

Education and Training Boards Ireland  
Boird Oideachais agus Oiliúna Éireann

# TERMS OF REFERENCE FOR THE BOARDS OF MANAGEMENT OF COMMUNITY NATIONAL SCHOOLS, COMMUNITY SPECIAL SCHOOLS AND COMMUNITY HOSPITAL SCHOOLS







## A Word from ETBI's General Secretary

It is acknowledged that an effective Board of Management (BoM) functions well when all members understand their roles and responsibilities and act accordingly. Members who serve on Boards of Management provide an important and valuable service to their whole community and their commitment and contribution is widely recognised. While the BoM provides support to the Principal and the school/college, its main role is one of oversight and governance.

These Terms of Reference (TOR) have been produced to assist BoM members and they contain a helpful overview of the role of the board in addition to the various rules regarding its composition and operation. They provide a key element in the framework of guidelines and procedures for the sector and should be read in conjunction with the Code of Practice for the Governance for Education and Training Boards.

Every BoM member should be encouraged to use the TOR as a framework to consider its role and responsibilities and identify the key activities and priorities that it will address to accomplish its primary goal. In conjunction, all BoM members are encouraged to use their individual skills and knowledge to the benefit of the school/college, the students, and their parents/guardians.

This TOR document is being published online only in order to allow regular updating as new legislation, circulars and guidelines emerge, thereby ensuring that users are always accessing the most up-to-date information.

A handwritten signature in black ink that reads "Paddy Lavelle". The signature is written in a cursive, flowing style.

Paddy Lavelle  
General Secretary  
Education and Training Boards Ireland  
January 2024

# OUR SECTOR AT A GLANCE

#ETBStrongerTogether



**32k+**  
Staff



**368k+**  
Learners



**500+**  
FET  
providers

Ireland's leading statutory providers of Education and Training



## Core values

- Excellence
- Care
- Equality
- Community
- Respect

## Ethos

- Equality based
- Multi-denominational
- Co-educational



Further  
Education &  
Training:  
**226k+**  
learners

**48**

Scoil Gaeltachta  
Gaelcholáiste  
Aonad Ián-Ghaeilge



ETBs fund

**1600**  
youth clubs and deliver

**237**  
targeted youth services

**29**  
Community  
National  
Schools

**5**  
Community  
Special  
Schools

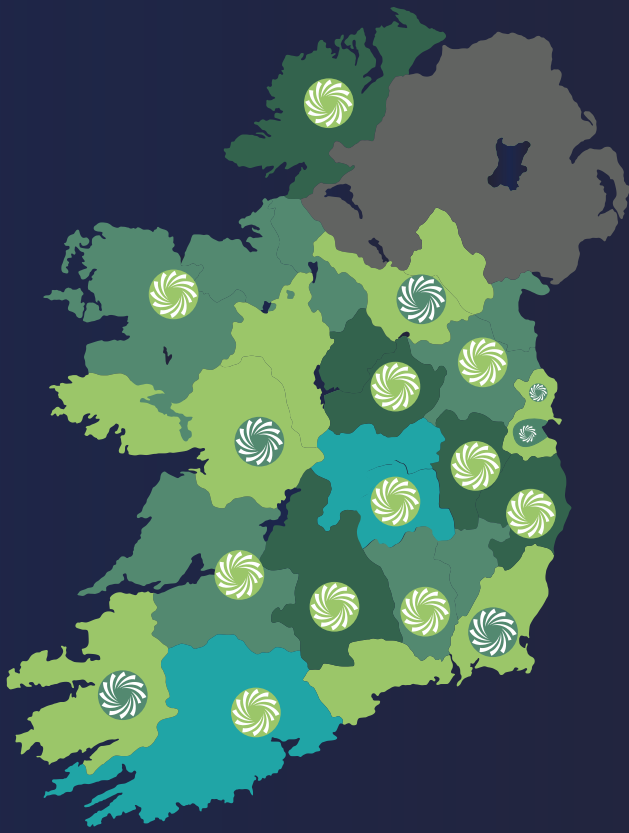
**3**  
Community  
Hospital  
Schools

**252**  
Community  
Colleges (over  
1/3 of all  
post-primary  
schools in  
Ireland)





**etbi**  
Education and Training  
Boards Ireland  
*Boird Oideachais agus  
Oiliúna Éireann*



**€2.2bn**  
Annual spend



ETBs deliver Youthreach and  
Music Generation  
programmes



ETBs are the largest provider  
of multi-denominational  
education in Ireland



## Contents

	Glossary of Terms	v
	About these Terms of Reference	1
1.	Introduction and overview of the role of the BoM	2
1.1	Introduction	12
1.2	The Board of Management and the Patron	13
1.3	The BoM of a Community National School	13
1.4	The Education and Training Board (ETB) as Employer	13
1.5	School Policies	14
1.5.1	General	14
1.5.2	Admission (Enrolment) Policy	15
1.5.3	Code of Behaviour	15
1.5.4	Anti-Bullying Policy	16
1.5.5	Education (Student and Parent Charter) Bill 2019	16
1.6	Management of Resources	18
1.7	School Leadership	19
1.8	School Planning	20
1.9	Self-Evaluation/Teaching and Learning	21
1.10	Training for BoMs	23
2.	General	24
2.1.	Legal introduction	25
3.	Constitution of BoMs of Management	27
3.1	Shared governance arrangements	28
3.2	Representation on BoMs	28
3.3	Parent nominees to BoMs in Hospital Schools and High Support Unit Schools	28
3.4	Schools with change status	29
3.5	Schools which are new/amalgamate/change patron	29
3.5.1.	New Schools	29
3.5.2.	Schools that amalgamate	29
3.5.3.	Schools which change patron/patronage	29
3.5.4.	Constitution, Appointment and Term of Office	30
4.	Procedures for the election and nomination of members of Boards of Management	31
5.	Position in the event of failure to nominate the extra members from the Community in accordance with Appendix C	34
6.	Ineligibility	35
7.	Term of Office, Dissolution of BOM/Removal of Member(s), Cessation of Membership, Resignation and Vacancies	37

8.	Confidentiality	41
9.	BoM Communications	43
10.	The Chairperson	45
11.	The Secretary	47
12.	The Treasurer	49
13.	Procedure for BoM Meetings	50
13.1	Frequency of Meetings	51
13.2	First Meeting	51
13.3	Ordinary Meetings	51
13.4	Requested Meetings	52
13.5	Emergency Meetings	53
14.	Responsibilities of the BoM to the Patron, the Trustees and the Department	54
15.	Disclosure of interest/integrity of BoM Proceedings	55
16.	Correspondence	57
17.	Finance	59
18.	The Charities Regulator	65
19.	Child Protection	66
20.	Garda Vetting	69
21.	The Data Protection Acts and GDPR	70
22.	Freedom of Information Acts	72
23.	The Protected Disclosures Acts	73
24.	Access to the school	75
25.	Use of school premises	76
26.	Guidelines on Health and Safety	77
27.	Energy Management in Schools	79
27.1.	Statutory obligation to monitor and report energy use annually	80
27.2.	School Sector Climate Action Mandate and Climate Action Roadmap	80
28.	Change of Staff Form	82
29.	Online Claim System (OLCS)	83
	Appendix A – Procedure for the nomination/election of a person who will be nominated to the Patron for appointment as a teacher nominee.	85
	Form 1 – Patron’s Declaration	85
	Form 2 – Declaration of Acceptance of Membership of the School BoM	85
	Appendix B – Procedure for the nomination/election of a parent(s) for appointment by the patron as a parent nominee(s) to the BoM.	86
	Appendix C – Procedure for the selection of a member(s) from the community for appointment to the BoM	86

## Glossary of Terms

Board of Management:	The BoM/manager(s) is the body of persons or the person(s) appointed by the patron to manage the school on behalf of the patron. The functions of the BoM are set out in section 15 of the Education Act 1998 which provides, inter alia, that it shall be the duty of the BoM to <i>“manage the school on behalf of the patron and for the benefit of the students and their parents and to provide or cause to be provided an appropriate education for each student at the school for which that board of management has responsibility”</i> . Section 15 of the Education Act 1998 also provides that a <i>“board shall perform the functions conferred on it and on a school by this Act”</i> .
CE:	Means Chief Executive in an Education and Training Board.
Days:	Days as it appears in this manual should be taken to mean calendar days as distinct from school days.
Department:	For the purposes of this manual, the Department means the Department of Education.
Employer:	Employer means the appropriate school authority. In the case of Community National Schools the ETB is the employer. Therefore, in this manual, the phrase “the employer” is used to refer to the ETB.
ETB:	Means an Education and Training Board.
Minister:	For the purposes of this manual, the Minister means the Minister for Education.
Parent:	Parent encompasses the definition of “parent” in the Education Act 1998 to include a foster parent, a guardian appointed under relevant guardianship of children legislation, or other person acting in loco parentis who has a child in his or her care subject to any statutory power or order of a court and, in the case of a child who has been adopted under relevant adoption legislation or, where the child has been adopted outside the State, means the adopter or adopters or the surviving adopter.
Patron:	The patron is the person recognised as such by the Minister in accordance with section 8 of the Education Act 1998. Where two or more persons exercise the functions of a patron they may be registered as joint patrons. It is the duty of the patron, in accordance with section 14 of the Education Act 1998 to appoint, where practicable, a BoM. Section 16 of the Act provides that the patron may, with the consent of the Minister, remove a member of a BoM or dissolve a BoM.
School Authority:	For the purpose of this manual, school authority refers to the ETB in the case of Community National Schools.
Serving Teacher:	For the purposes of this manual, a serving teacher shall be taken to mean a teacher serving in a school in a permanent capacity or in a fixed-term (full-time or part-time) capacity where the term of appointment is six months or greater. The following teachers are not regarded as serving teachers for the purposes of this manual: teachers (including substitutes) whose term of appointment is less than six months*; teachers on career break; teachers on secondment; teachers on service overseas. *Such a teacher may, however, be regarded as a serving teacher in circumstances where otherwise it is not possible to nominate/elect a serving teacher (other than the Principal/Acting Principal) to the BoM.
Term of Office:	Term of office as it appears in this manual shall, unless the context requires otherwise, be taken to mean the 4-year period from 1 December 2023 up to and including 30 November 2027. The term of office of any BoM is subject to the provisions of sections 14, 16 and 17 of the Education Act 1998 and to the relevant provisions of this manual.
Trustees:	In general, the trustees are the persons who are parties to the lease of the school premises and are normally nominated by the patron as trustees of the school. The trustees undertake that the buildings shall continue to be used as a primary school for the term of the lease and guarantee that the premises and contents are insured against fire and tempest. Please note that in some schools there may not be any trustees, e.g. in cases where the school premises is in the direct ownership of the school patron.



## About these Terms of Reference

The Governance Manual for Primary Schools 2023-2027 has been issued to all primary schools in Ireland. Education and Training Boards Ireland (ETBI), as well as all other relevant primary stakeholders, was part of the Department of Education (DE) Task Group that developed that manual.

The Department of Education Governance Manual for Primary Schools 2023-2027 clearly outlines the areas of the manual that do not apply to Community National Schools due to its governance arrangements under ETBs. However, it was recommended by the Community National School Principals' Network that the Governance Manual for Primary Schools 2023-2027 could be further enhanced for members of Boards of Management (BoMs) in Community National Schools with the publication of a specifically tailored document.

Additionally, as Community National Schools are committees of the ETB, the ETB is required to determine "*the terms of reference and the regulation of the procedures of the committee*" under section 12(2)(i)(ii) of the Education and Training Boards Act 2013. This document sets out the Terms of Reference of the ETB Board for its committees at primary level. These Terms of Reference has taken all of the relevant information from the Governance Manual for Primary Schools 2023-2027 and removed information that is not relevant to Community National School BoMs.

Essentially, these Terms of Reference include ETB-specific information that is required by members of Community National Schools<sup>1</sup> BoMs in order to carry out their functions effectively. That includes but is not limited to the Education and Training Boards Act 2013, the Code of Practice for The Governance for Education and Training Boards (January 2019) and all other relevant legislative and administrative documents which underpin and support good governance in the Education and Training Board sector. In addition, these Terms of Reference summarise key actions for the BoM at the end of relevant sections.

Although the Governance Manual for Primary Schools 2023-2027 that was issued to all schools by the DE is available to members of a Community National School BoM, it is hoped that these Terms of Reference will provide members of Community National School BoMs with all the information they need to carry out their functions effectively.



<sup>1</sup> Including Community Special Schools, Community Hospital Schools and High Support Units.

# 1 Introduction and overview of the role of the BoM



# 1. Introduction

BoMs of primary schools are appointed for a four-year term. The term of office for new BoMs is from 1 December 2023 to 30 November 2027.

The BoM manages the school on behalf of the patron and is accountable to the patron and the Minister. The Principal is responsible for the day-to-day management of the school, including guidance and direction of the teachers and other staff of the school, and is accountable for that management.

