must be for a minimum period of one school year i.e. replacing a teacher on career break, secondment etc. The maximum period, which you can defer your panel rights to take a temporary post, is 5 school years.
- To avail of a career break. The maximum period, which you can defer your panel rights to take a career break, is 5 school years.
- To avail of a jobsharing arrangement. The maximum period which you can defer your panel rights to jobshare is 5 school years.
- To take up a secondment arrangement. The maximum period for which a teacher on secondment can defer his/her panel rights is five school years (Per Circular 11/02).

***It is not an option to defer panel rights if you have not first signed and submitted the panel form to the Department.***

### 3. **Can I defer panel rights on medical grounds?**

No. You cannot defer panel rights on medical grounds.

### 4. **If, as a permanent teacher, I defer my panel rights to take up a temporary position in my own school, to take a career break, to jobshare, to avail of a secondment arrangement and subsequently a permanent post arises in my school, should this post be offered to me?**

Yes, you are automatically reinstated to the permanent post. If you do not accept the post you will lose your panel rights.

- 5. If, as a permanent teacher, I cannot defer my panel rights (as per section 3.2 above) and subsequently a permanent post arises in my school before or on the first day of the new school year, should this post be offered to me?**

Yes, you are automatically reinstated to the permanent post. If you do not accept the post you will lose your panel rights. However, if you have already accepted a post in another school it is a matter for both Boards of Management (your former and your new Board of Management) to come to an agreement regarding which position you will take up.

- 6. As a temporary teacher what does deferring my panel rights mean?**

Deferring panel rights means postponing the date that you go on the panel, i.e. become available for a permanent post.

You can defer your panel rights if you are taking a temporary post in any school.

The temporary post must extend for a minimum period of one school year i.e replacing a teacher on career break, secondment etc.

As a temporary teacher the maximum period for which you may defer panel rights is 3 years.

*It is not an option to defer panel rights if you have not first signed and submitted the panel form to the Department.*

- 7. If, as a temporary teacher I defer my panel rights to take up a temporary position in my own school or in a school other than the school from which I was offered panel rights and subsequently I resign my post during the school year do I forfeit my panel rights?**

Yes, access to the panel can only be achieved again by securing a permanent post by open competition, which would subsequently be suppressed, or by completing more than 3 years temporary service from the date that you forfeited your panel rights.

- 8. If I need to defer my panel rights when must I notify the Department?**

You must defer, in writing (please retain a certificate of postage) to the Department, by the date specified in the panel letter.

Under no circumstances can you defer your panel rights at a later date.

- 9. If, as a temporary teacher, I defer my panel rights to take up a temporary position in my own school, and subsequently a permanent post arises in this school, should this post be offered to me?**

The Board of Management may offer the post to you (providing the main panel is clear) but it is not obliged to do so. Likewise, you are not obliged to accept the offer. Refusal of such an offer will not cause you to forfeit your panel rights.

- 10. As a temporary teacher, if I defer my panel rights to take up a temporary post in a school other than the school from which I was offered panel rights, and a permanent post subsequently arises in my new school, can I be offered this post?**

If the school in which you are now working is located within the same diocese as the school from which you were granted panel rights, and the main panel is clear, the Board of Management may offer you the post. However, they are not obliged to do so. Likewise, you are not obliged to accept the offer. Refusal of such an offer will not cause you to forfeit your panel rights.

- 11. As a temporary teacher, if I defer my panel rights to take up a temporary post in another school, located in another diocese, on what panel is my name placed the following year?**

With the Patron's approval, your name will be placed on the panel which is appropriate to the school in which you are now serving. For example, if you were offered panel rights for the 2002/2003 school year within the Dublin Archdiocese, but deferred same to take a temporary post in Cork, in the 2003/04 school year you will be eligible for inclusion on the Cork Diocesan Panel following approval from the Patron. It is a matter for the teacher to obtain the Patron's permission.

- 12. Are there any exemptions to the panel regulations?**

Yes, on account of maternity/adoption which applies to permanent teachers being redeployed.

In the case of a maternity exemption you may be exempt from the panel for 6 months prior to the birth of a baby and 9 months after the birth. In the case of an adoption exemption you may be exempt from the panel for 9 months after the placement of the child. During this period of exemption you remain on the panel. You can only apply for an exemption from the panel on maternity/adoption grounds at the time of receiving your panel offer.

During the period of your exemption you remain in your former school in a supernumerary capacity pending your re-deployment. You must not be allocated a mainstream class. You must act as a replacement teacher for absences of other teachers on maternity leave, parental leave, sick leave etc. i.e. where a substitute or temporary teacher would normally have been employed.

During your period of maternity/adoption leave (paid and unpaid) the Department will not pay the cost of a replacement teacher.

