

December 2009

# Patronage Manual



Educate  
Together

# Educate Together Patronage Manual

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# Educate Together Patronage Manual

## Introduction

Since becoming a company limited by guarantee in 1998, Educate Together has opened many schools with its patronage. In that time, it has worked to develop clear policies and procedures in order to carry out its legal responsibilities as patron.

This manual is set out in three sections. The first section will define the concept of a patron, explain the legal basis for its duties and set out its role and responsibilities.

The second section will set out the policies and procedures that Educate Together implements in discharging its duty as a patron of national schools.

The third section lists the documents, reports and archives that are maintained by Educate Together in relation to this part of its operations.

This document is a living document. It will be updated as our policies and procedures develop. In this regard Educate Together welcomes comments and suggestions from our members, friends and colleagues.

It is important to note that the relationship of the board of management of an Educate Together national school with its patron is significantly different to that between the board and patron in schools with Catholic or Protestant patronage. In the case of denominational schools, a deed of variation exists that radically alters this relationship and bestows considerable powers of direction and control on the patron. There is no such deed of variation in place in Educate Together schools and the legal relationship rests entirely on the rights and obligations set out in legislation by the Oireachtas, principally in the Education Act (1998), other related acts and departmental rules and regulations. It is for this reason, that we describe the relationship as a school operating “with” the patronage of Educate Together.

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## Role and responsibilities of a patron

The definition of a patron of a national school in Ireland, and the legal basis of its role and duties, are set out in a variety of documents:

- The Constitution of Ireland
- The Education Act 1998
- The Education (Welfare) Act 2000
- The Rules for National Schools, published in 1965
- Boards of Management of National Schools, Constitution of Boards and Rules of Procedure
- Precedence and Practice, as defined in Circulars published periodically by the Department of Education and Science (DES).

As a patron of schools, Educate Together also must be familiar with a wide range of statutory provisions that are relevant to boards of management most notably, the Equal Status Acts and the Employment Equality Acts as well as with the panoply of legislation that applies generally to employment law.

The definition of patron is set out in the Education Act 1998 as follows:

*8. (1) (a) The person who, at the commencement of this section, is recognised by the Minister as the patron of a primary school,*

*(2) In any case other than that provided in subsection (1), the patron of a recognised school shall be the person who requested recognition of the school or a nominee of such person and the name of that person shall be entered in the register.*

The DES reserves to itself the right to recognise a person or company as an appropriate patron for a national school.

Recent criteria drawn up for the recognition of new patrons by the Department of Education and Science include a requirement that patrons have a clear understanding of the financial and legal implications of being a patron, particularly in the area of employment legislation.

The roles and responsibilities of a patron of a national school includes the following:

- In the case of new schools to:
  - Seek the permission of the DES to establish a school
  - Establish an interim management structure for a new school
  - Approve the appointment of the principal and other teaching staff
  - Ensure the timely establishment of the board of management
  - Organise the accommodation for the new school and enter into any agreements, licences or leases for this purpose.
- Where schools are established to:
  - Approve the appointment of all teaching staff
  - Appoint independent assessors to selection boards

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- Appoint patron nominees to the board of management
- Appoint the chairperson of the board of management
- Appoint the board of management when properly constituted
- Remove board members or dissolve the board of management when required and with the permission of the minister
- To give prior approval for any debts (e.g. temporary overdraft) incurred by the board of management
- Approve the publication of the enrolment policy of the school
- Act to preserve the 'characteristic spirit' or ethos of the school
- Provide or approve the premises for the school and enter into any agreements, licences or leases for this purpose
- Set out, monitor and support a curriculum of ethical education that comprises 2.5hrs of teaching contact time for all pupils per school week
- Be aware of the needs of the school, seek regular reports and be in a position to act to support, advise and if necessary intervene in the interests of the school, its children, parents and staff
- Seek the closure of the school or its amalgamation with other schools if and when this is necessary in the common good.

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## Policy and procedure

### NEW SCHOOLS

Responsibility for the establishment of a national school rests with a patron, which must first have been recognised as such by the DES and be on the register of patrons maintained by the minister.

Once a patron has identified the need for a new national school, it must apply to the minister for this need to be recognised. Up until 2008, the minister was aided in this function by an independent body. For schools to be opened in 2009, the minister will decide these applications directly whilst a review of the procedures for new school opening is carried out. It is envisaged that this review will make recommendations by mid 2010. The criteria for recognition broadly consist of:

- that there is a viable demand for such a school that cannot be met by the existing establishments in the area,
- that there is a body capable of undertaking the effective management of the school and
- that there is suitable accommodation available for the school.

Once an application is successful, it is the responsibility of the patron to take the practical steps to ensure the opening of the school – sourcing and preparing premises, recruiting staff, offering places to children, and appointing a board of management.