All BoMs of primary schools assuming office from 1 December 2023 onwards are required to adhere to the provisions of the Department of Education's Governance Manual for Primary Schools 2023 – 2027. It is acknowledged that the most effective BoMs also have a clear understanding of their role and responsibilities and ensure that these are fulfilled. Training for BoMs can play an important role in this regard. BoM members are therefore strongly advised to avail of the training that is provided by the relevant ETB.

The BoM should adopt a child-centred approach to all of its work. It must also have regard to the efficient use of resources (particularly the grants provided by the State), the public interest in the affairs of the school and accountability to students, parents and the community. The BoM must also uphold the characteristic spirit (ethos) of the school and is accountable to the patron for so doing.

BoM members in Community National Schools should familiarise themselves with the 'ETBI Patrons' Framework on Ethos', which is available at [etbi.ie/wp-content/uploads/2022/11/ETBI-Patrons-Framework-Digi.pdf?x66230](https://etbi.ie/wp-content/uploads/2022/11/ETBI-Patrons-Framework-Digi.pdf?x66230). Training is provided to BoM members on the Community National School ethos by the Ethos Coordinator in the ETB with the support of ETBI.

It is important that from the outset, the BoM carefully considers its role and responsibilities and identifies the key activities and priorities that it will address during its term of office. These will vary from school to school depending on the school's individual circumstances.

As an aid to BoMs, ETBI has highlighted the specific actions arising out of each section of the Terms of Reference. ETBI has also developed an Excel file that Chairpersons and Principals can use to ensure that they have carried out the appropriate actions at each meeting. The Excel is available from the Director of Schools in each ETB.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	The BoM seeks adopts a child-centred approach to all of its work	Ongoing.
2	The BoM identifies the key activities and priorities that it will address during its term of office	At a meeting soon after the BoM is established.

## 1.2 The Board of Management and the Patron

It is the duty of the BoM to manage the school on behalf of the patron. In carrying out this duty the BoM is obliged to consult with and keep the patron informed of decisions and proposals of the BoM. The BoM is also accountable to the patron for upholding the school's characteristic spirit.

It is essential, therefore, that arrangements are in place to ensure that the patron is appropriately consulted in relation to BoM matters and that any information required for the exercise of the patron's role is made available to the patron by the BoM. Examples of information that must be supplied to the patron include the Admission Policy, School Plan, Child Safeguarding Statement, Code of Behaviour, Anti-Bullying Policy, School Accounts *etc.* In relation to admissions, under the provisions of the Education (Admission to Schools) Act 2018, all schools have admission policies which have been drafted by the BoM and approved by the patron. The BoM must publish the admission policy of the school. Future amendments to the school's admission policy must be made within the provisions of the Act, including consultation with the patron. All revised admission policies must be approved by the patron before publication. Further details are set out in section 1.6.2 of this manual.

Where the ETB is the patron of a school, BoMs are established as committees of the ETB pursuant to section 44 of the Education and Training Boards Act 2013. This means that BoMs of Community National Schools are not corporate bodies in the same way as for other primary schools, though they are still legally required to perform the functions of a school BoM as set out in the Education Act 1998. Essentially, BoMs of Community National Schools are required to comply with the Education and Training Boards Act 2013 in addition to all other legislation applicable to school BoMs.

An ETB, formally (by resolution of its board of members), provides its ETB primary school BoMs with Terms of Reference within which to operate as committees of the ETB. This document constitutes such Terms of Reference. ETB BoMs then operate within these Terms of Reference, which are in line with their duties under the Education Act 1998. As BoMs perform duties which are statutory in nature (as per section 15 of the Education Act 1998), there is no legal requirement for the ETB board of members to confirm the acts of the BoM committees (as is otherwise required for ETB committees under section 44(18) of the Education and Training Boards Act 2013).

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Uphold the characteristic spirit of the school on behalf of the patron	Ongoing
2	Consult and inform the patron of key decisions and proposals	Ongoing

### 1.3 The BoM of a Community National School

Education and Training Boards (ETBs) are the bodies corporate for Community National Schools established or maintained under their patronage, in accordance with Schedule 3 of the Education and Training Boards Act 2013.

While ETBs are the bodies corporate for Community National Schools maintained under their patronage, ETBs delegate many management functions and responsibilities to BoMs which are established as committees of the ETB in accordance with section 44 of the Education and Training Boards Act 2013. BoMs in Community National Schools have responsibility for matters that are not employment related, *e.g.* school policies, child protection, school planning *etc.* The financial affairs of a Community National School shall be managed and comply with the financial policy of the relevant ETB as set out in section 17 of this manual.

### 1.4 The Education and Training Board (ETB) as Employer

In accordance with section 6 of the Education (Amendment) Act 2012 it is the responsibility of the ETB to employ the Principal and other staff of a Community National School. The BoM of a Community National School under the patronage of an ETB is not the employer of teachers and other staff of the school, the relevant ETB is the employer. The ETBs role as employer includes responsibilities for the recruitment and dismissal of teachers and other staff within the Community National School, in accordance with statutory provision, relevant Department circulars, employment and sectoral agreements. The role also includes but is not limited to, health and safety, building, promoting and maintaining positive staff relations. The ETB approves both statutory and non-statutory leave for all staff, *e.g.*, maternity leave, parental leave, EPV days *etc.*

The recruitment and appointment procedures for Principals, teachers and SNAs as set out in the relevant Department circulars apply to the Community National Schools and they should be read on the basis that the employer is the ETB rather than the BoM. The composition of interview BoMs in Community National Schools in the ETB sector are set out in the relevant Department circular as applicable. The interview board will make the recommendation for appointments and as appointments are an executive function, the Chief Executive (CE) of the ETB will confirm the appointments (see section 29 of this manual for further information on recruitment and appointment procedures).

Issues with teacher performance and conduct are addressed under agreements reached under section 24(3) of the Education Act 1998. Procedures in relation to professional competence issues and general disciplinary matters issued and published by the Department are available from <https://www.gov.ie/en/collection/58556-services-for-school-staff/>

Current terms and conditions for teaching and SNA staff are outlined in various circulars available from <https://www.gov.ie/en/collection/58556-services-for-school-staff/>. Enquiries in relation to terms and conditions of employment or recruitment and appointment procedures for teachers and Special Needs Assistants (SNAs) should be referred to the relevant ETB. Any further queries may be directed to the following email: [teachersna@education.gov.ie](mailto:teachersna@education.gov.ie)

A full range of policies and procedures are available to staff on a designated online system or from the HR Department in the ETB.

## 1.5 School Policies

### General

The BoM has overall responsibility for school policies. Therefore, there are a range of different school policies that BoMs will, from time to time, be involved in developing, implementing and reviewing as appropriate. Examples include the Admission (Enrolment) Policy, Child Safeguarding Statement, Code of Behaviour, Anti-Bullying Policy, School Attendance Strategy, Health and Safety Statement *etc.*

The extent to which a new BoM will need to consider any particular school policy will depend on the circumstances of the school in question. However, each BoM must ensure that the appropriate and necessary school policies are in place as required. Information on Child Protection is set out in section 19 of this manual. Further information on the key policy areas of Admission (Enrolment) Policies, the Code of Behaviour and the Anti-Bullying Policy is set out below.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Ensure that all necessary policies are in place.	Ongoing

#### 1.5.1 Admission (Enrolment) Policy

The Education (Admission to Schools) Act 2018 ‘(the Act)’ provides a framework for school enrolment that is designed to ensure that every child is treated fairly and that the way in which schools decide on applications for admission is structured, fair and transparent. All sections of the Act have been commenced and are now operational.

The Act provides that in schools, where there are places available, the school must admit each student applying, subject to a limited number of statutory exceptions. The Act also amended section 7 of the Equal Status Act 2000 prohibiting the use of religion as a selection criterion in primary school admissions with certain protections for minority religions to ensure that a child of a minority religion can still access a school of their faith. Section 64 of the Act prohibits schools from charging fees or seeking payment or contributions for an application for admission to a school or for the enrolment or continued enrolment of a student in a school. The Act allows for co-operation between BoMs under section 66.

Section 67 of the Act provides for a situation where a child (with special needs or otherwise) cannot find a school place and allows the National Council for Special Education or Tusla (Child and Family Agency) to designate a school place for the child. This is without prejudice to school waiting lists in the event of oversubscription.

The Education (Provision in Respect of Children with Special Educational Needs) Act 2022 further amended the Education Act of 1998 whereby the Minister can direct a school to make provision for children with special educational needs. It is only used as a measure of last resort where additional provision is required in a specific location, and efforts to secure that additional provision through engagement with schools have not been successful.

Schools must publish their admission policy, including full details of their selection criteria. Schools must also publish an annual admissions notice detailing the dates that the application process takes place, including details of offers made the previous year if the school was oversubscribed. Both the annual admissions notice, and the admissions policy must be published on a publicly available website maintained by the school at least one week before applications are accepted, and on receipt of a written request to the BoM, must make available a copy to a parent, the Minister or a member of the public, as the case may be. School admission application forms should only request information that is required to assess the pupil's application based on the criteria in the school's admissions policy.

Further information to assist schools on the admission process, including a template admission policy, an annual admission notice and FAQ's published by the Department are available at <https://www.gov.ie/en/policy-information/c5bd9f-school-enrolment/>

ETBI has produced a template admissions policy and annual admissions notice that Community National Schools should adapt when devising their admissions policies. These templates are available from the ETB.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Ensure that the school's Admissions Policy and Annual Admissions' Notice are publicly available.	1 <sup>st</sup> meeting of each academic year.
2	Ensure that the process of admission is managed in accordance with the provisions of the policy (ongoing)	Ongoing.

### 1.5.2 Code of Behaviour

The BoM must ensure that the school meets its obligations under section 23 of the Education (Welfare) Act 2000 to have in place a Code of Behaviour that has been drawn up and published in accordance with the current guidelines issued pursuant to section 23(3) of the Act. The current guidelines on [Developing a Code of Behaviour](https://www.tusla.ie/) are available on the Tusla website <https://www.tusla.ie/> and include the requirement for schools to have an Anti-Bullying Policy within the framework of their overall Code of Behaviour.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Seek confirmation that a Code of Behaviour has been drawn up and published in accordance with current guidelines.	At a meeting soon after the BoM is established



### 1.5.3 Anti-Bullying Policy

In accordance with the Education (Welfare) Act 2000 and the guidelines issued by the National Educational Welfare Board (NEWB), all schools are required to have an Anti-Bullying policy within the framework of their overall Code of Behaviour. The BoM must also ensure that the school has an Anti-Bullying Policy that fully complies with the requirements of the Department's [Anti-Bullying Procedures for Primary and Post Primary Schools](#) issued by the Department under [Circular 0045/2013](#) and published on [www.gov.ie/education](http://www.gov.ie/education). A template Anti-Bullying Policy which must be used by all schools for this purpose is provided in Appendix 1 of the procedures.

The Department's Anti-Bullying Procedures for Primary and Post Primary Schools and associated 0045/2013 issued by the Department and published on [www.gov.ie/education](http://www.gov.ie/education) apply to all recognised primary schools. The procedures are designed to give direction and guidance to the BoM and to school personnel in preventing and tackling school-based bullying behaviour amongst its pupils. The BoM and school personnel are required to adhere to these procedures in dealing with allegations and incidents of bullying.

The BoM must ensure that the school's Anti-Bullying Policy is made available to school personnel, published on the school website (or where none exists, be otherwise readily accessible to parents and pupils on request) and provided to the parents' association (where one exists).

The procedures also include oversight arrangements which require that, at least once in every school term, the Principal will provide a report to the BoM in relation to the numbers of bullying cases reported to him or her and confirmation that all of these cases have been, or are being, dealt with in accordance with the school's Anti-Bullying Policy and the Anti-Bullying Procedures for Primary and Post Primary Schools.

The oversight arrangements also require that the BoM must undertake an annual review of the school's Anti-Bullying Policy and its implementation by the school. Written notification that the review has been completed must be made available to school personnel, published on the school website (or where none exists, be otherwise readily accessible to parents and pupils on request) and provided to the parents' association (where one exists).

A Steering Committee was established in February 2022 by the Minister to review the Action plan on Bullying (2013) and to develop a new Action plan. A Working Group was also established to review the Anti-bullying procedures for Primary and Post Primary Schools (2013). There has been extensive consultation with a broad range of stakeholders and [Cineáltas: Action Plan on Bullying](#) was published in December 2022.

In April 2023 an implementation for Cineáltas was published, and will be followed in due course by the publication of updated Anti-Bullying procedures.

#### **Important Note regarding the Anti-Bullying Procedures for Primary and Post-Primary Schools.**

At the time of publication of this manual, work on updating the anti-bullying procedures in consultation with the Education Partners was underway. Therefore, it is important for BoMs to monitor the website <http://www.gov.ie/education> for the up-to-date position regarding same.



