

Drumcondra Education Support Centre
An tIonad Tacaíochta Oideachais Droim Conrach



Constitution

1. Title

The Centre will be known as Drumcondra Education Support Centre, An tIonad Tacaíochta Oideachais Droim Conrach (Hereafter referred to as the DESC)

2. Aims and Objectives

The aims, objectives and functions of DESC, to the extent that its resources permit, will be:

- 2.1 To provide ongoing professional development, training and support for educators and the wider school community, both in terms of meeting locally researched and identified teacher and school community needs and also through involvement in national in-service programmes.
- 2.2 To be involved, as a major strategic resource within education, in a range of national and other projects, programmes and initiatives as may be decided by the Minister for Education, following consultation and in partnership with Education Centres, for implementation in the education system.
- 2.3 To act, as far as possible, as a resource and meeting venue for the local school community
- 2.4 To actively promote its role in regard to all of its major functions.
- 2.5 To develop expertise in key areas as agreed by Education Support Centres in consultation and partnership with the Department of Education (DE) and to share such throughout the Education Support Centre network, ESCI and the education system in general.
- 2.6 To co-operate and engage with other Education Support Centres, full and part-time, so as to ensure that an effective network of Centres is established and supported.
- 2.7 To sustain and continue to develop current links with national and international agencies in the promotion of school leadership and the development of schools as learning communities.
- 2.8 To observe the terms of circulars which may be issued to Centres by the DE.

3. Title and Ownership of the Centre

- 3.1 Ownership and management of the Centre and associated property is vested in the Management Committee.
- 3.2 In the event of DESC ceasing to operate as an approved Centre all property /stock/equipment/cash and all assets of any type will become the property of the Minister.

4. Membership

- 4.1 The DESC catchment area is Dublin North City and North County Dublin. Membership will include Early Childhood educators, registered Primary and Secondary level teachers, Further Education, Youth Reach and Adult Education teachers, retired teachers and Special Needs Assistants resident or working in the catchment area.

- 4.2 Other persons may also become members, at the discretion of the Management Committee.
- 4.3 Non-members will not be admitted to meetings, including sub-committee meetings and General Meetings except by invitation of the Management Committee and will then be bound by current centre policy as it applies to all recognised members.

5. Management Committee of DESC

- 5.1 DESC will be managed by a Management Committee consisting of not more than 12 educator members; elected by members of DESC at the AGM of DESC. Due regard will be given to achieving a balance between all educator sectors as far as is reasonably possible.
- 5.2 Not more than 5 additional persons may be co-opted annually by the Management Committee as either voting or non-voting members.
- 5.3 Not more than 2 members representative of parents in the DESC area may be nominated by the parent bodies recognised by the Education Act and any subsequent legislation or amendment (one each from the Primary and Post Primary sectors whenever possible).
- 5.4 Not more than 2 members of recognised school management bodies, representative of school management in the DESC area (one Primary and one Post Primary), may be nominated annually, by agreement of representatives of school management bodies in the area.
- 5.5 The Director of DESC will act as Secretary to the Management Committee.
- 5.6 The minimum number of persons on a Management Committee shall be 9 with the majority being educator members.
- 5.7 Membership of the Management Committee may be terminated by a vote of two thirds of the committee for reasons determined by the Management Committee e.g., Meeting non-attendance (for more than three consecutive meetings without appropriate explanation), gross misconduct or membership of more than one Education Centre Management Committee.
- 5.8 A quorum of 6 members is required to ratify Management Committee meeting decisions.
- 5.9 The Management Committee shall have the power to appoint and dissolve sub-committees to undertake specific functions. Management Committee have the power to co-opt non-Management Committee members to such sub-committees. These sub-committees make recommendations to Management Committee for decision making. Sub-committees remain in place until the Management Committee decides otherwise.
- 5.10 The officers of the Management Committee shall consist of a Chairperson, Deputy-Chairperson, Treasurer and Deputy-Treasurer elected annually by the Management Committee from amongst its members. A person may not hold a specific officer position for more than a maximum of 5 consecutive years. They may serve a second term in that position but there must be a minimum of twelve months between terms.
- 5.11 An officer who has served a full five term in an officer position may be elected to a different officer position immediately following the completion of that term.
- 5.12 Where officer positions become vacant during the year, these may be filled by the Management Committee until the next AGM in the same manner as the original appointments were made.
- 5.13 The Management Committee shall be responsible for ensuring that DESC carries out its full range of functions in an effective and efficient manner and that the terms of Guidelines, the Financial Procedures and any other Circulars, terms and conditions relevant to DESC, notified by the DE, are duly observed. Breaches of the Guidelines should be brought to the attention of the DE as soon as possible.
- 5.14 The Management Committee will decide the frequency of its meetings but must meet a minimum of six times each year.