When a primary school is newly opened, it is granted temporary recognition by the DES. This gives it the right to, inter alia, funding from the DES, to employ staff (on receipt of a roll number) and call itself a national school. National schools are granted permanent recognition when there is evidence that the school will be viable in the long term. The number of children enrolled in the school and predicted future enrolments are the most important criteria in this regard.

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## Applications for recognition of new schools

The patron applies to the minister for the recognition of a new school.

<b>Policy P001 - Applications for new schools</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Regional development officers CEO Board of directors	Start up groups Parents DES	CEO, Board of directors
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*The national office will regularly monitor levels of unsuccessful applications for places in existing schools, requests from parents, general enquiries and local and national demographic trends and maintain a list of areas in which it is considered that there is a viable demand for a new Educate Together school. In most cases, there should be sufficient demand to ensure the development of a 2-stream school.*

*This list will be regularly updated and communicated to the planning section of the Department of Education and Science with the view to agreeing with the department a list of priority projects for which the department is prepared to provide concrete and credible plans for permanent accommodation.*

*In such areas, the national office will work to establish start up groups of parents and supporters to advance the project. Where such groups are established and have formally committed to open an Educate Together school and work under the supervision of Educate Together, the CEO may approve the payment of a start up grant to assist the work.*

*If and when the CEO is satisfied that there is viable demand for the school, that appropriate steps have been taken to ensure the management of the school, that appropriate accommodation is available and that the national office has sufficient resources to support the project, a report will be submitted to the board of directors of Educate Together seeking its approval for the submission of a formal application for recognition of a new school.*

*Once the board of directors have approved the application, it will be submitted to the appropriate officer of the Department of Education and Science as decided by the minister.*

*Whilst Educate Together is committed to working in partnership with the DES on such projects, it reserves its right to support new school groups on parental preference, human rights and diversity grounds in areas not considered "priority" by the DES.*

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## Establishment of interim management structures for a new school

The patron has the responsibility to establish interim management structures for a new school.

<b>Policy P002 - Interim management structures for new schools</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Regional development officers CEO	Start up groups DES	CEO
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*Once a new school is recognised by the minister, the national office will compile a report on the availability of persons with suitable managerial and inter-personal skills in the start up group and submit a proposal to the CEO to appoint an interim manager for the school until such time as the board of management can be established (usually in October of the start up year). The criteria for the choice of interim manager are:*

- *Personal integrity (based on interview and references<sup>1</sup>)*
- *Commitment to the ethos of Educate Together*
- *Ability to work on their own initiative with the direction of the national office*
- *Management ability*
- *Support of the group*
- *Inter-personal skills*
- *Available time*

*The decision of the CEO in this interim appointment is final and may be rescinded if circumstances warrant.*

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<sup>1</sup> In this document, "references" include Garda vetting where appropriate

## Appointment of the principal of a new school

The patron has the responsibility to select the first principal of a new school.

<b>Policy P003 - Appointment of principal of a new school</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Regional development officers CEO	Start up group Interim manager	CEO Chairperson, board of directors
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*The national office will advertise for the post of principal teacher of the new school as soon as possible after the minister's decision. The appointment procedures must conform to those set out in Appendix D of 'Constitution and Rules of Procedure for National Schools'. The CEO will appoint a selection board in consultation with the interim manager and development officer appointed to the project. This board will consist of:*

- An Educate Together principal with experience of both a start up environment and an established school.*
- The interim manager of the school, who will act as chair of the selection board*
- An officer from the national office not involved in the patron's approval process*
- Two other persons with managerial or recruitment experience selected from the start up group or wider community.*

*The selection board will be empowered to decide not to appoint a principal if it is not satisfied that any of the candidates are of sufficient quality to undertake this important and central role. In this case, it may recommend re-advertising and the appointment of an acting principal until a new selection process is completed.*

*The recommendation of the selection board will be made to the CEO using the standard "approval of appointments form" signed by the interim manager (See Section 3). The CEO or an officer designated by him/her may make enquiries as to the probity of the process. The CEO will then forward the recommendation to the chairperson of the board of directors for approval. The chairperson will then either approve the appointment or require the restarting of the process.*

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## Appointment of first teaching staff to a new school

The patron has the responsibility to ensure that the selection of the first teaching staff is undertaken in time for the school to open.