	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Ensure that the school has an appropriate Anti-Bullying Policy in place.	At a meeting soon after the BoM is established
2	Ensure that the procedures outlined in the <a href="#">Anti-Bullying Procedures for Primary and Post-Primary Schools</a> and associated <a href="#">Circular 0045/2013 when dealing with allegations and incidents of bullying</a> are adhered to.	At all meetings where issues of bullying are being addressed
3	Ensure that the school's Anti-Bullying Policy is available to the school community as outlined above	At the first BoM meeting each year
4	Ensure that at least once in every school term, the BoM is provided with a report in relation to bullying as outlined above	At least once every school term
5	Undertake an annual review of the school's Anti-Bullying Policy and its implementation by the school.	At the final scheduled BoM meeting of each school year.
6	Ensure that written confirmation that the annual review has been carried out is communicated to the school community as outlined above.	Soon after the final scheduled BoM meeting of each school year.

#### 1.5.4 Education (Student and Parent Charter) Bill 2019

**Important Note regarding the Education (Student and Parent Charter) Bill 2019** The Education (Student and Parent Charter) Bill 2019 was published by the Minister in September 2019.

Under the proposed legislation every school will be required to consult with parents and students and publish a Student and Parent Charter. The proposed legislation will provide for the Minister to set out national guidelines which schools will follow when drawing up and implementing their own charter. At the time of publication of this manual, the Bill had commenced its journey through the houses of the Oireachtas. The Bill has been passed by the Seanad and completed second stage in the Dail in July 2021 and the Department is awaiting an order for progression to Committee stage. It is therefore important to check the website <https://www.gov.ie/en/organisation/departments-of-education/?referrer=http://www.gov.ie/education/> for the up-to-date position regarding same.

## 1.6 Management of Resources

### 1.6.1 Oversight of Resources

Section 15 of the Education Act 1998 requires the BoM, in carrying out its functions, to have regard to the efficient use of resources and, in particular, to the efficient use of state funds. BoMs therefore have a statutory duty to ensure that appropriate systems and procedures are in place to ensure school resources are managed appropriately and efficiently and in a manner that provides for appropriate accountability to the relevant parties.

The BoM should be fully aware of the oversight of the school's applications for all resources. The approval of the patron is also required in respect of applications for building projects.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Ensure that appropriate systems and procedures are in place to ensure school resources are managed appropriately and efficiently and in a manner that provides for appropriate accountability to the relevant parties.	1 <sup>st</sup> meeting of each academic year.
2	Have oversight of applications for resources.	Ongoing

### 1.6.2 The Annual Census Return

A critical factor in the allocation of resources to schools is the Annual Census Return to the Department. The Annual Census Return, which is submitted through POD, must be brought to the attention of the ETB which must be fully satisfied as to its accuracy. The signature sheet should then be signed by both the school Principal and the Chief Executive of the ETB (or their delegated officer) prior to its submission to the Department. In non-ETB primary schools, it is the BoM that must ensure the accuracy of the Annual Census Report. This is not the case in Community National Schools.

The enrolment count on the Primary Online Database (POD) (since September 2016) is the basis for grant payments and teacher allocations. Therefore, it is imperative that a record exists on POD for each pupil enrolled in the school. The arrangements to apply in relation to the population of POD are set out in Department [Circular 0025/2015](#) ([Circular 0050/2015](#) in the case of special schools) which are published by the Department and available from [www.gov.ie/education](http://www.gov.ie/education)

### 1.6.3 Investigating and reporting irregularities

ETBs and Principals are reminded about the importance of ensuring the accuracy of enrolment returns to the Department..

ETBs have a responsibility to immediately notify the Department of any error or irregularity in their enrolment returns. Where an alleged irregularity or fraud is identified or suspected it must be reported promptly to the Department. In non-ETB primary schools, this responsibility rests with the BoM. This is not the case in Community National Schools.

## 1.7 School Leadership

High quality leadership is crucial in establishing a central purpose and vision for a school and the achievement of high-quality educational outcomes and learning experiences for pupils. [Looking at Our School, 2022 - A Quality Framework for Primary Schools](#) provides a common understanding of what effective and highly effective learning, teaching, leadership and management practices look like in the Irish school system. It follows on from the 2016 publication of the same name and provides a unified and coherent set of standards for two dimensions of the work of schools:

- Learning and teaching
- Leadership and management

The primary purpose of school leadership and management is to create and sustain an environment that underpins high quality pupil care, learning and teaching. Good leadership increases the overall effectiveness of the school generally but is particularly important in the context of the effective delivery of the curriculum, policy development and implementation, school self-evaluation and the creation of a positive and inclusive school culture and climate for all pupils and staff.

The relevant Department circular on recruitment, promotion and leadership for registered teachers in recognised primary schools available on <https://www.gov.ie/en/collection/58556-services-for-school-staff/> sets out a leadership and management framework for in-school leadership posts in recognised primary schools. The leadership framework is underpinned by the principles of distributed leadership and provides flexibility in identifying and prioritising the evolving leadership and management needs of the school. Distributed leadership means the Principals, deputy and assistant Principals and teachers work together to share responsibility for the pupil learning outcomes and pupil learning experiences. The distributed leadership framework is designed to assist BoMs/ETBs in the recruitment of Principals, deputy and assistant Principals, and in assigning and re-assigning post holders to specific roles and responsibilities to meet the evolving needs in a school context. All leadership activities are underpinned by the distributed leadership model.

BoMs /ETBs must be cognisant of the importance of encouraging and supporting the Principal, deputy Principal and assistant Principals in developing and effectively exercising their leadership role in the school. The Department has made considerable investment in building the professional competence of school leaders through its support services (Professional Development Service for Teachers, Junior Cycle for Teachers, National Induction Programme for Teachers and the Centre for School Leadership). The responsibilities of the support services cover a range of leadership development for school leaders, from supports for middle leaders to newly appointed and established Principals.

The Department has made considerable investment in building the professional competence of school leaders through its support services (Professional Development Service for Teachers, Junior Cycle for Teachers, National Induction Programme for Teachers and the Centre for School Leadership). The responsibilities of the support services cover a range of leadership development for school leaders, from supports for middle leaders to newly appointed and established Principals.

The Department commenced a project in 2021 to integrate the four Teacher Education funded Support Services into one single Integrated Support Service. The development of a single Integrated Teacher Education Support Service is in line with the Department's policy of promoting quality teaching and learning through the provision of Teacher Professional Learning (TPL) to support teachers and school leaders. Throughout 2022 work continued on the project to integrate the services and on 1 September 2023, the four services will be integrated into one support service called Oide. The vision for Oide is to support the professional learning of school leaders and teachers in Ireland through the development of high quality, innovative and responsive professional learning that enables them to meet the educational needs of all learners.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Support the effective leadership and management of the school and support school staff who have responsibility for such leadership and management.	Ongoing.

## 1.8 School Planning

The Education Act 1998 requires the BoM to arrange for the preparation of a school plan, and to ensure that it is regularly reviewed and updated. The school plan sets out the educational philosophy of the school, its aims and how it proposes to achieve them. Pupil learning needs are at the centre of all planning, and the focus of the school plan should be the teaching and learning that takes place in the school.

The school plan is not a static document. It evolves in the light of the changing and developing needs of the school community. It must be regularly reviewed and updated. One of the first tasks of any newly appointed BoM will therefore be to give careful consideration to the school plan. The school plan serves as a basis for the work of the school as a whole and for evaluating and reporting on whole school progress and development.

[Circular letter 0045/2019](#) which supported the introduction of the Primary Learning Curriculum/Curaclam Teanga na Bunscoile, contained important messages regarding the curriculum. It introduced the language of 'preparation for teaching and learning' rather than the more conventional language of 'planning for teaching'. Since then, to support all primary and special school teachers in their preparation for teaching and learning, guidance has been developed through a collaboration led by the Department of Education and involving the National Council for Curriculum and Assessment (NCCA), the National Council for Special Education (NCSE), and the Professional Development Service for Teachers (PDST).

The guidance, launched in 2021, can be found at <https://ncca.ie/en/resources/guidance-on-preparation-for-teaching-and-learning/> outlines a renewed understanding of preparation for teaching and learning, which is aligned with the Looking at our School – A Quality Framework for Primary Schools. The guidance is supported by an extensive set of support materials which can be accessed on the NCCA website at <https://ncca.ie/en/primary/preparation/>

The Primary School Curriculum (1999) provides broad and enriching teaching and learning experiences for our children and can be found at [Curriculum \(curriculumonline.ie\)](https://www.curriculumonline.ie/). However, since its development much has changed in the world and in classrooms and the curriculum is

now changing. The Department of Education informed schools of the publication of The Primary Curriculum Framework (The Framework) in March 2023 via Circular [0017/2023](#). The Framework sets out the vision and principles for a redeveloped, modern curriculum and will shape the work of all primary and special schools for the coming years.

The Framework introduces key competencies for children’s learning, setting out the main features and components for the full redevelopment of the primary school curriculum, detailing curriculum areas and subjects and suggested time allocations. The framework links with learning experiences provided through the themes of Aistear: the Early Childhood Curriculum Framework and connects with the subjects, key skills and statements of learning in the Framework for Junior Cycle.

The Primary Language Curriculum/Curaclam Teanga na Bunscoile (PLC/CTB) was the first part of the new curriculum introduced to schools and is in line with the Framework. It was first introduced on a phased basis in September 2016 but following feedback from stakeholders an updated curriculum document for all primary and special schools, from junior infants to sixth class, was published in September 2019.

The Framework will guide the National Council for Curriculum and Assessment (NCCA) in developing specifications for all the curriculum areas and, with the exception of the Primary Maths Curriculum which will be introduced in the 2023/24 school year, these specifications will be introduced in the 2025/2026 school year.

Information on all the areas of the new curriculum can be found via <https://www.gov.ie/en/policy-information/027ad-primary-curriculum-framework/>

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Become familiar with the School Plan. The Principal and/or relevant teachers could present an overview of the School Plan at a BoM meeting	At a meeting soon after the BoM is established.
2	Review the School Plan regularly	Ongoing.

## 1.9 Self-Evaluation/Teaching and Learning

The Education Act 1998 places responsibility on schools to establish and maintain systems whereby the effectiveness of its operations is evaluated. Effective BoMs are keenly aware that self-evaluation is central to school improvement and will ensure ongoing evaluation and review of both the overall effectiveness and efficiency of the school and of the BoM itself.

The Act places a statutory duty on the BoM to ensure that an appropriate education is provided to all of the school’s pupils. In order to effectively carry out this duty, appropriate and regular oversight by the BoM of the teaching and learning in the school should be in place. Furthermore, the BoM can and should play an active role in improving standards in the school from an oversight and governance perspective. For example, effective BoMs will be actively involved in ensuring that appropriate targets are set to improve the outcome for learners in key areas such as literacy and numeracy. The BoM will also play an important oversight role in monitoring the progress and achievement of such targets.

The Department issued School Self-Evaluation Next Steps 2022-2026 including [Circular 0056/2022](#) which sets out the requirements in respect of school self evaluation (SSE) for the 2022-2026 period. This follows on from, and supersedes previous circulars, [Circular 0039/2016](#) and [Circular 0016/2018](#). A dedicated section of the gov.ie website here also provides up-to-date information about school self-evaluation and contains materials and resources to support schools as they engage in the process.

The BoM should ensure that a combined School Self-Evaluation Report and School Improvement Plan is prepared each year and that a summary of the plan is communicated to the whole school community annually. The BoM is strongly advised to complete a legislative and regulatory checklist on an annual basis in order to evaluate the extent to which the school is adhering to its obligations. A checklist is available on the <https://www.gov.ie/en/organisation/departments-of-education/?referrer=http://www.gov.ie/education/> website here to assist BoMs in this regard.

The focus of the BoM's considerations in relation to teaching and learning must be on ensuring the best possible outcomes for the school's pupils. It is important to ensure that any such discussions do not breach pupil confidentiality. Likewise, information provided to the BoM for this purpose should be in a format that does not breach pupil confidentiality (e.g. information aggregated by class or group, as appropriate).

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Ensure that it is familiar with the targets being set for learners in literacy and numeracy.	1 <sup>st</sup> meeting of each academic year.
2	Review progress in relation to literacy and numeracy targets at the end of the school year.	At the final scheduled meeting of the BoM annually.
3	Ensure that a SSE Report and SIP are complete and published annually.	At the final scheduled meeting of the BoM annually.
4	Complete the SSE Legislative and Regulatory Checklist	At the final scheduled meeting of the BOM annually.



## 1.10 Training for BoMs

BoM members are strongly advised to access relevant training to assist them in carrying out their role. BoM members of Community National Schools should contact the relevant ETB for information in relation to available training and/or to access training which will be tailored to the legislative and administrative requirements of Community National Schools.