- 5.15** DESC policy will be defined by the Management Committee, in accordance with the decisions of General Meetings and the requirements of the DE.

6. Director

- 6.1 The Director is the chief executive of DESC. The Director is responsible to the Management Committee and acts as Secretary to the Committee. The Director, in conjunction with the officers of the committee, has responsibility for day-to-day management of DESC and its operations, in accordance with the 'Guidelines, the Financial Procedures for Centres and other relevant DE Circulars.
- 6.2 The Director of DESC shall be appointed by the Management Committee in accordance with DE regulations. The job description and duties will be determined by the Management Committee.
- 6.3 Where the post of Director is vacated for any reason a successor shall be appointed by the Management Committee in accordance with DE regulations.
- 6.4 The remuneration and other conditions of appointment of a Director will be as approved by the DE.

7. General Meetings

- 7.1 An Annual General Meeting (AGM) shall be held no later than the end of June each year. All members are entitled to attend.
- 7.2 The general policy of the Centre shall be formulated at an AGM, and may be changed at a subsequent AGM or SGM.
- 7.3 A minimum of 28 days' notice of the AGM shall be provided to members.
- 7.4 Members can put forward motions to be decided by the AGM. Such motions require a simple majority of members present.
Motions that propose alterations to the centre constitution require a two thirds majority.
All motions must be submitted in writing at least 14 days before the date of the AGM.
- 7.5 All motions must be submitted in writing to the Director and to the Chairperson. They must be signed by the proposer, who will present the motion to the meeting.
- 7.6 The following business shall be transacted at the annual general meeting:
- (a) Minutes of the previous AGM adopted and noted.
 - (b) Appointment of Tellers
 - (c) Chairperson's address
 - (d) Secretary's Report.
 - (e) Consideration of a draft annual report prepared by the Director for the year ending on the preceding 31 December.
 - (f) Treasurer's Report
Consideration of the audited accounts for the year ending on the preceding 31 December and the Honorary Treasurer's report for the same period
 - (g) Motions for Amendments to the Centre Constitution.
 - (h) Other Motions
 - (i) The election of the nominated members of the Management Committee by the members present. In the event that a nominee cannot physically attend the meeting a written statement of

consent is required, unless previously indicated to Management Committee.

- (j) Strategy and Planning issues. Consideration of both long- and short-term plans for the development of the Centre, which will include a specified programme of activities by the Centre for the current calendar year.
- (k) Any Other Business

7.7 Special General Meeting

The Management Committee may call a Special General Meeting (SGM) for a particular purpose. The provisions concerning attendance and notification for AGMs will apply in the case of these special meetings, except in the case of emergency meetings when the manner and period of advance notice may be decided by the Management Committee.

The notice will specify the particular purpose of the meeting. The business of the SGM shall be confined to that specified in that notice.

- 7.8 A copy of the Annual Report will be forwarded to the DE within one month of the AGM.

7.9 Failure to Constitute a Management Committee

- (i) In the event that it is not possible to constitute a Management Committee as provided above, the outgoing Committee shall remain in place until an SGM is called.
- (ii) In the event of difficulties arising in relation to the formation of a Management Committee, the DE shall be informed by an officer of the out-going Committee.

8. Financial procedures

- 8.1 The financial year is from 1st January to 31st December.
- 8.2 The finances of DESC shall be maintained as per the Financial Guidelines and appendices issued by the DE.
- 8.3 DESC will furnish annually to DE a report of its activities and an audited statement of income and expenditure covering the previous financial year.

9. Relations with DE

The DESC Constitution shall in no respect conflict with Guidelines agreed between Education Support Centres and the DE, the Financial and other Procedures documentation or any other regulations applicable to Education Support Centres; a copy of the Centre's Constitution and any other procedures adopted by the AGM must be submitted to the DE for approval within three months of its being adopted.)