<b>Policy P004 - Appointment of first teachers of a new school</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Regional development officers CEO	Interim manager	CEO
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*The advertisement for the necessary number of teachers for the new school will be placed as soon as possible after the recognition of the school and to suit the timing of the principal appointment. The appointment procedures must conform to those set out in the rules for national schools. The selection board for the teachers will consist of:*

- The principal appointed*
- The interim manager*
- An external assessor – usually an Educate Together principal with experience of both a start up environment and an established school*

*The recommendation of the selection board will be made to the CEO using the standard “approval of appointments form” signed by the interim manager (See Section 3). The CEO or an officer designated by her/him may make enquiries as to the probity of the process. The CEO will then either approve the appointment or require the restarting of the process.*

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## Appointment of patron nominees to a new school

The patron has the responsibility to ensure that a board of management is established for a new school.

<b>Policy P005 - Appointment of patron nominees to new school board</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Regional development officers CEO	Interim manager Start up group	CEO
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*In the six months prior to the opening of the school, the national office will seek to identify suitable persons willing to act as patron nominees to the board of management. Such persons will be selected according to the following criteria:*

- *Personal integrity (based on interview and references)*
- *Commitment to the ethos of Educate Together*
- *Experience in the management of national schools*
- *Experience of management in another context or HR skills*
- *Inter-personal skills*
- *Team skills balance*

*The development officer nominated to the new school will submit a report to the CEO proposing two names to be appointed as nominees of Educate Together to the board of management of the school (one may already have been appointed interim manager). Once an appointment is proposed, the CEO or an officer designated by him/her may make enquiries as to the probity of the process. The CEO will then either approve either or both appointments or require that further candidates be identified.*

*The development officer assigned to the school will organize with the patron nominees to arrange a parent's/ legal guardian's election and a teacher's election according to the 'Constitution and Rules of Procedures of Boards of Management of National Schools'. These elections should not take place before the second week of October. Steps should be taken to ensure that there is maximum participation in these elections.*

*The further process of establishing the board of management should proceed according to the 'Constitution and Rules of Procedure of National Schools'. The patron's appointment of the board and its chairperson will proceed according to the policy detailed in the next section of this manual. (See page 15 - Policy P008)*

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## Provision and planning of accommodation for a new school

The patron has the responsibility to ensure that appropriate accommodation is provided for new schools.

<b>Policy P006 - Accommodation for new schools</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Regional development officers CEO	Interim manager Start up group DES	CEO Board of directors
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*Educate Together will only propose recognition of a new school if it is reasonably satisfied that there are concrete and credible plans for the permanent accommodation for that school. If interim accommodation is necessary, Educate Together will only enter into license or lease agreements under the following circumstances:*

- The premises conform to health, safety and planning regulations*
- There is sufficient space for educational activities to operate in professional fashion*
- The school has complete control over access to the premises, especially over areas with access to children or to school records.*
- There are reasonable plans to allow for the natural growth of the school for at least a five-year period.*
- The rents proposed have been approved by the DES*
- The legal contract documents have been examined and approved by Educate Together's legal advisors*
- There is in place an indemnity from the school's board of management to ensure that the school will carry out the terms of the lease.*

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## ESTABLISHED SCHOOLS

### PATRON'S RESPONSIBILITIES IN RELATION TO THE CONSTITUTION OF BOARDS OF MANAGEMENT.

Responsibility for the day-to-day running and management of a national school rests with the board of management and principal teacher. Boards of management of national schools consist of eight people: the school principal and one member of the teaching staff nominated by the teaching staff as a whole <sup>2</sup>; two members, one male and one female, selected from the parent/guardian body by election, two patron nominees, nominated by the patron, and two members of the wider community who are chosen by the other members of the board. This structure is defined by the Department of Education and Science. All members (with the exception of the principal) are volunteers and all act as a board with collective responsibility and an obligation to confidentiality.

The patron of a school has the responsibility to nominate two members of the board, to appoint the board as a whole, select the chairperson of the board and where necessary, to seek the approval of the Education and Science Minister to dissolve the board or remove a member.

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*2 it should be noted that there is at present no mechanism whereby other members of the school staff have representation on boards of management of national schools and Educate Together expects the boards of management of its schools to take concrete steps to ensure that the views and interests of such staff are taken into account in its deliberations*

## Appointment of patron nominees on the board of management

The patron nominates two patron nominees to the board of management.