The training modules that will be provided over the course of the term of office of the BoM are as follows:

1. The Role of the Chairperson and Secretary (for relevant members of the BoM only)
2. The Roles and Responsibilities of the BoM in a Community National School – Functions, Roles, the BoM in Action
3. The Role of the BoM in upholding the Community National School Ethos on behalf of the Patron
4. Legal issues – policies and procedures arising from legislation, guidelines and circulars.
5. The Role of the BoM in relation to Child Protection Procedures
6. The Role of the BoM in relation to Anti-Bullying Procedures
7. The Role of the BoM in relation to Learning and Teaching
8. Data Protection
9. The Role of the BoM in relation to School Finance
10. The Role of the BoM in relation to the School Plan, Policy Development and Implementation

Given the importance of training in the effective operation of a BoM, it is recommended that the BoM meetings are used to regularly discuss the training needs of BoM members and available training resources. It is the responsibility of each BoM member to ensure that he or she avails of any BoM training that is made available.

The school Principal and the chairperson of the BoM will normally be the main source of information for other BoM members in relation to general information and in relation to queries regarding BoM matters. BoM members will also find that the websites of the relevant management bodies and the Department are a useful source of general information. If such general information is not available on the relevant websites then the BoM member may seek it from the ETB or the Department. The sourcing of such general information is not a breach of **section 16** of this manual which deals with the making of representations in regard to the business of the BoM, provided the information sought is of a general nature and does not involve a discussion or disclosure of any matters that are the confidential business of the BoM.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Request a plan for BoM training from the ETB.	1 <sup>st</sup> meeting of the new BoM and at the 1 <sup>st</sup> meeting each academic year.

Discuss any additional BoM training requirements and request such training from ETB.  
Ongoing.

# 2 General





## 2.1 Legal introduction

Primary schools operate under the Education Act 1998, other relevant legislation, circulars of the Department and the currently applicable Rules for National Schools insofar as they relate to ETB schools.

## 2.2 Functions of a BoM

The functions of the BoM are set out in section 15 of the Education Act 1998.

Section 15 of the Education Act 1998 states:

*"(1) It shall be the duty of the board to manage the school on behalf of the patron and for the benefit of the students and their parents and to provide or cause to be provided an appropriate education for each student at the school for which that board has responsibility.*

*(2) A Board of shall perform the functions conferred on it and on a school by this Act and in carrying out its function the board shall-*

*(a) do so in accordance with the policies determined by the Minister from time to time,*

*(b) uphold, and be accountable to the patron for so upholding, the characteristic spirit of the school as determined by the cultural, educational, moral, religious, social, linguistic and spiritual values and traditions which inform and are characteristic of the objectives and conduct of the school, and at all times act in accordance with any Act of the Oireachtas or instrument made thereunder, deed, charter, articles of management or other such instrument relating to the establishment or operation of the school,*

*(c) consult with and keep the patron informed of decisions and proposals of the board, (*

*d) publish, in such manner as the board with the agreement of the patron considers appropriate, the policy of the school concerning admission to and participation in the school, including the policy of the school relating to the expulsion and suspension of students and admission to and participation by students with disabilities or who have other special education needs, and ensure that as regards that policy principles of equality and the right of parents to send their children to a school of the parents' choice are respected and such directions as may be made from time to time by the Minister, having regard to the characteristic spirit of the school and the constitutional rights of all persons concerned, are complied with,*

*(e) have regard to the principles and requirements of a democratic society and have respect and promote respect for the diversity of values, beliefs, traditions, languages and ways of life in society,*

*(f) have regard to the efficient use of resources (and, in particular, the efficient use of grants provided under section 12), the public interest in the affairs of the school and accountability to students, their parents, the patron, staff and the community served by the school, and*

*(g) use the resources provided to the school from monies provided by the Oireachtas to make reasonable provision and accommodation for students with a disability or other special educational needs, including, where necessary, alteration of buildings and provision of appropriate equipment.*

*(3) For the avoidance of doubt, nothing in this Act shall confer or be deemed to confer on the board any right over or interest in the land and buildings of the school for which the board is responsible."*

It is the responsibility of BoMs to implement an admissions policy in accordance with the Education Acts 1998 - 2018 and the relevant departmental policy and circulars. Further details are set out in section 1.6.2 of this manual.

BoMs of Community National Schools assuming office from 1 December 2023 onwards are required to adhere to the provisions of these terms of reference and the Code of Practice for the Governance of Education and Training Boards.

In relation to references in this manual to various other circulars, legislation and other relevant rules that may be subject to change, it is important to check the relevant section of <https://www.gov.ie/en/organisation/departments-of-education/?referrer=http://www.gov.ie/education/> or with the Department directly for the up-to-date position regarding same.

## 2.3 Indemnification for BoM Members

**Section 14(7) of the Education Act 1998 states** *"Except as provided by this Act, no action shall lie against a member of a board in respect of anything done by that member in good faith and in pursuance of this Act or any regulations made by the Minister under this Act".*

# 3 Constitution of BoMs of Management



## 3.1 Shared governance arrangements

As no Community National School has entered into a shared governance arrangement for the 2023-2027 term of office, this section has been deleted. For more information about shared governance arrangements, see Section 3.3 of [Governance Manual for Primary Schools 2023-2027](#).

## 3.2 Representation on BoMs

To ensure the widest possible representation on a BoM, where practicable:

- BoM members should bear no direct relationship to each other or to any staff member,
- parents of children who are enrolled and have commenced attendance at the school should not be nominated or elected to the BoM other than in accordance with **sections 3.1 (b), 3.2 (b) or 3.3.2 (b)** and
- the members from the community selected in accordance with **Appendix C** should be independent of the other categories of persons set out at **section 3.1 (a) to (d), 3.2 (a) to (c), or 3.3.2 (a) to (d)** as applicable.
- it is also a requirement that a person, other than the Principal or, where it arises, the elected teacher nominee, who is employed by the ETB and/or for the purposes of the school shall not be appointed to nor be a member of the BoM

## 3.3 Parent nominees to BoMs in Hospital Schools and High Support Unit Schools

It is recognised that there may be practical difficulties in electing and retaining parent nominees to the BoM of a school in a hospital or high support unit. Where it is not practicable in such schools to appoint a parent nominee in accordance with the relevant provisions of Appendix B, the patron may, as an alternative, appoint persons who are not parents of children attending the school to act in the role of parent nominees in accordance with the following:

It is strongly recommended that, where practicable, the patron appoints parent nominees from the following categories of persons:

- a) parents of a past pupil of the school, or
- b) parents who live in the local community and have been nominated by the other members of the BoM.

However, where the patron determines it is not practicable to appoint parent nominees from categories under (a) or (b) above, the patron may, as an alternative, appoint a person who is a parent and is involved in a role that includes working with or advocacy in respect of the pupils in the school. **Note:** In accordance with section **6.1** of this manual a person (other than the Principal or elected teacher nominee) who is employed by the BoM and/or for the purposes of the school may not be appointed to nor be a member of the BoM

The patron, in appointing a person as a parent nominee shall give due consideration to the possibility of any conflict of interest or perceived conflict of interest in holding the position and shall have regard to the individual's capacity to undertake the duties of the role.

## 3.4 Schools with change status

In the case of a school which changes status from being a school with a recognised staff of more than one teacher to a school with a recognised staff of one teacher, or vice versa, the term of office of the BoM shall cease to exist on the day prior to the first day on which the school is open to receive pupils in the school year in which the school changes status. A new BoM shall then be appointed by the patron in accordance with the relevant provision of **section 4** of this manual. In the period pending the establishment of the new BoM, the patron shall manage the school or appoint a manager to discharge the functions of a BoM in accordance with section 14 of the Education Act 1998.

The term of office of the new BoM so appointed shall not extend beyond 30 November 2027.

## 3.5 Schools which are new/amalgamate/change patron

### 3.5.1 New Schools

In the case of a newly established school a BoM shall be established by the patron when the school is open to receive pupils. In the period pending the establishment of the new BoM, the patron shall manage the school, or appoint a manager to discharge the functions of a BoM in accordance with section 14 of the Education Act 1998.

### 3.5.2 Schools that amalgamate

In the case of schools that amalgamate, the term of office of the BoM of each of the schools amalgamating shall cease to exist on the day prior to the first day on which the newly amalgamated school is open to receive pupils.

In the case of schools amalgamating each separate BoM continues to manage their respective school up to and including the day prior to the first day on which the newly amalgamated school is open to receive pupils.

When the newly amalgamated school is open to receive pupils a new BoM shall be established by the patron. In the period pending the establishment of the new BoM the patron shall manage the school, or appoint a manager to discharge the functions of a BoM in accordance with section 14 of the Education Act 1998.

### 3.5.3 Schools which change patron/patronage

In the case of schools that change patron, the term of office of the BoM(s) operating under the outgoing patron shall cease to exist on the day prior to the first day on which the school is open to receive pupils under the new patron.

In the case of schools changing patron the BoM(s) under the outgoing patron continue to manage the school up to and including the day prior to the first day on which the school is open to receive pupils under the new patron.

When the school is open to receive pupils under the new patron a new BoM shall be established by the patron. In the period pending the establishment of the new BoM, the new patron shall manage the school, or appoint a manager to discharge the functions of a BoM in accordance with section 14 of the Education Act 1998.

### 3.7.4 Constitution, Appointment and Term of Office

The constitution of a BoM, and the procedure for the election and nomination of members of BoMs of a school established in accordance with **sections 3.7.1, 3.7.2 and 3.7.3** are set out in **sections 3.1, 3.2** and **section 4** of this manual. The new BoM shall be appointed by the patron in accordance with the relevant provisions of section 4 of this manual.

The term of office of the new BoM so appointed in accordance with **sections 3.7.1, 3.7.2 and 3.7.3** shall not extend beyond 30 November 2027.

# 4 Procedures for the election and nomination of members of Boards of Management



In accordance with sections 8 and 14 of the Education Act 1998 the patron is responsible for initiating the steps necessary for the establishment of a BoM in a primary school. The process for the election and appointment of a BoM can take up to nine weeks To this end the patron requests a representative to arrange for the elections and nominations as set out in **Appendices A, B and C**. It is open to the patron to select the person of his or her choice for this purpose.

Except in special circumstances with the approval in writing of the Minister, or in the case of teacher members of the BoM so far as their remuneration as teachers is concerned, no member of the BoM shall take or hold any beneficial interest in any property held or used for the purposes of the school or receive any remuneration for his or her services as a member of the BoM. However, a Principal in receipt of an allowance for carrying out duties as secretary to the BoM shall be deemed as an exception in this instance due to his or her receipt of remuneration for the carrying out of these duties.

The patron's representative will arrange for a meeting of the two nominees of the patron and those elected/nominated as per the procedures in **Appendices A and B**. The purpose of this meeting will be to agree the nomination of extra member(s), as set out in **Appendix C**.

The patron's representative shall communicate to the patron the names of the persons duly elected/nominated in accordance with **Appendices A, B and C**.

The patron shall then formally appoint the BoM. Where this is a reserve function under section 12 of the Education and Training Boards Act 2013, it is for the ETB board of members, at a quorum meeting, to so appoint.

The patron shall appoint one of the members so appointed as chairperson of the BoM. This is also a reserve function for the board of the ETB, as per section 12 of the Education and Training Boards Act 2013.

In all cases, in relation to the appointment of the BoM the patron shall submit to the Department a fully completed declaration at **Form 1** which complies in full with the requirements of this manual. Where BoMs have been appointed under a shared governance arrangement in accordance with **section 3.3** the declaration at **Form 1** must be submitted for each of the schools. Where there is a change in chairperson during the term of office of a BoM, the patron should notify the Department accordingly using the declaration at **Form 1**. The contact details within the patron's declaration are required to be provided to the Minister to facilitate official communication and will not be used by the Department for any other purposes. Full details of the Department's data protection policy is available at <https://www.gov.ie/en/organisation/department-of-education/?referrer=http://www.gov.ie/education/>.

Except where the Minister communicates to the contrary, within 10 days of receipt of the information at **4.7**, the BoM will be deemed to be recognised by the Minister.

The first meeting of the BoM must be held within one calendar month of the date of recognition of the BoM by the Minister. Every member of the BoM shall, at or before his or her first attendance at a meeting of the said BoM, sign the declaration set out at **Form 2** of his or her acceptance of membership of the BoM and his or her undertaking that he or she will adhere to the rules pertaining to his or her duties as per the *Governance Manual for Primary Schools 2023*



- 2027 and all other relevant rules, regulations, legislation (including the Charities Act 2009) and Departmental circulars relating to the membership and operation of the BoM. Until the declaration at **Form 2** is signed by a BoM member, he or she shall not be entitled to act as a member of the BoM.

