

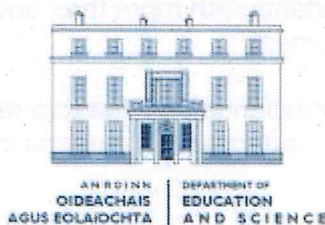
To : THE MANAGEMENT AUTHORITIES OF PRIMARY SCHOOLS.

Circular Letter PEN 01/05

**Payment of Arrears of Pension Contributions by
Special Needs Assistants in Primary Schools.**

1. [Circular letter Pen 2/04](#) of 15 April 2004 advised of the establishment of a pension scheme for Special Needs Assistants in Primary Schools. While the Scheme became effective from 1 September 2001, the payment of contributions to the scheme commenced with effect from 6 April 2004. Circular letter Pen 2/04 advised that arrears in respect of the period from 1 September 2001, or, date of commencement of employment if later, to 5 April 2004 would be payable.
2. **Payment of Arrears:** Payment of arrears by deduction from salary will now commence in February 2005. The first deduction will appear in the salary payment which will issue on 24 February 2005. Payment of the arrears will be spread over a period of 3 years (78 pay periods). The amount of the arrears for each individual is calculated on the actual pay received by the particular Special Needs Assistant in the period from 1 September 2001 to 5 April 2004 or from the date employment commenced if later than 1 September 2001. Relief from income tax will be granted at source in respect of the arrears paid by deduction from salary.
3. **Rate of Contribution to the Spouses and Children's Pension Scheme.**
Circular Pen 2/04 specified that the rate of contribution payable by ongoing deduction from salary towards the Spouses and Children's' Pension Scheme would be 1.5% of Current pensionable pay. Following consultation with the Department of Finance this Department has been advised that a lower rate of contribution is appropriate, i.e. 1.5% of Current Co-ordinated pay. Current Co-ordinated Pay means Current pay less twice the maximum personal annual rate of contributory old age pension.

The Department is adjusting the contribution rate to take account of the change. The extra contributions already paid will shortly be refunded through the payroll.
4. This circular may also be accessed on the Department's website at www.education.ie under Education Personnel \ Special Needs Assistants.



Circular 0058/2006

DEPARTMENT OF EDUCATION AND SCIENCE

PAYROLL DIVISION

TO: Boards of Management, Principal Teachers and Special Need Assistants in Primary and Second Level Schools.

Redundancy Arrangements for Special Need Assistants

1. Introduction

- 1.1 The Minister for Education and Science wishes to advise Boards of Management of the arrangements which have been agreed at national level in relation to redundancy compensation for special need assistants employed in primary and second level schools. The arrangements were agreed at the Labour Relations Commission.

2. Terms of the Redundancy Agreement at the Labour Relations Commission:

- 2.1 The arrangements agreed provided for redundancy compensation of twice the statutory terms to be applied to full time special need assistants employed in primary and second level schools in approved posts with more than one year's continuous service.
- 2.2 The arrangement also provided for compensation to those losing full time status and associated benefits to be applied on a pro rata basis.
- 2.3 Under the Redundancy Payments Act, 2003 an eligible employee is entitled to two weeks statutory redundancy payment for every year of service, plus a bonus week.
- 2.4 The agreement referred to at Para.1 provides that **full-time** special need assistants with more than one year's continuous service whose posts are surplus to the approved allocation to the school shall be entitled to four weeks redundancy payment for every year of service, plus a bonus week, with **part-**

5. Service Reckonable in the Calculation of Seniority and Redundancy:

- 5.1 The period of a special need assistant's absence on maternity leave, additional maternity leave, parental leave, paternity leave and force majeure leave is reckonable.
- 5.2 Absences on sick leave in excess of 26 weeks in the three year period prior to the date of the redundancy arising are not reckonable in the calculation of reckonable service for redundancy. Absences on sick leave up to 52 weeks are reckonable, if the absence is due to occupational accident or disease.
- 5.3 The arrangements that apply regarding the calculation of adoptive leave and carers leave are outlined in the "Guide to the Redundancy Payments Scheme" booklet issued by the Department of Enterprise, Trade and Employment.
- 5.4 In the event that a special need assistant was job-sharing the job-sharing rate of pay is the rate used for redundancy calculation purposes.
- 5.5 Where a special need assistant receives a redundancy lump sum payment, his/her continuity of employment is broken. The period of service reckonable for redundancy payment purposes will only consist of the period of the special need assistant's continuous service in the school in which she/he was last employed.
- 5.6 Please refer to [Circular 0059/2006](#) for further information on determining the seniority of special need assistants.