<b>Policy P007 - Appointment of patron nominees to school board</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Regional development officers School support officers CEO	School community, board of management, principal	CEO
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*In the six months prior to end of the current term of the board of management, the national office will seek to identify suitable persons willing to act as patron nominees to the board of management. The process of identification will include but not necessarily be restricted to consultation with the chairperson of the board of management and the principal teacher. Such persons will be selected according to the following criteria:*

- *Personal integrity (based on interview and references)*
- *Commitment to the ethos of Educate Together*
- *Experience in the management of national schools with preference for experience gained in Educate Together schools*
- *Knowledge and confidence of the school community*
- *Experience of management in another context or HR skills*
- *Inter-personal skills*
- *Team skills balance*
- *Available time*

*The regional development officer assigned to the school will submit a report to the CEO proposing two names to be appointed as nominees of Educate Together to the board of management of the school. In the event of an excess of candidates seeking and approved for the nomination, the CEO is empowered to establish a selection board to conduct interviews. The selection board will consist of a member of the Educate Together senior management team or a member of the board of directors and an experienced chairperson of the board of management of an Educate Together school. Once an appointment is proposed, the CEO or an officer designated by him/her may make enquiries as to the probity of the process. The CEO will then either approve either or both appointments or require that further candidates be identified.*

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## Appointment of the chairperson of the board of management

The patron has complete authority over the appointment of the chairperson of the board of management from those members of the board except the principal or teacher representative.

<b>Policy P008 - Appointment of chairperson to school board of management</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Regional development officers School support officers CEO	School community, board of management, principal	CEO
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*Simultaneously with the procedure detailed for the appointment of patron nominees, the regional development officer assigned to the school will compile a report on the availability of persons with suitable commitment, managerial and inter personal skills to perform the important role of chairperson of the board of management. The process of identification will include but not necessarily be restricted to consultation with the out-going chairperson of the board of management and the principal teacher.*

*The criteria for the choice of chairperson are:*

- *Personal integrity (based on interview, and references)*
- *Commitment to the ethos of Educate Together*
- *Ability to work on their own initiative with the direction of the national office*
- *Experience in the management of national schools with preference for experience gained in Educate Together schools*
- *Attendance at Educate Together training courses*
- *Knowledge and confidence of the school community*
- *Experience of management in another context or HR skills*
- *Inter-personal skills*
- *Available time*

*The regional development officer assigned to the school will submit a report to the CEO proposing a person to be appointed chairperson of the board of management of the school. In the event of an excess of candidates approved for the nomination, the CEO is empowered to establish a selection board to conduct interviews. The selection board will consist of a member of the Educate Together senior management team or a member of the board of directors and an experienced chairperson of the board of management of an Educate Together school. Once an appointment is proposed, the CEO or an officer designated by him/her may make enquiries as to the probity of the process. The CEO will then either approve the appointment or require that further candidates be identified.*

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## Appointment of the board of management

Once board members have been properly nominated by the various constituent groups, they must meet to select two wider community representatives to complete the board. When this process is complete, it is the responsibility of the patron formally to appoint the board of management, and to notify the Education and Science Minister accordingly.

<b>Policy P009 - Appointment of board of management</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Regional development officers School support officers CEO	School community, board of management, principal	CEO
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*As part of the nomination process, each member of the board must complete a form in which they make a formal undertaking to abide by the rules of national schools and all relevant legislation, uphold the principles of the Educate Together charter in the management of the school and maintain the confidentiality of board business. The development officer nominated to the school will then submit a report to the CEO confirming that all stages of the establishment of the board have been completed in accordance with the 'Constitution of Boards of Management of National Schools' (DES) and with integrity. The CEO or an officer designated by him/her may make enquiries as to the probity of the process.*

*Once satisfied that the procedure has been completed properly, the CEO will then formally appoint the board and inform the Department of Education and Science of the appointment and the names and contact details of the members of the board.*

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## Removal of board member/dissolution of board of management

Once the board of management has been appointed, the patron cannot dismiss any member of the board (including its own nominees) without the prior agreement of the Minister for Education and Science. If the patron feels that the board of management (or a member thereof) is not effectively discharging its duties, it may apply to the minister to dissolve the board or remove the member.

<b>Policy P010 - Removal of Member/Dissolution of Board of Management</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Regional development officers School support officers CEO	School community, board of management, principal, DES, Legal team	CEO Chairperson, board of directors
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*In the event of serious deficiencies in the work of a board of management, Educate Together as the patron may apply to the minister for permission to either remove a member of the board or to dissolve it. In the case of a dissolution, such an application will involve the appointment of a manager to manage the school until a new board can be established.*

*In the case of gross misconduct involving assault, financial loss or danger to children, the patron reserves the right to immediately suspend a board member pending an investigation. An application for such action can be made by the regional development officer assigned to the school and approved by the CEO subject to the permission of the DES. Such an application will not be processed unless legal advice on the matter has been taken by the patron which approves the proposal.*

*In all other cases, a proposal to remove a member or dissolve the board must be made in writing by the officer assigned to the school and must include:*

- *Recommendation from the chairperson of the board (unless the chairperson is the subject of the proposal)*
- *Recommendation from the principal of the school*
- *In the case of a proposal to remove a member:*
  - *Results of a witnessed interview with the member.*
- *In the case of a proposal to dissolve the board:*
  - *The minutes of a board meeting at which the officer and a witness present the case for dissolution to the board.*
- *Any such interview or board meeting must be held in such a way as to allow natural justice to member or board.*
- *Legal advice*