The patron's representative dealing with a vacancy arising during the term of office of the BoM need not necessarily be the same person who acted as patron's representative for the initial BoM appointments.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Meet within one calendar month of the date of recognition of the BoM by the Minister.	Within one month of the BoM being recognised by the Minister.
2	Complete Form 2 at or before the 1st meeting of the full BoM.	At or before the 1st meeting of the full BoM

# 5 Position in the event of failure to nominate the extra members from the Community in accordance with Appendix C



If there is a failure to appoint the extra members as provided under the process at **Appendix C**, the management of the school, under normal funding arrangements, shall revert to the patron who shall manage the school or nominate a manager/managers in accordance with section 14 of the Education Act 1998.

# 6 Ineligibility



## 6.1 In line with the Education and Training BoMs Act 2013

A person, other than the Principal or, where it arises, the elected teacher nominee, who is employed by the ETB, and/or for the purposes of the school may not be appointed to nor be a member of the BoM.

For clarification, section 44 of the Education and Training BoM Act 2013 precludes an employee of an ETB from sitting on any committee (which includes a BoM) of that ETB, except where:

- a) The employee is one of the two staff representatives elected as a member of the Education and Training BoM, in line with section 30(1)(b) of the Education and Training BoM Act 2013;
- b) The employee is an elected teacher nominee to the BoM of the school within which that teacher works, in line with section 44(12)(a) of the Education and Training BoM Act 2013 and the direction of the Minister to Education and Training BoMs in February 2017;
- c) The employee is a member of the BoM of a school within which s/he is the Principal or acting Principal of the school, in line with section 44(12)(a) of the Education and Training BoM Act 2013 and the direction of the Minister to Education and Training BoMs in February 2017.

## 6.2 In line with the Charities Act 2009

Community National School BoM members are not trustees of a charity in the same way other primary schools' BoMs are. However, as ETB BoM members are considered trustees, it is prudent that they would only appoint BoM members who meet the eligibility criteria applied to trustees of charities. Therefore, person<sup>2</sup> shall not be eligible to be a member of a BoM if that person:

- a) is an undischarged bankrupt,
- b) makes a composition or arrangement with creditors under the protection or procedure of a court,
- c) is convicted on indictment of an offence,
- d) is sentenced to a term of imprisonment by a court of competent jurisdiction,
- e) is disqualified or restricted from being a director of any company within the meaning of the Companies Acts, or is prohibited, removed or suspended from being a trustee of a scheme under the Pensions Act 1990 to 2008,
- f) has been removed from the position of charity trustee of a charitable organisation by an order of the High Court under section 74 of the Charity Act 2009,
- g) has been placed on the Sex Offenders Register by order of a court.

The provisions of 6.2 (a) and 6.2 (b) apply to persons only for the duration of the undischarged bankruptcy and/or the duration of the court approved composition or arrangement with creditors.

The Department has consulted with the Charities Regulator and the ineligibility provision's set out in (a) to (f) of this section align with the requirements of section 55(1) of the Charities Act 2009.

---

<sup>2</sup> Where a school principal is ineligible to be a member of the BoM under section 55(1) of the Charities Act 2009 the principal shall not be a member and shall not act as secretary to the BoM for the duration of the period during which he or she is ineligible to serve on the BoM. For the period of ineligibility the principal's position on the BoM shall remain vacant, however the principal should be present at BoM meetings to assist the BoM in the conduct of its business.

# 7 Term of Office, Dissolution of BOM/Removal of Member(s), Cessation of Membership, Resignation and Vacancies



## 7.1 Term of Office

The term of office of the BoM shall, subject to the provisions of this manual and the Education Act 1998 be for a period not longer than 4 years up to and including 30 November 2027.

A member, including the chairperson, shall hold office for a period not longer than the term of office of the BoM but may be eligible for re-appointment.

## 7.2 Dissolution of BoM / removal of members

In accordance with section 16 of the Education Act 1998 the patron may with the consent of the Minister remove a member of the BoM or dissolve the BoM.

Before deciding to remove a member of the BoM or to dissolve the BoM, the patron shall inform that member or BoM by notice in writing of the intention to so remove or dissolve and the reasons therefor, and shall afford such member or BoM a period of one month to make representations to the patron on the matter.

The patron must comply in full with the requirements of section 16(1) to 16(4) of the Education Act 1998 when deciding to remove a member of the BoM or dissolve the BoM.

Whenever the patron dissolves a BoM, the patron may, subject to the approval of the Minister, appoint any person or body of persons as the patron thinks fit to perform the functions of the BoM, for a period not normally exceeding six months.

Where the patron removes a member of a BoM the resulting vacancy shall be filled in accordance with the provisions of section 7.5.

In accordance with section 17 of the Education Act 1998 the Minister may require the patron to dissolve a BoM having informed the BoM and the patron of his or her intention to do so and having considered any representations by the BoM or the patron.

## 7.3 Cessation of membership

a) Where a member:

- ceases to be a member of the category of person provided for in **section 3**, to which he or she belonged at the time of his or her becoming a member of the BoM or
- ceases to be eligible as set out in section **6.2 (a) to (g)** of this manual.

that member shall thereupon cease to be a member of the BoM.

b) Where a BoM member (or his or her business or company) enters into a commercial agreement/business contract with the school that member shall thereupon cease to be a member of the BoM.

c) Where the teacher nominee takes a leave of absence (statutory or non-statutory) which is approved for a period of 24 weeks or more that teacher nominee shall cease to be a member of the BoM as and from the date of the commencement of such leave. The replacement teacher nominee shall, subject to the relevant provisions of **section 6**, be entitled to remain on the BoM for the period up to and including 30 November 2027.

- d) In any case where a period of statutory or non-statutory leave of absence (e.g. sick leave) of the teacher nominee to the BoM extends beyond a continuous period of 24 weeks, such teacher nominee shall cease to be a member of the BoM at the end of the 24 week period. The replacement teacher nominee shall, subject to the relevant provisions of **section 6**, be entitled to remain on the BoM for the period up to and including 30 November 2027.
- e) Where, during the term of office of the BoM, a teacher nominee takes up the role of acting Principal, the replacement teacher nominee shall cease to be a member of the BoM when the original teacher nominee ceases his or her acting Principal role and reverts to his or her teaching (or administrative deputy Principal) position in the school. In such circumstances, the original teacher nominee returns to the teacher nominee position on the BoM.
- f) Any teacher who ceases to be a serving teacher shall thereupon cease to be a member of the BoM.
- g) Any parent who ceases to have a child enrolled in the school shall cease to be a member of the BoM except in the case of a parent of a child who completes primary education at the end of the school year which precedes the end of that BoM's term of office. Such a parent may remain on the BoM until the end of that BoM's term of office provided the period does not exceed five months in total.  
In all other cases regarding the parent of a child who completes primary education, that parent ceases to be a member of the BoM on the day before the primary school reopens for a new school year.
- h) In the case of a shared governance arrangement membership of the BoM does not, however, cease where the parent has a child enrolled and in attendance in the other school involved in the shared governance arrangement.

## 7.4 Resignation of BoM members

If a member of a BoM wishes to resign from his or her position as a BoM member, he or she shall give written notice to the chairperson of this intention and that member shall, thereupon cease to be a member of the BoM. A chairperson who wishes to resign from the BoM shall give written notice of this intention to the patron and shall, thereupon cease to be a member of the BoM.

## 7.5 Vacancies

- a) Where a member of a BoM:
- dies, or
  - resigns as per **section 7.4**, or
  - is absent from three consecutive ordinary meetings of that BoM unless such absence was approved by that BoM, or
  - ceases to be a member of that BoM by virtue of sections **7.3 (a) to (g)**, or
  - is removed by the patron that member's office shall become vacant and shall be filled, as soon as may be after the vacancy occurring, by a new member appointed in the same manner as that in which the vacating member was appointed.
- b) The new member so appointed shall, subject to the provisions of this manual and the Education Act 1998 hold office for the remainder of the BoM's term of office. The new member of the BoM shall sign the declaration at **Form 2** at or before his or her first attendance at a meeting of the said BoM. Until such declaration is signed by the new

member, he or she shall not be entitled to act as a member of the BoM, notwithstanding his/her formal appointment to the BoM by the ETB (performing a reserve function in line with the Education and Training Boards Act 2013).

- c) Any change in the membership of the BoM shall be recorded in the minutes of the next meeting of the BoM.
- d) A replacement teacher nominee may be appointed, in accordance with **Appendix A**, where the original teacher nominee takes up the role of acting Principal. However, that replacement teacher nominee shall cease to be a member of the BoM when the original teacher nominee, on the cessation of his or her acting Principal role, reverts to his or her teaching (or administrative deputy Principal) position in the school. In such circumstances, the original teacher nominee returns to the teacher nominee position on the BoM.

**Important Note:**

In any case where vacancies on the BoM result in the membership falling below the number required for a quorum, the BoM shall cease to exist and the exercise of the functions of the BoM shall revert to the patron who shall manage the school or appoint a manager/managers in accordance with section 14 of the Education Act 1998. In such cases, the patron shall, as soon as it is practicable to do so, appoint a new BoM in accordance with the relevant provisions of this manual. The quorum of the BoM is set out in **section 13.3 (c)** of this manual.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Ensure that any vacancy that arises on the BoM, during its term of office, is filled as soon as possible after the vacancy arises.	As soon as possible after a vacancy arises
2	Record changes in membership of the BoM in the minutes of BoM meetings.	At the first meeting after any changes in the membership of the BoM occurs.

Individual members of the BoM are required to keep the matters discussed at meetings including all documents drafted and disseminated to BoM members confidential unless otherwise agreed by the BoM.



# 8 Confidentiality



Where allegations of a breach of confidentiality by any BoM member arises, the matter should be brought to the attention of the chairperson who shall bring it to the attention of the patron<sup>3</sup> at the earliest opportunity. If the chairperson is the person who is allegedly responsible for the breach then any BoM member may bring the matter directly to the attention of the patron at the earliest opportunity. The patron shall arrange for an investigation into the matter and shall reach a conclusion on the matter.

Where the patron is satisfied, after due investigation, that any member of the BoM infringed this injunction of confidentiality, he or she may, subject to the consent of the Minister remove that person from membership in accordance with section 16 of the Education Act 1998 and shall not subsequently nominate that person as a member of any BoM.

**Important Note:** BoM members are not delegates of their electorates. They have no obligation to either report back to their electors or to take instruction from them on how to vote at BoM meetings. Such reporting may be a breach of confidentiality requirements. It is a matter for each BoM to decide what may be reported and by whom and, in this respect, it is essential that financial and personal matters are dealt with in line with relevant confidentiality requirements. Decisions arrived at by consensus or by vote are decisions of the BoM. Individual members of the BoM are obliged to keep the matters discussed at meetings confidential, unless otherwise agreed by the BoM and where so agreed, members of the BoM must not publicly criticise or make any negative public comment about BoM decisions, irrespective of their own personal views on the matter. **Section 9** provides for the BoM to put in place an agreed report to support good communications to parents, staff and the school community. The agreed report shall not include details of any issues which must remain confidential to BoM members.

	Actions for BoMs	Suggested Timing
1	Will keep matters discussed at BoM meetings confidential	Ongoing
2	Individual BoM members respect all decisions of the BoM, whether such decisions were arrived at by consensus or by vote	Ongoing

---

<sup>3</sup> This should be brought to the attention of the ETB Board as it relates to a member acting outside of the Terms of Reference set by the ETB Board. The Board may then seek the CE's assistance regarding the investigation.

# 9 BoM Communications



Good management practice will require frequent communications to parents, staff and the school community.

The BoM shall put in place procedures to support good communication within the school community. Section 26(3) of the Education Act 1998 states that the BoM *“shall promote contact between the school, parents of students in that school and the community and shall facilitate and give all reasonable assistance to parents who wish to establish a parents’ association and to a parents’ association when it is established”*.

The BoM, at the closure of each BoM meeting shall determine the information to be conveyed to parents, school staff and the school community, and the manner and terms in which it should be conveyed and by whom. An agreed report should be drawn up for this purpose. The agreed report shall not include details of any issues which must remain confidential to BoM members. Such issues should be clearly identified and members must be notified of their obligations in respect of the confidentiality requirements under **section 8**.

In authorising the dissemination of information under **section 9** the BoM shall pursue a policy of openness and have a positive approach to sharing information with the school community. The provisions of **section 8** regarding confidentiality need not necessarily conflict with the operation of such a policy; the provisions of **section 8** are intended to protect against inappropriate disclosure rather than to obstruct good communications and transparency.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	At the end of each BOM meeting, BoM members determine the information to be conveyed to the school community and how.	At the end of each meeting.

# 10 The Chairperson



Each BoM shall have a chairperson, who shall be entitled to vote and who in the event of a tied vote shall also have a second and casting vote.

The chairperson shall be appointed by the patron and his or her authority shall derive from such appointment. In exercising this function, the patron may give due consideration to the opportunity to engage in a consultative process within the school community and/or with members of the BoM. The patron, in appointing an individual as chairperson shall also give due consideration to the possibility of perceived conflicts of interest in holding the position of chairperson and shall have regard to the individual's capacity to undertake the duties of the role.