This Constitution supersedes all previous Centre Constitutions

Chairperson:

Treasurer:

Date:

Amended at GM/ Approved at GM:

Appendix 1

Education Support Centre as per Education Act 1998

- 37.-- (1) In this section “education support centre” means a place in which services are provided for schools, teachers, parents, boards and other relevant persons which support them in carrying out their functions in respect of the provision of education which is recognised for that purpose by the Minister in accordance with subsection (2).
- (2) The Minister may recognise a place as an education support centre and where the Minister so recognises a place he or she shall cause the name and address of that centre to be entered in a register maintained by the Minister and available for inspection by members of the public during normal working hours.
- (3) An education support centre shall have a management committee, to manage the business and staff of that centre.
- (4) A committee established in accordance with subsection (3) shall be a body corporate with perpetual succession and with power to sue and may be sued in its corporate name and 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 their functions as such members.
- (5) The Minister may withdraw recognition from an education support centre.
- (6) The Minister may, from time to time, make regulations relating to all or any of the following matters:
- (a) procedures for the appointment of management committees;
 - (b) the appointment and remuneration of staff;
 - (c) the making of grants to education support centres;
 - (d) the provision of information to the Minister on any matter relating to the operation of education support centres;
 - (e) access to an education support centre and to the financial and other records of that education support centre by persons appointed by the Minister, and
 - (f) such other matters relating to the operation of such centres as the Minister considers appropriate.

Appendix 2

SI 394/ 2017

S.I. No. 394/2017 - Education Support Centres (Appointment and Secondment of Directors) Regulations 2017.

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I, RICHARD BRUTON, Minister for Education and Skills, in exercise of the powers conferred on me by [section 37](#) (6) of the [Education Act 1998](#) (No. 51 of 1998) (as adapted by the Education and Science (Alteration of Name of Department and Title of Minister) Order 2010 ([S.I. No. 184 of 2010](#))), hereby make the following regulations:

Citation and Commencement

1. (1) These Regulations may be cited as the Education Support Centres (Appointment and Secondment of Directors) Regulations 2017.

(2) These Regulations shall come into operation on 1 September 2017.

Definitions

2. In these Regulations—

“Act of 1998” means the [Education Act 1998](#) (No. 51 of 1998);

“Director” shall be construed in accordance with Regulation 3(1);

“Minister” means the Minister for Education and Skills;

“secondment” means the release, in accordance with the arrangements for secondment, of a person from his or her teaching post in a recognised primary or post-primary school, or of an Inspector;

“teacher” means a registered teacher within the meaning of the [Teaching Council Act 2001](#) (No. 8 of 2001).

Functions of a Director

3. (1) A person appointed as a Director of an education support centre shall perform the following functions:

(a) managing and directing the work of the centre, and

(b) performing such other (if any) functions as may be determined from time to time by the management committee of the centre.

(2) A reference in these Regulations to the appointment of a Director shall be construed as including a reference to the renewal of an appointment of a Director.

Appointment and remuneration of Directors

4. A management committee of an education support centre shall not appoint a person to be a Director of that education support centre, or remunerate such a Director, other than in accordance with these Regulations.

Appointment of Director

5. (1) The appointment, by a management committee, of a person to be a Director of an education support centre shall be made—

(a) on foot of an application by the management committee to the Minister,

(b) with the consent of the Minister, and

(c) following a public competition that has been approved by the Minister for that purpose.

- (2) Subject to Regulation 6, an application shall be made by the end of February of the school year before the school year for which the appointment is to be made.
- (3) The Minister shall only give consent to the making of an appointment where he or she has received written confirmation from the employer of the person to be appointed of its approval to his or her release on secondment for the school year in question.
- (4) The appointment of a Director by a management committee shall be in accordance with such terms and conditions, including, such terms and conditions relating to remuneration, as are determined by the Minister from time to time.
- (5) Any determination of the Minister under paragraph (4) of terms and conditions in relation to remuneration shall be made with the consent of the Minister for Public Expenditure and Reform.