*On receipt of this report, the CEO may either decide to seek DES permission to remove or dissolve or issue warnings or advice to the parties concerned. In all cases, the decision of the CEO must be approved by the chairperson of the board of directors of Educate Together or a director appointed for this purpose.*

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## Approval of any debts incurred by board

Debts incurred by a board of management (including overdrafts) must be approved by the patron, in advance. In addition, any capital expenditure, such as extension or replacement, must have the prior approval of the patron. In particular, only the patron can sign leases or other contractual arrangements in relation to the accommodation of the school.

<b>Policy P011 - Approval of debts and other significant decisions</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Regional development officers School support officers CEO	Board of management, principal DES	CEO Board of directors
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*It is not recommended that boards of management of national schools incur debts. However, in the rare occasion where such steps are necessary, the board must apply to the development officer assigned to the school. This officer will submit a report in writing to the CEO. The CEO will either approve or disallow the request. In the event of requests for debts in excess of €10,000 such a decision must be approved by the board of directors of Educate Together.*

*In the case of significant capital decisions involving building projects, commercial arrangements or leases, approval will only be considered on the basis of a written report submitted to the CEO by the school with a formal recommendation by the regional development officer assigned to the school with legal advice where appropriate.*

*In the case of proposals involving accommodation, the written views of the DES will be required.*

*The CEO will then either approve or disallow the proposal to be presented to the board of directors. In the case of all lease agreements which constitute a significant liability to the patron, only the board of directors may approve and sign the legal instruments and will do so only on the basis of a legal undertaking by the board of management of the school to adhere to the terms of the lease and indemnify the patron for any breach they may perform - deliberately or otherwise.*

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## Definition of the ‘patron’s curriculum’ and the characteristic spirit - ‘ethos’ - of the school

The national school system sets down the necessity for a patron to define a religious or ethical education core curriculum. This curriculum defines the concepts and values which must permeate the entire school programme and is allocated 30 mins discrete contact time with all students each school day. The ethos of the school must also be clearly defined and displayed prominently in the public areas of the schools

<b>Policy P012 - Ethical curriculum</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
All schools operating with Educate Together’s patronage	Board of management, principal	General meeting of members
Review By:	General meeting of members	Annually
Approved/Last Review:	November 2009	

*All schools operating with Educate Together’s patronage must implement the ‘Learn Together’ ethical education curriculum, train their teachers in its implementation and contribute to its on-going development.*

*The ethos of Educate Together schools is defined by the Educate Together charter.*

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## Oversight of board of management of an Educate Together school

Boards of management of schools are responsible in law to “uphold, and be accountable to the patron for so upholding, the characteristic spirit of the school...”. Educate Together has commenced a dialogue with its members on how such accountability should best be implemented in keeping with the organisation’s commitment to participatory democracy.

<b>Policy P013 - Oversight of board of management</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Boards of management of schools operating with Educate Together’s patronage Regional development officers School support officers CEO	Boards of management of schools operating with Educate Together’s patronage	CEO Board of directors
Review By:	General meeting of members	Annually
Approved/Last Review:	November 2009	

*Boards of management of Educate Together schools must develop and maintain an open and constructive dialogue on matters of school planning and development with the regional development officer assigned to them. This dialogue must include matters of concern as well as development opportunities.*

*Boards of management will be required to formally report to the national office on an annual basis in relation to:*

- *Enrolments, appointments, policies, finances and resources*
- *Actions taken to implement the ‘Learn Together’ curriculum*
- *Attendance at cluster, regional and national meetings*

*From time to time, the CEO may require the preparation of a detailed report from a regional development officer in relation to matters concerning a specific school. Boards of management are required to cooperate fully with the drawing up of such a report. The CEO must inform the board in writing that such a report is being requested and must ensure that the board has reasonable opportunity to express its views in relation to matters under consideration.*

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## Enrolment policy

The Education Act 1998 obliges boards of management of schools to:- "establish and maintain an admissions policy which provides for maximum accessibility to the school and "publish, in a 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....." Educate Together's policy in relation to such patron approval is bound by a number of motions passed at recent annual general meetings. It is only with such approval that the enrolment policy of a school is legally established.