The Principal or elected teacher nominee shall not be eligible for appointment as chairperson/acting chairperson. In addition, the chairperson/acting chairperson should, where practicable, bear no direct relationship another BoM member.

In the absence of a chairperson from a particular meeting or where the chairperson, on account of a conflict of interest, withdraws from a meeting or part thereof, the BoM shall elect an acting chairperson to preside at that meeting only or part thereof only, as appropriate. Otherwise, the patron shall appoint a new or acting chairperson where the circumstances require it (e.g. due to the long-term absence of the chairperson).

The BoM may authorise the chairperson, and/or another member, in respect of a particular function or functions, to act on its behalf for a specified period of time.

The Rules for National Schools state that managers should visit their schools and satisfy themselves that the Rules are being complied with; this requirement shall be fulfilled by the chairperson of the BoM/manager(s). BoM members may also visit their schools; however such visits must only be undertaken where official BoM business is being conducted and as authorised by the chairperson of the BoM.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Authorise the Chairperson to act on its behalf in specific matters.	As the need arises.
2	Elect an acting chairperson, in circumstances where the Chairperson is unable to attend a meeting or part thereof	As the need arises.

# 11 The Secretary



An allowance as set out in [Circular 0008/2013](#) may be payable to Principals who act as secretaries to BoMs. A broad outline of the duties of the Principal acting as secretary to a BoM is set out in [Circular 0079/2007](#). However, the list of duties outlined in the circular is not exhaustive and the BoM duties as decided by the BoM from time to time.

Notwithstanding the provisions of the circular, the chairperson shall act as correspondent for the BoM in accordance with section **16**. of this manual.

In circumstances where the Principal of a school does not act as secretary to a BoM –

- 1) The BoM shall elect a recording secretary from amongst its members.
- 2) The duties of the recording secretary are confined to:
  - a) Keeping minutes of each meeting in an appropriate form to be retained in a safe place and to be available on request to representatives of the patron, the trustees (in schools where there are trustees) and the Department.
  - b) Setting the agenda for meetings in consultation with the chairperson of the BoM and the Principal.
  - c) Recording in the minutes, decisions reached at meetings including the numbers of those voting for or against a motion.
  - d) In Community National Schools the secretary to the BoM sends a copy of the draft minutes of the proceedings of a BoM meeting together with a copy of the minutes signed by the chairperson of the previous BoM meeting to the relevant ETB, for noting by the Chief Executive, in line with the distinction between reserve and executive functions in the Education and Training Boards Act 2013.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	In circumstances where the Principal does not act as secretary to the BOM, the BoM elects a recording secretary from amongst its members.	Where applicable, at the first full meeting of the BoM.



# 12 The Treasurer



This section of the National Governance Manual Relates to the role of the Treasurer which does not apply to the Community National School Context

# 13 Procedure for BoM Meetings



## 13.1 Frequency of Meetings

A BoM shall hold such and so many meetings at such times as the chairperson deems necessary but shall hold a minimum of one meeting per school term and shall hold not less than five meetings in any school year.

## 13.2 First Meeting

Every member of the BoM shall sign the declaration at **Form 2** at or before his or her first attendance at a meeting of the said BoM. This is a declaration of acceptance of membership of the BoM and an undertaking that he or she will adhere to the rules pertaining to his or her duties as per the *Governance Manual for Primary Schools 2023 – 2027* and all other relevant rules, regulations, legislation including the Charities Act 2009 and Departmental circulars relating to the membership and operation of BoMs. Until such declaration is signed by the member, he or she shall not be entitled to act as a member of the BoM.

In circumstances where the Principal is not in receipt of an allowance payable for acting as secretary to a BoM, the BoM shall elect a recording secretary from amongst its members in accordance with **section 11**.

Training, which is particularly important for new BoM members, should be discussed at the first meeting of the BoM with a view to putting in place a plan to identify and meet the training needs of BoM members. The training plan for BoM members should be regularly reviewed and updated by the BoM.

## 13.3 Ordinary Meetings

- a) The chairperson may at any time call a meeting of the BoM.
- b) At least seven days before each ordinary meeting, a notice of the time and place of the intended meeting, together with an agenda for the meeting, shall be sent to every member of the BoM. It should be clear that all members of the BoM are entitled to be notified of all meetings – including meetings where issues may concern an individual member directly and he or she may be required to subsequently withdraw or not to attend if the meeting is solely for that purpose. Where exceptional circumstances warrant it, a meeting of the BoM may be convened at less than seven days' notice and in such cases this fact should be recorded in the minutes.
- c) The quorum of the BoM shall be:
  - three members in the case of schools having a recognised staff of one teacher (4 member BoM),
  - five members in the case of schools having a recognised staff of more than one teacher (8 member BoM), and
  - seven members in the case of schools operating a shared governance arrangement in accordance with section 3.3 (12 member BoM).

- d) The meeting shall be quorate throughout the entire course of the meeting.
- e) Subject to **section 13.3 (c)**, a BoM may act, notwithstanding one or more than one vacancy among its members.
- f) The proceedings of the BoM shall not be invalidated by reason of any defect in the appointment or qualifications of any member thereof.
- g) All decisions of the BoM shall be taken at a properly convened meeting. It is recognised that, in some limited circumstances, the use of a conference call may be required to facilitate a BoM meeting. In such circumstances, this fact must be recorded in the minutes and the BoM must be fully satisfied that the confidentiality of the meeting's proceedings will be maintained at all times. In accordance with (d) above, the meeting shall remain quorate throughout the entire course of the meeting. In some limited circumstances an online meeting may be convened to facilitate a BoM meeting. In such circumstances, this fact must be recorded in the minutes and the BoM must be fully satisfied that the confidentiality of the meeting's proceedings will be maintained at all times. The meeting shall be quorate throughout the entire course of the meeting in accordance with (d) above.
- h) Where a matter is put to a vote, it shall be determined by a majority of votes of the members present including member(s) on a conference call and voting therein and, where there is an equal division of votes, the chairperson of the meeting may exercise a second and casting vote. The numbers of those voting for and against a motion shall be recorded in the minutes of the BoM meeting.
- i) Minutes of the proceedings of the BoM shall be recorded in an appropriate form and shall be signed by the chairperson of the meeting of which they are a record, or by the chairperson of the next meeting subject to the requirement at **section 13.3 (k)**. Minutes are the property of the BoM and shall be available on request to the patron, the trustees (in schools where there are trustees) and the Department. In Community National Schools the provisions at **section 11 (2) (d)** also apply.
- j) The provisions of section **13.3 (b) to (i)** inclusive apply to all BoM meetings.
- k) When agreeing a date for the final meeting of the outgoing BoM, the BoM should allow sufficient time for the minutes of the proceedings of the final BoM meeting to be signed by the chairperson of that meeting.

## 13.4 Requested Meetings

On receipt of a requisition signed by not less than one quarter of the members of the BoM plus one, or on the requisition of the patron, such requisition stating the business to be transacted, the chairperson shall convene a special meeting of the BoM within seven days and no business other than that specified in the notice shall be dealt with at such a special meeting.

In the event that a chairperson fails to convene such a meeting within seven days, either the patron or one of the members requesting the meeting shall call such a meeting.

## 13.5 Emergency Meetings

The Principal with the approval of the chairperson shall have power to convene an emergency special meeting of the BoM should the need arise.

This meeting shall be held as soon as possible after notification of such meeting has been conveyed to all available members.

The usual quorum shall be required as set out in **section 13.3 (c)**.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Meet at least once a term and have a minimum of five school meetings in any school year	Ongoing.
2	Ensure that each meeting is quorate	Ongoing.
3	Ensure that minutes of each meeting are recorded and signed by the Chairperson	Ongoing.
4	Ensure that the signed minutes of the BoM meetings are sent to the ETB for noting by the Chief Executive (or their delegate).	Ongoing.

# 14 Responsibilities of the BoM to the Patron, the Trustees and the Department



The BoM shall make available to the patron, the trustees (in schools where there are trustees) and, when requested, the Department such reports and returns and give to them such information as they may require for the exercise of their respective functions in relation to the school.

In Community National Schools the secretary to the BoM sends a copy of the draft minutes of the proceedings of a BoM with a copy of the minutes signed by the chairperson of the previous BoM meeting to the relevant ETB for noting by the Chief Executive (or their delegate).

# 15 Disclosure of interest/integrity of BoM Proceedings



Where any member of the BoM is personally the subject of a matter or who stands in a relationship to a person who is the subject of or has a direct involvement in a matter, which is before the BoM for consideration, that BoM member shall withdraw from the BoM’s deliberations on the matter unless the BoM is fully satisfied that the presence of the member during any such deliberations is not prejudicial to the preservation of the principles of natural justice and specifically the legal requirement that BoM proceedings should not be open to the charge of bias. In this context, BoM members are required to make a 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 deliberations of the BoM. A professional relationship in itself does not necessarily mean there is a conflict of interest. The disclosure and absence of the member from the deliberations shall be recorded in the minutes. In Community National Schools’ employment matters are dealt with by the ETB as employer.

Where the patron is satisfied, after due investigation and following receipt of a recommendation from the BoM, that any member of the BoM failed, at a material time, to disclose a relationship, he or she shall remove that person from membership of the BoM in accordance with section 16 of the Education Act 1998 and shall not subsequently appoint that person as a member of any BoM.

In the event of a member of the BoM refusing to withdraw from a meeting, as provided for in this section, the meeting shall be adjourned and, in the event of such member again refusing to withdraw at the re-convened meeting, the chairperson or the secretary shall report the matter in writing to the patron, who shall remove that person from membership of the BoM in accordance with section 16 of the Education Act 1998 and shall not subsequently appoint that person as a member of any BoM.

For clarity, as a Community National School BoM is not a decision-maker regarding co commercial agreements/business contracts (as this is a matter for the ETB corporate body or school Principal), conflicts of interest for BoM members in relation to procurement of goods or services *etc.*, should not arise.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Disclose conflicts of interest that arise for individual BoM members	Ongoing.
2	Ensure that appropriate steps are taken, when such conflicts of interest arise	Ongoing.



# 16 Correspondence



The chairperson shall act as correspondent for the BoM with the Education and Training Board and all others. The chairperson may, however, nominate the Principal to act as correspondent in his or her absence, where necessary. However, any correspondence indicating that it is being sent to the chairperson in a **private and confidential manner** should not be opened by any person other than the chairperson. Correspondence to the chairperson should be addressed to the chairperson at the school address.

No member of the board of management shall make or cause to be made representations to the Minister, the Department or any other party in regard to the business of the board of management; rather, such a matter should be raised at a meeting of the board of management who in turn will vote as to whether the matter should be raised with the Education and Training Board for the purpose of requesting the ETB to make representation/s on its behalf.

However, the sourcing of general information is not a breach of this section, provided the information sought is of a general nature and there is no discussion or disclosure of any matters that are the confidential business of the BoM.

The chairperson (or the Principal when nominated in the chairperson’s absence) shall ensure that any written correspondence or written statements on behalf of the BoM is on the school’s official headed paper or where appropriate authenticated by the use of an official school stamp. (Nothing in this section shall prohibit the school from corresponding by email where appropriate).

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	The chairperson will correspond on behalf of the BoM and may nominate the Principal to act as correspondent on their behalf, where necessary	Ongoing.

# 17 Finance



## Responsibility for financial governance in a Community National School

The BoM of a Community National School should be involved in the oversight of the school's applications for all resources. These functions must be conducted in compliance with;

- Relevant legislation;
- Code of Practice for the Governance of Education and Training BoMs;
- Circular letters as issued by the Department of Education
- ETB policies, practices and procedures;
- Guidelines as set out by the Department of Education, and;
- Guidelines issued by the ETB.

Section 15 of the Education Act 1998 requires the BoM, in carrying out its functions, to have regard to the efficient use of resources and, in particular, to the efficient use of State funds. BoMs, therefore, have a statutory duty to ensure that appropriate systems and procedures are in place to ensure school financial resources including grants are managed appropriately and efficiently and in a manner that provides for appropriate accountability to the relevant parties.

	Actions for BoMs	Suggested Timing
1	Carry out its oversight function in compliance with relevant legislation.	Ongoing.

The BoM has an important oversight function in ensuring that all returns required by the ETB and the Department of Education are accurate and timely. The accounts of a Community National School forms part of the accounts of the relevant ETB.

## The BoM and School Finance

The financial governance of Community National Schools shall at all times be managed and comply with the financial policies of the relevant ETB in accordance with the requirements of the "*Code of Practice for the Governance of Education and Training Boards*", statutory provision, relevant Department circulars, and best practice guidelines set out by the Department and the ETB.

The responsibility for financial management is an Executive function and resides with the Principal as a delegated officer of the Chief Executive, in line with Section 16 of the Education and Training Boards Act, 2013. The keeping of accounts and records must be as directed by the ETB.

The BoM is responsible for the **monitoring and oversight** of the financial activities of the school. Section 15 of the Education Act 1998 requires the BoM to have regard to the efficient use of resources and, in particular to, the efficient use of State funds.

