

St. Brendan's College

Colaíste Bhréanainn, Cill Áirne, Co. Chiarraí.



To Challenge and Affirm

28th October, 2016.

Re: Withdrawal from supervision and substitution duties

Dear Parent(s)/Guardian(s)

As you are aware, the ASTI has directed its members to withdraw from supervision and substitution duties with effect from 7th November 2016.

The effect of the directive is that ASTI members, including most principals and deputy principals, will not be available to carry out essential supervision duties before school commences in the morning, during break times, at lunchtime and at the end of the school day. In addition, ASTI members will not be available to substitute for colleagues absent on school business such as extra-curricular or co-curricular activities and for colleagues absent on uncertified sick leave.

Due to this action, the Board of Management will not be in a position to ensure the safety of the pupils in its care from that date. Health and Safety legislation, the *in loco parentis* principle and insurance requirements place a duty of care on school management to ensure the safety, health and welfare of pupils.

It is the position of the JMB, the management body for our school, and the board of Management of this school that teachers are best placed to undertake these duties. The JMB has engaged with the Department of Education and Skills to put in place an alternative supervision and substitution arrangement as a contingency for the period of the industrial action. While the ASTI has indicated to the DES that it would not impede any contingency arrangement for supervision and substitution that would be put in place, it has not, however, given an undertaking that its members would fully co-operate with contingency arrangements. The ASTI has directed its members not to involve themselves in the rostering or management of supervisors employed for the purpose of a contingency arrangement, meaning that contingency arrangements cannot currently be implemented as the vast majority of principals and staff are ASTI members.

Even if there were to be full co-operation by the ASTI with a contingency plan, the deadline of 7th November is unrealistic as it does not allow sufficient time to put supervisors in place. In the interests of the health, safety and welfare of the students in our school sufficient competent personnel would have to be recruited using a formal interview process. In the interests of child protection, the selected people would be vetted in compliance with the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, and would need to participate in training and induction to prepare them for their roles. The likely timeframe for this process is not less than six weeks.

While the Board of Management/Manager wishes to keep the school open it is not, regrettably, possible to re-open the school after mid-term break until appropriate health and safety and child protection provisions can be established.

The Board of Management/Manager is assured by the JMB that it will continue to advocate for schools with the DES and the ASTI in pursuit of an early resolution of this industrial action. The Board will keep the situation under review and you will be notified as soon as feasible of relevant developments.

Yours sincerely,

Lorna Larkin, Chairperson of the Board of Management.