<b>Policy P014 - Approval of enrolment policies</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Boards of management of schools operating with Educate Together's patronage Regional development officers School support officers CEO	Boards of management of schools operating with Educate Together's patronage	CEO Board of directors
Review By:	General meeting of members	Annually
Approved/Last Review:	June 2009	

*Educate Together will approve enrolment policies that implement the "first come, first served" principle. Boards of management of schools operating with Educate Together's patronage may seek approval for variations from such a policy in such cases where a school board makes a serious and reasoned case for such a variation in order to address their obligations to equality in their own communities under the Educate Together charter and all relevant legislation.*

*Before any enrolment policy can be published, it must be submitted to the national office for approval. The national office will maintain sample templates for such policies which have been approved by its legal advisors. The CEO will appoint a suitably qualified officer to evaluate the proposed policy and to submit a report recommending approval or rejection. In the case in which she or he considers recommending a rejection, the officer will engage in a dialogue with the board of the school concerned to resolve deficiencies in the policy. The CEO will then consider the matter and refer the matter to the board of directors for its decision with his/her recommendation.*

*In considering variations from the "first come, first served" policy, the national office and board will take into account:*

- *The obligations of the school to:*
  - *Uphold the commitments to equality in the Educate Together charter*
  - *Adhere to all relevant legislation*
  - *Demonstrate best practice, in transparency, accountability and fairness*

*The board of the school concerned will be informed of the content of the report to the CEO and board of directors and will be given the opportunity to make written representations. The decision of the board in relation to approval will be communicated to the school in writing.*

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## Patron's responsibilities in relation to school appointments

It is the responsibility of the patron to ensure that all procedures with regard to the recruitment of teachers are properly carried out, and to approve the appointment of teachers by the board of management. Until such approval has been granted, no appointment is properly made.

The patron also has a duty to appoint an independent assessor to all selection boards for the appointment of teachers to a school and to maintain an agreed panel of assessors for selection boards considering the appointment of posts of responsibilities in schools.

<b>Policy P015 - Approval of appointments of independent assessors</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Boards of management of schools operating with Educate Together's patronage Regional development officers School support officers CEO	Boards of management of schools operating with Educate Together's patronage	CEO Chairperson, board of directors
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*The national office will maintain a list of approved independent assessors for selection boards for teaching vacancies in schools. It will maintain a list of experienced independent assessors who have the experience necessary to sit on selection boards for principal appointments. It will also maintain an panel of independent assessors for selection boards making appointments to posts of responsibility in schools. This panel is a panel agreed between Educate Together and the Irish National Teachers Organisation.*

*When a board wishes to appoint a new teacher, principal or post of responsibility, it must follow the procedure set down in the relevant DES circular.*

*Application for the approval of the appointment of an independent assessor from the relevant panel must be made in writing to the assigned officer in the national office. Approval will be forwarded to the chairperson of the board in writing.*

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<b>Policy P016 - Approval of appointments</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Boards of management of schools operating with Educate Together's patronage Regional development officers School support officers CEO	Boards of management of schools operating with Educate Together's patronage	CEO Chairperson, board of directors
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

### **Approval of appointments of SNAs, teachers and principals**

*When the selection process for SNAs, teachers and principals is complete, the chairperson of the board of management of the school must assure the patron that the selection procedure has been carried out faithfully and according to the high standards of integrity expected in Educate Together schools. He or she must fill in and sign the request for patron approval of appointment form<sup>3</sup> and send it by post, fax or email to the national office. The assigned officer must reasonably assure themselves that all the conditions detailed in this form have been complied with and may conduct enquiries to this effect. As long as the assigned officer is satisfied, he or she may issue provisional approval for appointments and submit the relevant form to the CEO for formal approval. In the case of principal appointments, only the chairperson of the board of directors of Educate Together may issue approval and no provisional appointments may be made.*

*When approved, the board of the school will be so informed in writing.*

*If the national office is not convinced that the process has been completed correctly, the CEO may instruct the board of management that the process must be restarted at a specific point, up to and including a complete re-advertisement.*

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<sup>3</sup> For form see appendix B and C

## ESTABLISHED SCHOOLS

### PROCEDURES FOR TRANSFER OF PATRONAGE FROM EXISTING SCHOOLS.

From time to time, Educate Together is approached with proposals to transfer the duties of patronage from an existing patron of a school. In the recent past, a number of independent patrons who are themselves members of Educate Together have requested such a transfer. Educate Together considers such requests on a case-by-case basis and is open to approaches from patrons of schools that are themselves not currently members of Educate Together. The following is the procedure that Educate Together has adopted to handle such requests.

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## Proposals to transfer patronage of schools

In the event of a formal request from a patron of a school to transfer its duties as patron to Educate Together, Educate Together will adopt the following approach.

The guiding principle of this procedure is that transfers will only be undertaken where there is clear and substantial evidence that such a transfer is supported by the school community, that that school community is properly aware of and understands how the Educate Together model operates and how it will operate in their own school. In this case, the term school community includes, parents, children, staff and board of management.