The BoM in the exercise of their **monitoring and oversight** function shall:

- Note the annual budget for the school for the year;
- Review the budgetary performance of the school at each BoM meeting and discuss the financial position of the school with the Principal
- Review financial reports as provided by the ETB at each BoM meeting

The BoM is not permitted to borrow money. This includes overdrafts, credit cards or other forms of debt. Purchasing cards (if used) are to be used in accordance with the relevant ETB policy.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Note the annual budget for the school for the year	Once notified by the ETB
2	Review the budgetary performance of the school at each BoM meeting and discuss the financial position of the school with the Principal.	At each BoM meeting
3	Review financial reports as provided by the ETB	At each BoM meeting

## Supporting Financial Governance in Community National Schools

Support around matters of financial and other areas of governance in Community National Schools will be provided by the ETB. Any issues or concerns arising therefrom must be addressed directly with the ETB. The ETB supports Community National Schools in this regard by providing a support mechanism to enable them to comply with the provisions of the Education Act, 1998, ETB procedures and relevant Circular letters, in terms of accountability, transparency and financial responsibility for State funds are as follows:

- Providing an advice and support service for schools on financial governance and all aspects of financial management and control;
- Providing structured systems, policies and procedures to facilitate the school in managing their day-to-day operations;
- Providing the necessary training and development to key personnel in schools that are engaged in financial administration and management;
- Carrying out reviews of internal controls and supporting the schools in implementing ETB procedures and guidelines.

The Principal is responsible for having an appropriate system of internal control to safeguard all assets and ensure that all financial transactions and related costs are properly, necessarily and appropriately incurred and recorded. In this regard, the Community National School must apply the standards and policies as outlined by the ETB and use the appropriate financial and ICT systems as outlined by the ETB.

The ETB is subject to an annual audit by the Comptroller & Auditor General. There is also an internal audit service provided by the Internal Audit Unit ETBs. Schools are subject to audit by either or both. These audit and assurance services will form part of the financial governance framework for schools. The findings of any undertaken in the school will be shared with the BoM.

## Capital expenditure and works

The role of the BoM in a Community National School is to work with the Principal in identifying the need for additional, and/or upgrading of existing physical resources to address the developing needs of the school community. The Principal will make an application to the Chief Executive for the resources required.

All capital works in a school must be approved by the Chief Executive and their delivery will be managed centrally from Head Office. The nature, scope and extent of capital works approved and to be undertaken should be advised to the BoM. Accordingly;

- No alteration, extension or replacement of the school building and/or grounds shall be undertaken by the school unless and until such have been approved by the ETB, and;
- The ETB Buildings Team will act on behalf of the school authority in dealing with the Department in regard to capital expenditure.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Work with the Principal in identifying the need for additional, and/or upgrading of existing physical resources to address the developing needs of the school community.	Ongoing.

## Grant payments

Details of funding to be issued to Community National Schools, incorporating any budgetary changes, will be notified by the Department to the ETB. The ETB will keep the school informed of grant payments received in respect of their school and they will be reflected on the school financial report. Details of funding to be issued to schools, incorporating any budgetary changes, are placed on the Department's website every year. Per capita grants are provided to cover general running costs, as well as caretaking and secretarial services.

As per Circular 0040/2009, capitation and ancillary grants may be regarded as a common grant which the Principal may allocate according to the priorities of the school. Ancillary grants will be phased out of Community National Schools over the coming years as secretaries and caretakers will move to an allocation model rather than be paid from an ancillary grant.

Funding provided or raised for specific purposes, such as for the purchase of ICT equipment or to assist parents with the cost of books, must be used only for the purpose for which it is granted or raised. It is not permitted to apply such restricted monies for any other purpose.

## Insurance

Insurances are managed by the ETB Head Office and the costs associated are charged to the Community National School. The school is required to implement and adhere to all ETB policies and procedures relating to insurances. If there are any changes required to the nature and/or extent of insurances required, the Principal should engage with the ETB directly.

## Accounting practice

The accounting practice in Community National Schools will be as prescribed by the Department and the ETB. These practices and associated systems and procedures must be consistently applied by the Community National School.

## Budgeting

The Principal should prepare a detailed annual budget in consultation with the ETB Finance section. This budget should set out the projected income and expenditures for the year ahead across all programmes and activities. This budget should be reviewed by the BoM at the beginning of the fiscal (calendar) year. The BoM budgetary performance of the school to ensure that it is reasonable and in line with expectations. This will be achieved through monitoring the reports provided and discussing issues and trends with the Principal.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Review the annual budget at the beginning of the fiscal (calendar) year.	At the 1 <sup>st</sup> BoM Meeting in each calendar year.

## Parents Associations

It is recommended that all monies raised by a Parents' Association are to be lodged to the ETB Head Office bank account. The Finance Team will set up a self-financing fund in respect of such activities which will be ring fenced as Parents' Association monies. All monies raised and expended by a parents' association are subject to the same governance as public monies, including procurement obligations and revenue regulations. All payments from the Parents' Association Self Financing fund will be made via the normal order processes for all school payments and the ETB will ensure adherence to all governance obligations in respect of such payments.

The parents' association shall consult with the BoM about any fund-raising for the school or school projects. The approval of the BoM is needed prior to these funds being raised. It is good practice to record the agreement reached between the BoM and the parents' association in relation to such fundraising, including the purpose for which the funds are being raised, the manner by which the funds are to be raised, and the estimated timeframe for the agreed project. The agreement should be recorded in the minutes of the BoM and the parents' association meetings respectively. The BoM should seek regular updates from the parents' association in relation to the fundraising and record those updates in the minutes of the BoM meetings.

The expenditure of these funds is by the normal school order process in consultation with the parents' association. Any funds raised must be used for the purpose(s) for which the money was collected. If in exceptional circumstances, it becomes unnecessary for the BoM to use all of the funds collected for the purpose specified, the BoM will communicate this to the parents' association and where appropriate, the local community. In any event the funds must be used for the school. The BoM in consultation with the parents' association committee will decide the change of purpose for which the funds are used.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Engage with the parents' association in relation to fund-raising proposals.	As the need arises.
2	Record any agreement reached between the BoM and the parents' association in relation to fundraising, including the purpose for which the funds are being raised, the manner by which the funds are to be raised, and the estimated timeframe for the agreed project.	After agreements are reached with the parents' association in relation to fundraising.
3	Use any funds raised for the purpose(s) for which the money was collected.	As the need arises.
4	Communicate with the parents' association (and the local community where appropriate) any underspends in relation to the funds.	As the need arises.
5	Where an underspend arises, consult with the parents' association committee regarding the change of purpose for which the funds will be used.	As the need arises.

### Employment of a person in a private capacity

No private employment arrangements may be entered into by the school and Community National Schools may not hire teachers, SNAs or ancillary staff on a privately funded basis.



# 18 The Charities Regulator



There is no requirement for the BoM of Community National Schools to register individually with the Charities Regulator as the relevant ETB's registration with the Charities Regulator encompasses Community National Schools under its patronage.

# 19 Child Protection



The Child Protection Procedures for Primary and Post Primary Schools (Revised 2023) (the procedures) which issued under Circular [0036/2023](#) apply to all recognised schools. They give direction and guidance to school authorities and to school personnel in relation to meeting their statutory obligations under the Children First Act 2015 and in the implementation of the best practice (non-statutory) guidance set out in [Children First National Guidance for the Protection and Welfare of Children 2017 \(Children First National Guidance 2017\)](#).

The procedures include:

- The reporting procedures to be followed by registered teachers in respect of their role as mandated persons, including a requirement to liaise with the Designated Liaison Person (DLP) and, where applicable, to submit mandated reports jointly with the DLP to Tusla.
- Guidance and direction for BoMs in relation to meeting their statutory obligations in relation to Child Safeguarding Statements. In that regard, the procedures require that all BoMs use certain mandatory templates published by the Department when preparing, publishing and reviewing their Child Safeguarding Statement.
- Oversight requirements which are aimed at ensuring full compliance by schools with the [Children First Act 2015 Children First National Guidance 2017](#) and with the Department's requirements as set out in the procedures for schools.

It is the responsibility of the BoM to ensure that the procedures are implemented in full and to quality assure their effectiveness on a regular basis. In that regard, good governance requires that the BoM can and does satisfy itself that the school has robust procedures in place to enable it to deal fully and properly with all child protection matters in the school in accordance with statutory requirements and with the Department's requirements as set out in the procedures for schools. The procedures contain certain oversight requirements aimed at ensuring that the BoM meets its responsibilities in this regard. All BoMs must comply in full with these oversight requirements which are set out in detail in chapter 9 of the procedures. They include oversight by the BoM of the school's child safeguarding requirements and oversight of the reporting of child protection concerns. For the purposes of oversight of the reporting of concerns, the procedures require certain information to be provided to and reviewed by the BoM as part of the Principal's Child Protection Oversight Report that must be provided to the BoM at every BoM meeting.

The Child Protection Procedures for Primary and Post Primary Schools (Revised 2023) and the associated mandatory templates and other supporting documents (additional optional templates and guidance documents) are available on <https://www.gov.ie/en/organisation/departments-of-education/?referrer=http://www.gov.ie/education/> Schools must ensure they use the most up-to-date version of the templates as published by the Department and available on <https://www.gov.ie/en/organisation/departments-of-education/?referrer=http://www.gov.ie/education/>

Under the Child Protection Procedures for Primary and Post Primary Schools (Revised 2023) ([the procedures](#)) the Department's Inspectorate is required to monitor and report on schools' compliance with the procedures. The Inspectorate monitors and reports on schools' compliance with aspects of the procedures during all inspection models. The aspects of the procedures checked during the inspection models depend on the inspection model and are set out in the publication [Child Protection Monitoring by the Inspectorate](#) issued by the Department and published on <https://www.gov.ie/en/organisation/departments-of-education/?referrer=http://www.gov.ie/education/>. The

Inspectorate also implements a dedicated inspection model specifically designed to monitor compliance with the procedures. This model is referred to as the Child Protection and Safeguarding Inspection model. This is an in-depth, stand-alone inspection model that focuses on the implementation of ten main aspects of the procedures. Information about Child Protection and Safeguarding Inspections is available on <https://www.gov.ie/en/organisation/department-of-education/?referrer=http://www.gov.ie/education/>

**Important Note regarding the Child Protection Procedures for Primary and Post Primary Schools**

The child protection procedures were revised in consultation with the Education Partners in 2023 to take account of key legislative and policy developments which include the Addendum to Children First (2019), General Data Protection Regulation (GDPR), the Child Protection and Safeguarding Procedures for Boarding Facilities associated with Recognised Schools 2023 and the Teaching Council (Information to be Furnished by Employer in Case of Dismissal or Resignation of Registered Teacher) Regulations 2023. At the time of publication of this manual, an extensive review of the child protection procedures in consultation with the Education Partners was well underway. It is intended that revised procedures will be published during 2024 and schools will be advised well in advance of the implementation date for same.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Become familiar with the Child Protection Procedures for Primary and Post Primary Schools 2023 and in particular the oversight requirements of the BoM.	As a priority once a new BoM is formed
2	Ensure that the procedures are implemented in full and quality assures their effectiveness on a regular basis.	Ongoing
3	Discharge its oversight responsibilities with regard to safeguarding and the reporting of child protection concerns.	Ongoing.
4	Review the information presented in the Child Protection Oversight Report at each BoM meeting	Ongoing.

# 20 Garda Vetting



The Vetting Act placed statutory obligations on employers (other than in certain limited circumstances as set out in the Vetting Act) to obtain a vetting disclosure from the National Vetting Bureau prior to employing, contracting or placing a person to undertake relevant work or activities with children or vulnerable persons or prior to permitting a person to undertake such relevant work or activities on behalf of the school. Where the ETB, and not the Community National School BoM, is the employer, vetting is a matter for the ETB and not the BoM.

# 21 The Data Protection Acts and GDPR



The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 came into effect on 25 May 2018.

The GDPR, complemented by the Data Protection Act 2018, is designed to protect the rights of individuals with regard to personal data. Under the GDPR, personal data is data that relates to or can identify a living person, either by itself or together with other available information and a data subject is the individual to whom the personal data relates.

The GDPR and the Data Protection Acts give a right to every individual, irrespective of nationality or residence, to establish the existence of personal data, to have access to any such data relating to him or her and to have inaccurate data rectified or erased. It requires data controllers to make sure that the data they keep is collected fairly, is accurate and up to date, is kept for lawful purposes, and is not used or disclosed in any manner incompatible with those purposes. It also requires both data controllers and data processors to protect the data they keep and imposes on them a special duty of care in relation to the individuals about whom they keep such data.

ETBs are data controllers where they process the personal data of students, parents and staff. All BoM minutes and other school records and data must be maintained in compliance with the GDPR and Data Protection Acts. The responsibility for compliance with the Acts rests with each school/ETB. The school/ETB must therefore be cognisant of its obligations in relation to the confidentiality, accuracy and security of all records and data held by the school. This includes records/data relating to staff and pupils and records/data relating to the business of the BoM.