If a permanent post arises in your own school during your exemption period, you are automatically reinstated to the permanent post.

If a permanent post arises in another school during your exemption the Board of Management may offer the post to you but it is not obliged to do so. Likewise you are not obliged to accept the offer. Refusal of such an offer will not cause you to forfeit your panel rights.

- 13. Can I claim exemptions from the panel on parental leave grounds?**

No. The only exemption is on maternity/adoption grounds.

## SECTION 4 ~ *Panel Offer Procedures*

### 1. How do I receive offers of permanent posts?

A Board of Management will communicate an offer(s) of post(s) to you in writing (a certificate of postage should be retained by the Board).

**It is vitally important that you are contactable at all times during the summer holidays. Even if you are away on vacation, ensure that there is somebody at your contact address to receive offers on your behalf, and check with this person regularly.**

**If you change address or telephone number you must notify this change to the Department and the Diocesan Office immediately.**

**You must respond to all offers in writing (a certificate of postage should be retained by the teacher) within 7 days of the date of the offer being made by the Board of Management. You should decide immediately on receipt of an offer. Prompt responses to offers enable the panel to be administered efficiently. Even if you are entitled to refuse an offer, respond promptly in writing to the offer.**

### 2. What happens if a teacher fails to respond within 7 days of an offer being made by a Board of Management?

You will forfeit your panel rights. In addition if you are a permanent teacher, payment of salary will cease from the end of the school year or immediately if the school year has commenced, unless you secure an alternative post through open competition.

### 3. Has a Board of Management the right to interview me when I am on the panel?

Once there is more than one teacher on the panel, a Board of Management has the right to interview you.

### 4. Must I accept any posts offered to me?

**You are obliged to accept offers made to you if the post is within the 45km (28 mile) limit of your former school. This includes posts in Gaelscoileanna, Gaeltacht Schools, Special Schools and Special Classes.**

### 5. Must I notify the Department if I take up a panel offer?

**No. It is the responsibility of the Board of Management to do so.**

A form "Notification of Permanent Appointment" will be forwarded to you at the same time as your panel invitation. When offered the permanent post, you should immediately complete Section 1 of the "Notification of Permanent Appointment" form and submit to your new Board of Management.

The Board must complete the rest of the form and forward to the Department immediately so that your salary details may be recorded by the Department.

**6. What if I refuse an offer and I am within the 45 km (28 mile) distance?**

You will forfeit your panel rights. In addition, if you are a permanent teacher, payment of salary will cease from the end of the school year or immediately if the school year has commenced, unless you secure an alternative post through open competition.

**7. Must I reply in writing to each offer made to me even if it is outside the distance?**

Yes, until you are offered a post that is within the distance.

**8. When am I expected to take up duty in the new school?**

In respect of offers made and accepted prior to the end of the school year you are not required to take up duty in the school in which you are offered the post until the start of the new school year.

Offers accepted after the start of the school year will result in you taking up duty immediately.

Where a post is suppressed during a school year (e.g. where a developing post is not warranted by reference to the pupil enrolment and the post is withdrawn during the school year) the teacher is placed on the panel with immediate effect. In such an instance s/he is open to accept offers and be redeployed immediately.

**9. When does the supplementary panel come into effect?**

The supplementary panel comes into effect when:

- (i) the main panel is clear; *or*
- (ii) the remaining teachers on the main panel refuse offers from Boards of Management on grounds of distance and letters of refusal from these teachers have been received in the Special Education Section 1 of the Department of Education & Science regarding the special education panel and in Primary Payments Section of the Department of Education & Science regarding all other panels.

## SECTION 5 ~ *General Matters*

- 1. As a permanent teacher what happens if I am not re-deployed before the start of the new school year?**

You go back to your old school until you are re-deployed. You must not be allocated a mainstream class. You must act as a replacement teacher for absences of other teachers on maternity, parental, sick leave etc. i.e. where a substitute or temporary teacher would normally have been employed. If you are absent on leave e.g. maternity, parental etc., the Department will not pay the cost of a replacement teacher.

- 2. Will I, as a temporary teacher on either the main or supplementary panel, receive salary whilst I am on the panel?**

No. You do not have entitlement to salary from the start of the new school year while you are awaiting an offer of a permanent post. However, this does not prevent the payment of salary to you if you have taken up a temporary or substitute appointment in the interim.

- 3. As a temporary teacher what happens if I do not get an offer before the start of the new school year?**

You are free to take up work in any capacity. If a Board of Management offers you a temporary contract for a specific duration, inform the Board of your panel rights and clarify whether you will be released from this contract to take an offer of a permanent post.

Note: If you do not take up a temporary teaching post, you will incur a break in service and will not be paid salary.