<b>Policy P017 - Transfer of patronage</b>		
<b>Applies to</b>	<b>Effects</b>	<b>Authority</b>
Patrons of schools seeking transfer of patronage, Boards of management of such schools Regional development officers CEO Board of directors	Schools seeking transfer of patronage	CEO Board of directors
Review By:	Board of directors	Annually
Approved/Last Review:	November 2009	

*In the event of a informal contact from a patron of a school seeking transfer, the CEO will instruct the relevant RDO to hold informal discussions with the relevant officer of the patron and, through him or her. the chairperson and principal of the school as appropriate.*

*If the RDO is satisfied that there is substantial interest in the transfer, a meeting of the school community will be requested at which an officer of Educate Together will a) ascertain the level of support from parents and staff for the transfer and b) explain clearly what such a change will entail.*

*If further meetings with patron, board of management, staff and parents confirm support for the transfer, the RDO will invite the patron to formally apply to the board of directors of Educate Together for such a transfer.*

*The board of directors will consider a report from the CEO on this matter and may decide to reject the proposal, agree to progress the application or to defer consideration until further information is available.*

*In the event of a decision to proceed, the CEO will be required undertake a process of due diligence on behalf of the board.*

*The information requested must include documentation providing evidence of the following:*

- 1. Patron's approval of the appointment of all staff employed in the school*
- 2. Patron's appointment of independent assessors to selection boards for such appointments*
- 3. Patron's appointment of nominees and chairperson of the current board of management*
- 4. Patron's oversight of the procedures for establishing the board of management and its composition*
- 5. Patron's appointment of the board of management, undertakings signed by members of the board and its notification of same to the Department of Education and Science*

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6. *Patron's approval of the enrolment policy of the school*
7. *Minutes of any dealings the patron has had with the board of management of the school during the past year.*
8. *Minutes of the meetings including financial reports of the board of management of the school during the past year*
9. *Accounts of the board of management for the previous year and the most recent financial report for the board*
10. *Any current contracts, leases or other legally binding agreements entered into by the patron in relation to the school.*
11. *All policies approved by the board of management of the school, especially the following:*
12. *Enrolment policy*
13. *Ethical education curriculum ('religious education core curriculum', 'core curriculum' ) policy*
14. *Child protection policy*
15. *Confirmation that there are formal contracts in place for all staff of the school (teaching and non-teaching)*
16. *The list of seniority of teaching staff and SNAs*
17. *Confirmation that all posts of responsibility have been made according to the regulations and information concerning any appeals*
18. *Summary details of any section 29 appeals against decisions of the board of management*
19. *Details of any legal or administrative challenge to decisions of the board of management of the school in the past 5 years.*

*In addition, the CEO will provide a report on the viability of the school and its enrolment, the standards of education delivered, the quality of management, staff, parent and child relationships, any outstanding issues of accommodation or resources, the general atmosphere of the school and the attitude of the DES and other education partners to the transfer.*

*The board of directors will then decide whether to proceed with the transfer, reject the transfer or defer the transfer pending further information.*

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## Conclusion

The role of patron is one in which Educate Together has accumulated considerable experience over 30 years of the operation of its schools. It is a very serious role which offers schools great support and protection at a time of increasing legal and other liabilities.

Educate Together is committed to continuous improvement in the policies and procedures whereby it carries out its role as patron of schools. Such policies and procedures are also subject to the democratic oversight of general meetings of its members.<sup>4</sup> As a result, this manual is an evolving document. It is Educate Together's intention to continue to develop and refine its procedures in order to ensure that patronage functions are carried out with efficiency, transparency and fairness. Suggestions and recommendations from our members and partners are welcome.

Educate Together is also conscious that its patronage function must be carried out in partnership with the boards of management of schools with its direct patronage.

It also has a responsibility to provide guidance to those schools with independent patronage that are members of Educate Together. It is hoped that this manual will be of use to all our member schools and is also being placed in the public domain as a contribution to the evolution of the role of patron in the Irish education system.

Educate Together is committed to updating the manual as often as required.

## Approval and status

This manual was approved for publication by the board of directors of Educate Together at its meeting in November, 2009.

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<sup>4</sup> *Decisions at AGM and EGM that alter Educate Together's policies as patron can only be voted on by the representatives of Boards of Management of schools operating with Educate Together's patronage.*

## Appendices:

[Board of management undertaking](#)

[Approval form for teacher appointments](#)

[Approval form for special needs assistant appointments](#)

[Data records maintained in relation to patronage](#)

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# Educate Together National School Board of Management

## Appendix A - Acceptance of membership

School: .....Educate Together National School

Roll no. ....