6. Termination of Contract of Employment:

- 6.1 In terminating a special need assistant's contract of employment, the provisions of the Minimum Notice and Terms of Employment Act 1973 to 2001 should be applied. Adequate notice should be given in accordance with the terms of that Act as follows:-
 - an SNA who is in service for a period of between thirteen weeks and two years should be given a minimum of one week's notice
 - an SNA who has been in continuous service for more than two years but less than five years should be given two weeks notice
 - an SNA who has been in continuous service for five years but less than ten years should be given four weeks notice
 - an SNA who has been in continuous service for ten years but less than fifteen years should be given six weeks notice
 - an SNA who has been in continuous service for more than fifteen years should be given eight weeks notice.

Lo-call (if outside 01 area) 1890 220222 Website <http://www.entemp.ie>

11. Dissemination of Information:

- 11.1 Management authorities are requested to bring the contents of this Circular to the attention of all special need assistants in their schools, including those on maternity leave, sick leave etc. and also to the attention of the members of the Boards of Management.

12. Queries on this Circular:

- 12.1 If you have any query in relation to this circular please contact the SNA Payroll Section, Payroll Division at 090 648 4136 or e-mail your query to sna_pay@education.gov.ie.

An Irish version of this circular is available, on request.

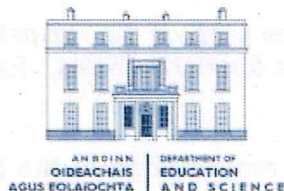
P. Maloney,
Principal Officer,
Payroll Division.

May 2006

View Forms

[Appendix 1 – Notification of Redundancy Form \(RP50\)](#)

[Appendix 2 – Guide to completing Notification of Redundancy Form \(RP50\)](#)



Circular Pay PD 31/04

Department of Education and Science

To: Management Authorities and Principal Teachers of Voluntary Secondary and Community and Comprehensive Schools

New Arrangements for Payment of Special Needs Assistants from 1 January 2005.

1. Introduction:

The Minister for Education & Science wishes to advise management authorities and Special Needs Assistants of the arrangements that will apply in relation to the payment of Special Needs Assistants from 1 January 2005.

For the purpose of this Circular, any reference to Special Needs Assistant can be taken as a direct reference to those employed in Voluntary Secondary, Community and Comprehensive Schools.

2. New centralised payroll for Special Needs Assistants in Voluntary Secondary, Community and Comprehensive Schools:

The Department, in the context of the implementation of the structural reform programme, is establishing a centralised computerised payroll system for the payment of Special Needs Assistants employed in Voluntary Secondary and Community & Comprehensive schools.

3. Payment Method:

Under the new arrangement, which will take effect on 1 January 2005, fortnightly payment will be introduced for all Special Needs Assistants. Payment will be made on the same date as Primary Special Needs Assistants i.e. every second Thursday. **The first salary issue in 2005 will be on Thursday, 13 January. This will represent payment for 10 days.**

The details required to enable payment of special needs assistants have been obtained from managerial authorities in recent weeks by the Payroll Division of the Department. Special Needs Assistants have been placed on the correct point of the scale by reference to the details of the service submitted.

With effect from the 1st January, 2005 management authorities should only pay Special Needs Assistants employed as replacements for those absent on certified sick leave, paid maternity leave or where substitution is allowed for brief absences as outlined in Circular 18/04. Payment should not be made by managerial authorities to Special Needs Assistants employed on a regular part-time or full time basis after the 1st January, 2005.