- 4. Following on from question 3, does a break in service have PRSI implications?**

Yes. Your break in service may cause you to change PRSI class from paying a modified rate of PRSI to paying full rate PRSI. This does not apply if you are already paying the full rate PRSI.

- 5. What happens if I do not receive an offer and I am on the panel for a few years?**

After three years on a panel you must accept any offer in the diocese regardless of the distance. You remain on the panel until you receive such an offer. If you do not accept an offer you lose your panel rights and in addition if you are a permanent teacher your salary will be terminated with immediate effect.

**6. What is the addendum to the panel?**

When a teachers' post is suppressed in an amalgamated school, the most junior teacher is entitled to have his/her name placed on the addendum to the panel provided that s/he was serving in one of the schools at the time of the amalgamation. The difference between the addendum to the panel and the main panel is that the teacher is obliged to accept an offer of a post in a school which does not exceed 24km (15 miles) from his/her existing school.

In addition, the teacher carries addendum panel rights with him/her to the new school and will retain these rights until he/she leaves that school voluntarily.

**7. What is my position as a Principal teacher in the event of the school being closed?**

Your post will be suppressed. However, approximately six months before the actual closure occurs, you are invited to have your name placed on the appropriate diocesan panel. You are not obliged to accept any offer of posts for the six month period commencing from the date you signed your panel form. Following this six month period you are obliged to accept the first offer from the Board of Management of a school which is located within 45km (28 miles) from your former school.

If you have not been re-deployed and your school is closed you will be attached to another school nominated by your Patron in consultation with the Department Inspector pending your redeployment.

You must not be allocated a mainstream class. If you are absent on authorised leave e.g. maternity, parental leave etc. the Department will not pay the cost of a replacement teacher.

## APPENDIX A

### EXTRACT FROM CIRCULAR 25/00 - RESTRICTED RECOGNITION FOR TEACHERS TO TEACH ONLY IN CERTAIN CATEGORIES OF SPECIAL SCHOOLS AND CLASSES

#### 1 RESTRICTED RECOGNITION

Restricted recognition gives eligibility to teach in certain categories of special schools and in the categories of special classes in mainstream schools where Irish is not a curricular requirement as outlined in Section 2 below. In addition such teachers are also entitled to take up positions in special schools for young offenders' and in youth encounter projects or special education projects.

The Department of Education and Science will grant restricted recognition to certain teachers who have a recognised primary teacher qualification from another jurisdiction. These are teachers who are qualified to teach the range of primary school subjects to pupils aged 4 to 12 years and who are not qualified to teach in mainstream national schools because they do not have an appropriate Irish language qualification. The teachers who are entitled to restricted recognition are as follows:

- a) Teachers who trained outside the State (including teachers who trained outside the EU) with a recognised primary teacher qualification for teaching the aspects of the primary school curriculum to pupils aged 4 to 12 years (however please refer to Parts Three and Four of this booklet regarding provisional recognition);
- b) Teachers with the Montessori qualification which is awarded on completion of the three year full time course in the Association Montessori International (AMI) College, Mount St. Mary's, Milltown, Dublin 14; and
- c) Teachers with the National Diploma or Degree in Humanities in Montessori Education from St. Nicholas Montessori College, Dun Laoghaire, which is accredited by the National Council for Educational Awards.

In order to be granted restricted recognition, teachers who qualify in any of the above categories should submit the documentation referred to in Schedule 1 of this information booklet to the address indicated in that Schedule. It is important to note that teachers who are granted restricted recognition are not entitled to apply for or to accept posts as remedial teachers in mainstream schools. They are, however, eligible to apply for and accept posts as resource teachers for children with special needs in mainstream schools.



## 2 CATEGORIES OF SPECIAL SCHOOLS AND CLASSES

The following are the categories of special schools and classes in which teachers with restricted recognition are eligible to teach:

- Schools and classes for pupils with Severe and Profound General Learning Disabilities;
- Schools and classes for pupils with Mild General Learning Disabilities;
- Schools and classes for pupils with Moderate General Learning Disabilities;
- Schools and classes for pupils who are Profoundly Deaf;
- Schools and classes for pupils with Hearing Impairments;
- Schools and classes for pupils with Emotional or Severe Emotional Disturbance;
- Schools and classes for pupils with Multiple Disabilities;
- Schools and classes for pupils with Specific Speech and Language Disorders; and;
- Schools and classes for pupils with Autism or Autistic Spectrum Disorders.

## 3 PROBATION

Teachers who are granted restricted recognition to teach in the schools and classes outlined in paragraph 2 above must undergo a one-year probationary period in this State regardless of experience abroad. The probationary process will involve incidental visits from a Department Inspector and two reports on the suitability of the teacher to teach in the special school or special class setting.

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