I declare that I accept membership of the board of management of the above-named school for its current term of office, and undertake, with the other members of the board, to manage the school in accordance with the regulations of the Department of Education and Science, and in keeping with Educate Together's ethos. I undertake to keep confidential those matters which are deemed to be confidential, and I understand it is my responsibility to represent the decisions taken by the board while I am a member.

**Member's signature**

**Date**

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On completion, this form should be kept as part of the minutes of the board of management, and a copy returned to Educate Together, H8a Centrepoint Business Park, Oak Drive, Dublin 12

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**Appendix B - Approval of teacher appointments**

School: .....

Roll number:..... Position:.....

Name of candidate proposed for appointment: .....

As chairperson of the board of management of the above school, I confirm as follows:

1. All rules and procedures as set out in the document “Boards of Management of National Schools, Constitution of Boards and Rules of Procedure”, appendix D, have been properly followed.
2. All requirements in relation to the Educate Together redeployment panel have been met, and approval has been given by the Department of Education and Science to advertise the above post.
3. To the best of my knowledge and belief, there were no undeclared interests among any of the members of the selection board.
4. To the best of my knowledge and belief, there were no conflicting interests between any member of the selection board and any candidate for the position.
5. All documentation in relation to the selection process is in order, will be stored confidentially, and will be available for inspection if required by law for a minimum of one year.
6. The selection board has conscientiously checked the references of the successful candidate and satisfied itself that the candidate is a fit person to be appointed. (When Garda vetting is available, this will include, but not be restricted to, such vetting).
7. Each individual member of the selection board has formally undertaken to keep the business of the board confidential at all times, unless required to do otherwise by a legal process.
8. The members of the selection board, as individuals and as a board, have performed their required duties properly, in keeping with the rules and procedures set out in the document “Boards of Management of National Schools, Constitution of Boards and Rules of Procedure”, appendix D
9. The board of management has formally approved the appointment of the above named teacher to the above position, and this decision has been minuted by the board of management at its meeting on: .....(insert date of board meeting)

Signed: ..... Date: .....

Chairperson, board of management

Please add name IN CAPS.....

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## Appendix C - Approval of special needs assistant appointments

School: .....

Roll number:..... Position:.....

Name of candidate proposed for appointment: .....

As chairperson of the board of management of the above school, I confirm as follows:

1. All rules and procedures as set out in the document "Circular SNA 03/03- Appointment Procedures for Special Needs Assistants (Updated August 2007)" (p.72 of CPSMA handbook), have been properly followed.
2. The allocation of the post has been approved by the National Council for Special Education (NCSE).
3. To the best of my knowledge and belief, there were no undeclared interests among any of the members of the selection board.
4. To the best of my knowledge and belief, there were no conflicting interests between any member of the selection board and any candidate for the position.
5. All documentation in relation to the selection process is in order, will be stored confidentially, and will be available for inspection if required by law for a minimum of one year.
6. The selection board has conscientiously checked the references of the successful candidate and satisfied itself that the candidate is a fit person to be appointed. As per DES circular 94/2006 an application will be made for Garda vetting. If the vetting process cannot be completed before the commencement of the post the candidate will be made aware in writing that the post can only be offered on a provisional basis.
7. Each individual member of the selection board has formally undertaken to keep the business of the board confidential at all times, unless required to do otherwise by a legal process.
8. The members of the selection board, as individuals and as a board, have performed their required duties properly, in keeping with the rules and procedures set out in the document "Circular SNA 03/03- Appointment Procedures for Special Needs Assistants (Updated August 2007)"
9. The board of management has formally approved the appointment of the above named special needs assistant to the above position, and this decision has been minuted by the board of management at its meeting on: ..... (insert date of board meeting)

Signed: .....

Date: .....

Chairperson, board of management

Please add name IN CAPS.....

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## Educate Together

### **Appendix D - Data retained by Educate Together in relation to patronage**

Archived lists and records in relation to schools operating with Educate Together's patronage are maintained in the national office. They include:

Names, contact details, dates of appointment and correspondence in relation to the appointment of patron nominees to boards of management

Names, contact details, dates of appointment and correspondence in relation to the appointment of members of boards of management. This archive includes formal undertakings by board members (see form above)

Names, contact details, dates of appointment and correspondence in relation to the appointment of chairpersons of boards of management

Names, dates, school and formal undertakings by boards of management in relation to all staff appointments approved by the patron, including appointment of independent assessors to selection boards

Copies of enrolment policies approved

Copies of reports of boards of management concerning their upholding of the ethos of Educate Together and the running of their schools

Copies of leases and other undertakings concerning school accommodation

Copies of correspondence with the board of management, Minister and Department of Education and Science concerning the recognition, establishment and operation of the school and any further matters that require the approval of the patron.

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