4. Paypath:

GRADE

1/7/04

1/12/04

Special Needs (Child Care) Assistant

	€	€
	20,128	20,531
	€	€
	21,073	21,494
	€	€
	22,016	22,456
	€	€
	22,961	23,420
	€	€
	23,907	24,385
	€	€
	24,851	25,348
	€	€
	25,795	26,311
	€	€
	26,735	27,270
	€	€
	27,682	28,236
	€	€
	28,623	29,195
	€	€
	29,572	30,163
	€	€
	31,353	31,980
	€	€
	32,621	33,273

Long service increment w.e.f 1/4/2000

Marianne Brown

From: Naughton, Breda (Mullingar) [Bredav_naughton@education.gov.ie]
Sent: 26 May 2011 16:51
To: Marianne Brown
Subject: FW: SNA's
Attachments: CL 58-06 Redundancy SNA's.doc

Apologies Marianne. I got your e-mail address wrong AGAIN!! Hope this gets to you this time.

Breda

From: Naughton, Breda (Mullingar)
Sent: 26 May 2011 16:47
To: 'Joan Gogan'; 'Nessa Doyle (IVEA)'; 'Breeda Conroy'; 'mbrowne@wicklowvec.ie'; 'Siubhan Gillespie'; 'Anne Marie Lane'; 'tina.mccarthy'; 'm.browne@codubvec.ie'
Cc: Mulcahy Ide
Subject: FW: SNA's

Folks

Please see e-mail response from Siubhan below. It appears that this issue was resolved at our last meeting. The Department's view that the rate of Spouses & Children's contribution to be deducted from ongoing pay for SNAs is 1.5% of current Co-ordinated Pay was agreed at the meeting.

Current pay is gross pensionable pay. **Current co-ordinated pay** is Current Pay less twice the rate of State Pension Contributory (formerly Contributory Old Age Pension). The term net pay when used in the context of Superannuation has the same meaning as Current Co-Ordinated pay. (Net pay for superannuation is not to be confused with the net pay after statutory deductions that one sees on a payslip).

Apologies for any inconvenience caused by my e-mail yesterday, but when the issue was raised again, I completely forgot that we had reached agreement on it. The only reason why I looked for the additional info yesterday was that the Department needed to establish why SNAs would be treated as Officers. Now that we are all in agreement that they are to be treated as non-officers and that the rate advised on 8 March 2011 is to be applied, there is no need to reply to my e-mail. The matter is considered resolved.

Thanks a million.

Kind Regards

Breda

From: Siubhan Gillespie [mailto:siubhan@donegalvec.ie]
Sent: 25 May 2011 10:34
To: Naughton, Breda (Mullingar)
Cc: Nessa Doyle (IVEA)
Subject: Re: SNA's

Hi Breda,

The SNA's terms & conditions are different to Clerical/Administrative & Support staff. There is a C.L. on SNA General Terms & Conditions of employment
 Regards the Redundancy ? the CL is attached.

I understood from our last meeting that SNA's are to be handled as NON-OFFICERS for contrubutions and entitlement calculations. That those of us who had been treating them as OFFICERS now need to refund them and amend their Scheme to Non-Officer category. Am I wrong?

This is my note on the tracking sheet of last Meeting:-

<p>5th May 2011</p> <p>SNA's - Classification of OFFICER or NON-OFFICER for Superannuation Scheme?</p>	<p>Jack Lynch had researched this topic further to the meeting of March 2011. On reviewing Circular No's: PPT 02/05, PEN 2/04, PD 31/04, PEN 01/05, PPT 02/05, and CL005/06 the group agreed with his assessment that the appropriate category is that of NON-OFFICER i.e. 1.5% of Net contributions to Spouse & Childrens Scheme applies</p>	<p>Correction to the rate of 1.5% of Net instead of 1.5% of Gross earnings should be applied. And the necessary refunds must be calculated and repaid less 20% tax.</p>	<p>ADVICE to all VEC's to be issued. (Nessa, is it a new CL or what for this?)</p>
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Kind regards

30/05/2011