The website [www.gdpr4schools.ie](http://www.gdpr4schools.ie) was established to assist schools prepare for and implement GDPR requirements. The Data Protection Commission (DPC) published guidance [The Fundamentals for a Child-Oriented Approach to Data Processing | Data Protection Commissioner](#) on 17 December 2021. This guidance sets out principles and recommendations for organisations to follow when processing children's data. The fundamentals seek to enhance the level of protection afforded to children, both online and offline

# 22 Freedom of Information Acts

A BoM of a Community National School established or maintained by an Education and Training Board is partially included under Schedule 1, Part 1(h) of the Freedom of Information Act 2014. Community National Schools under the patronage of an ETB should contact the relevant ETB for advice and guidance on the Freedom of Information Acts

BoMs should note that records forwarded to a public body by a school and held by that body may be subject to the provisions of the Freedom of Information Acts.

	<b>Actions for BoMs</b>	<b>Suggested Timing</b>
1	Ensure that any BoM information that members are provided with are managed in compliance with the GDPR and Data Protection Acts	Ongoing
2	Be cognisant of its obligations in relation to the confidentiality, accuracy and security of all records and data held by the school.	Ongoing.



# 23 The Protected Disclosures Acts



The [Protected Disclosures Act 2014](#) as amended by the [Protected Disclosures \(Amendment\) Act 2022](#) requires every public body (which includes schools) to establish and maintain procedures for the making of protected disclosures by workers who are, or were employed, by the public body and for dealing with such disclosures. Written information in relation to these procedures must be provided to workers employed by the public body (which includes schools).

The purpose of this Act is to protect workers from being penalised for whistleblowing about wrongdoing or potential wrongdoing that has come to their attention in a work-related context. The [Protected Disclosures \(Amendment\) Act 2022](#) was commenced on 1<sup>st</sup> January 2023.

Key provisions in the Protected Disclosure Acts include:

- A prohibition on penalising workers who make protected disclosures with a wide definition of ‘worker’. The 2022 Act broadened the definition of worker to include individuals on work experience, BoM members, volunteers, job applicants etc
- A broad range of ‘relevant wrongdoings’ which can be reported including criminal offences, breaches of legal obligations, where the health and safety of any individual has been or is likely to be endangered, miscarriage of justice, unlawful or improper use of public funds or any attempt to conceal information in relation to such wrongdoings. The 2022 Act also includes that a breach of specified EU law set out in the Directive has occurred, is occurring or is likely to occur is a relevant wrongdoing.
- A ‘stepped disclosure system’ which encourages workers to report to employers in the first instance.
- The Protected Disclosures (Amendment) Act 2022 created the Office of the Protected Disclosures Commissioner. The Commissioner has certain powers and responsibilities under the Act. The Commissioner’s primary duty is to refer any reports received under the Act to the most appropriate prescribed person (or other suitable person, if a prescribed person cannot be identified).
- The Act provides for certain protections for reporting persons. These include protection against penalisation and keeping their identity confidential, with certain exceptions. The Act also provides that penalisation and breaching of the confidentiality provisions is a criminal offence, among other offences in the Act.

Each ETB has a Protected Disclosure Policy available to all workers that the BoM should familiarise themselves with. The ETB has a designated person for the receipt of protected disclosures, to whom such matters should be referred.

	Actions for BoMs	Suggested Timing
1	Be familiar with the ETB’s Protected Disclosure Policy	Ongoing

# 24 Access to the school



Sections 13 and 18 of the Education Act 1998 provides that full access to schools should be afforded to members of the Department’s Inspectorate and other Department officials involved in the inspection of schools. In addition, rule 11 of the Rules for National Schools provides that “the Minister and persons authorised by him/her may visit and examine the schools whenever they think fit”. The patron and its delegates shall have the same right of access. Trustees (in schools where there are trustees) and their delegates may also visit and examine the school site and buildings when appropriate.

# 25

## Use of school premises



The ETB will have prepared a guidance document for schools to support the implementation of the DE Circular detailing arrangements for the use of school property for community purposes. This document should cover the issue of all costs (direct/indirect) and insurance requirements. Any rental income generated will be ring-fenced by the ETB for use by the school.

# 26

## Guidelines on Health and Safety

In accordance with the [Safety, Health and Welfare at Work Act 2005](#), it is the responsibility of individual school authorities to have a safety statement in place in its school and to ensure as far as is reasonably practicable, the safety, health and welfare at work of its employees and those who are in anyway affected by the work activities of the school.

As the ETB is the school authority in respect of Community National Schools responsibility rests with the ETB to ensure appropriate safety systems are in place with clear roles and delegated functions assigned to support a culture of safety first.

Under section 13 of the Education and Training Board Act, 2013, health and safety is an executive function with the Chief Executive as the Accounting Officer of the organisation. The Chief Executive may delegate functions to a Centre Manager who is defined under the 2005 Act as being a person in control of a place of work. In a Community National School the Principal is the Delegated Officer.

The safety statement should identify potential hazards, assess the risks to health and safety and put appropriate provision in place to safeguard the safety and health of employees and pupils. In March 2018 the Department issued [Circular Letter 0018/2018](#) to remind all school authorities of the need for vigilance in the management of Health & Safety, including in particular fire safety systems.

The body which has statutory responsibility for ensuring that health and safety requirements are met by all employers, including schools, is the [Health and Safety Authority \(HSA\)](#). The HSA in conjunction with the Kilkenny Education Centre has issued guidelines to all primary schools in relation to managing safety, health and welfare. These guidelines were developed following consultation with relevant stakeholders and are published on the website of the Health and Safety Authority <https://www.hsa.ie/eng/>

Community National School Principals should consult with their ETB in respect of developing health and safety policies and procedures.

# 27 Energy Management in Schools



By managing energy use effectively, schools can benefit from increased comfort levels, reduced costs and better environmental performance. It has been shown that just by behavioural changes schools can easily save up to 10% of their energy costs per annum. The Energy in Education programme offers a range of supports developed by the [Sustainable Energy Authority of Ireland \(SEAI\)](#) in partnership with the Department designed to help schools to improve energy management practices and save money. The website features short videos, fact sheets and case studies on specific areas that can be targeted along with a step by step approach on how to get started. Guidance on energy management and details of the range of supports is available at [www.energyineducation.ie](http://www.energyineducation.ie)

## 27.1 Statutory obligation to monitor and report energy use annually

All public sector bodies, including schools, have a statutory obligation to report annually on their energy usage directly to the [Sustainable Energy Authority of Ireland \(SEAI\)](#). All schools were notified of this requirement in writing in December 2014 by the [Department of Communications Climate Action and Environment \(DCCAE\)](#). It is the responsibility of each ETB to report annually on the energy usage of each of its schools directly to the Sustainable Energy Authority of Ireland (SEAI).

SEAI and DCCAE have developed an on-line energy Monitoring and Reporting (M&R) system to facilitate schools to report their energy use (as required and detailed in SI 426 of 2014 and SI 646 of 2016). As well as enabling schools to report and track energy data annually, the online system provides:

- A scorecard that presents a powerful snapshot of the school's progress to date.
- Online access to annual electricity and natural gas consumption data.

There is additional information on the reporting process available at [www.seai.ie](http://www.seai.ie)

The summer works programme (since 2019) require that payment of the grant to schools who receive funding under this scheme will be subject to schools registering on the SEAI website and committing to making the appropriate returns.

## 27.2 School Sector Climate Action Mandate and Climate Action Roadmap

A Public Sector Climate Action Mandate was published in 2022 to support public sector bodies leading by example on climate action with the aim to inspire the necessary climate action in wider society to reduce Ireland's greenhouse gas (GHG) emissions by 51% by 2030.

The Public Sector Climate Action Mandate excluded the school sector, which would have its own dedicated climate action mandate that would best reflect the particular circumstances in schools and also minimise the burden on schools where possible.

The dedicated School Sector Mandate recognises the variance between large public bodies and the school sector and the distinctive role schools are playing in the areas of Education for Sustainable Development and Climate Change.



The specific School Sector Climate Action Mandate is important to enable similar obligations to be tailored to the unique circumstances of schools. School Sector Climate Action Mandate was published in March 2023 following consultation with the educational partners and will be updated annually.

The School Sector Climate Action Mandate 2023 can be viewed here:

<https://www.gov.ie/en/publication/337b6-public-sector-climate-action-mandate/>

[teachersna@education.gov.ie](mailto:teachersna@education.gov.ie).

# 28 Change of Staff Form

A change of staff form issues annually to all schools in respect of permanent and temporary teachers paid through the Department's payroll.

A separate change of staff form is also issued in respect of non-teaching staff who are paid through the Department's payroll.

Any changes in the employee's status in the school shall be recorded on the relevant form and returned within the time frame set down by the Department. It is imperative that the forms are completed in full, examined and checked by the Principal, signed by the Principal/Chief Executive (or their delegate) and returned within the specified time frame to ensure that school employees are paid correctly. In Community National Schools this form must also be approved by the relevant ETB prior to return to the Department.

# 29 Online Claim System (OLCS)



The OLCS was introduced to enable schools to submit leave details for all teachers and special needs assistants and to make claims for the relevant substitute. The data entered by the schools, once validated, updates the Department's payroll and personnel systems and issues payment directly to the teacher/SNA. The Principal is responsible for the recording of absences of teachers and SNAs on the system. The Principal should ensure that all absences, both substitutable and non-substitutable, are recorded on the OLCS. The Department requires that leave absences are recorded to ensure that all staff members are paid correctly and the service history of a staff member is correct. Leave records should be recorded by the schools as they occur and must be entered in date order. [Circular 0024/2013](#) "Operational Guidelines for Boards of Management and Staff Designated to Operate the On Line Claims System in Recognised Primary and Post Primary Schools" for further details.

This circular is published by the Department and available on <https://www.gov.ie/en/organisation/departament-of-education/?referrer=http://www.gov.ie/education/>

The Principal, on behalf of the relevant ETB, as employer is responsible for the recording of absences of teachers and SNAs in Community National Schools and records of absences of teachers and SNAs must comply with ETB HR department procedures. It is important that procedures are in place to ensure that the entering and approval of leave and claims is carried out in a timely fashion in order to meet payroll deadlines, and that ETB approval is sought and received where necessary, in line with HR department procedures.F

Principals should ensure that supporting documentation in relation to the completion of OLCS details is retained securely i.e. medical certs, attendance at in-service/in-career, parental leave and carer's leave and is remitted to the ETB HR Department as necessary in compliance with ETB policies and procedures.

The Principal, on behalf of the ETB, has a responsibility to ensure that at school level the integrity and security of the OLCS system is maintained at all times as the Department is obliged to refer any falsified records to An Garda Síochána. To maintain the integrity of the system it is important that the Principal, on behalf of the ETB, ensures that the necessary control and security measures are implemented. Principals and ETBs are advised that under no circumstances should the same person in a school undertake the roles of entering data and approving this data. The person responsible for data entry and the approver should ensure that details of staff members are input correctly on the system. Due to the sensitive nature of the data stored on OLCS, the designated Data Entry person and Data Approver(s) of the system must keep their passwords and other information secure at all times and must not pass them to other members of staff.

ETBs should also be aware that a facility exists on the OLCS to produce reports of all absences taken by teachers and SNAs in a defined period. These reports can be produced at school level and should, having due regard to the confidentiality of any personal information of staff, be provided to the ETB on a regular basis, or where requested by the ETB. Copies should also be forwarded to the staff members concerned.

# Appendix A

Procedure for the nomination/election of a person who will be nominated to the Patron for appointment as a teacher nominee.

See [Primary Governance Manual 2023-2027](#)

## Form 1 – Patron’s Declaration

See [Primary Governance Manual 2023-2027](#)

### **Important Note**

This form requires the signature of the patron prior to sending to the Department of Education. In this context, the ETB as a corporate body is the patron. Tasks required to be performed by the ETB patron are carried out in accordance with the statutory distinction between reserve and executive functions. Where the appointment of committee/board of management members is a reserve function under section 12 of the Education and Training Boards Act 2013, this is to be done by the ETB board. Therefore, the board should have a procedure in place for the Chairperson of the ETB board to sign the Form 1 for all schools maintained by the ETB.

## Form 2 – Declaration of Acceptance of Membership of the School BoM

See [Primary Governance Manual 2023-2027](#)

## Appendix B

Procedure for the nomination/election of a parent(s) for appointment by the patron as a parent nominee(s) to the BoM.

See Primary Governance Manual 2023-2027\_

## Appendix C

Procedure for the selection of a member(s) from the community for appointment to the BoM

See Primary Governance Manual 2023-2027





**etbi**

Education and Training  
Boards Ireland  
*Bord Oideachais agus  
Oiliúna Éireann*