Renewal of appointment of Director

6. (1) Where the appointment of a Director has been made by a management committee in accordance with these Regulations for a school year (in paragraphs (3) and (7) referred to as the current school year) and the management committee seeks to appoint the same person as a Director for the subsequent school year, the management committee shall apply to the Minister for approval of the continued appointment of that Director in accordance with these Regulations and the Minister may approve such an application.
- (2) Regulation 5(1)(c) shall not apply to an approval under paragraph (1).
- (3) An application under paragraph (1) shall not be made later than the last day of February of the current school year, but this is subject to paragraphs (4) to (8).
- (4) An application made to the Minister before the coming into operation of these Regulations for approval of the continued appointment of a Director for the school year 2017 to 2018 shall be deemed to have been made in accordance with this Regulation.
- (5) Any approval given by the Minister before the coming into operation of these Regulations for the continued appointment of a Director for the school year 2017 to 2018 shall be deemed to have been given in accordance with this Regulation.
- (6) An application referred to in paragraph (4) and an approval referred to in paragraph (5) shall be valid, notwithstanding paragraph (6) of Regulation 11.
- (7) A Director referred to in paragraph (1) shall communicate, in writing, to the management committee no later than 31 January of the current school year, his or her request to them to continue the appointment for the subsequent school year together with a written confirmation from his or her employer of its approval to his or her continued release on secondment for the subsequent school year.
- (8) An application made to the Minister for approval by the management committee under paragraph (1) shall be accompanied by a copy of the request and approval specified in paragraph (7).
- (9) Where on 1 March in any school year no application has been made under paragraph (1), then the management committee may apply for the appointment of another Director in accordance with Regulation 5(1).

Refusal of appointment not in accordance with these Regulations

7. The Minister shall refuse an application by a management committee for approval of an appointment of a Director where such approval would give rise to the appointment of a person who is not, by virtue of these Regulations, eligible to be so appointed.

Eligibility for appointment as Director

8. The following categories of persons are eligible to be appointed as a Director of an education support centre in accordance with these Regulations:

- (a) a teacher who holds an approved teaching post in a recognised primary or post-primary school for the year in which he or she is applying to be appointed as a Director (being a teacher the registration of whom under the [Teaching Council Act 2001](#) is not the subject of conditions) and who also has—
 - (i) not less than 12 months' employment with his or her current employer, either in that post or on secondment, on the date of appointment to the post of Director, and
 - (ii) not less than 5 years' aggregate experience as a teacher in a recognised primary or post-primary school in the State;
- (b) a person who is currently employed as an Inspector by the Minister.

Partial school year as a Director to count as full year

- 9. A part of a school year served by a person as a Director in accordance with these Regulations shall count as a full year served by the person as a Director for the purposes of any calculation under these Regulations.

Appointment of new director during or for part of school year in certain circumstances

- 10. Where a Director dies, resigns, retires, is removed from his or her position as Director, or for any other reason ceases to be a Director, the management committee may apply in writing to the Minister, no later than 28 days from the date of the Director ceasing to be a Director, for approval to appoint a new Director for the remainder of that school year.

Limitation on duration of appointment as Director

- 11. (1) Subject to Regulation 10, an appointment as a Director under these Regulations shall only be for a period of one school year.
- (2) Where a person who has been on secondment, whether as a Director or otherwise, subsequently serves as a teacher in an approved teaching post in a recognised primary or post-primary school or as an Inspector, in addition to the other requirements in these Regulations, he or she shall only be eligible for appointment as a Director where the period of that service is equal to, or greater than, the period of time on secondment before that service.
- (3) For the purposes of any calculation under paragraph (2), time on secondment and time as a Director before the coming into operation of this Regulation shall be taken into account.
- (4) No person shall be appointed as a Director where the term of the Director would extend beyond the expiry of a Director's employment with a recognised primary or post-primary school or with the Inspectorate.
- (5) Paragraph (4) shall not prevent the appointment of a person where the date of his or her retirement age, fixed by the terms and conditions of his or her employment with the recognised primary or post-primary school or as an Inspector, as the case may be, will occur during the school year.
- (6) No person shall be appointed as a Director of any education support centre where such appointment would give rise to that person serving as a Director or otherwise, for more than 5 consecutive years in one or more education support centres, whether or not those years are before or after the coming into operation of these Regulations.

Termination

- 12. (1) The management committee of an education support centre may remove a Director from his or her post where he or she has committed stated misbehaviour or where his or her removal appears to the management committee to be necessary for the effective performance by the education support centre of its functions.
- (2) Where a management committee removes a Director in accordance with paragraph (1), the management committee shall notify the Minister and, as the case may be, the employer of the person, in writing not later than 5 days after the date of such a removal.

- (3) In a case where a school, in accordance with the arrangements applicable to its secondment of a teacher, terminates the secondment of a teacher who is a Director, then the appointment of that Director shall cease to have effect from the date of notification of such termination.
- (4) In a case where the Minister, in accordance with the arrangements applicable to its secondment of an Inspector, terminates the secondment of an Inspector who is a Director, then the appointment of that Director shall cease to have effect from the date of notification of such termination.