

AN ROINN OIDEACHAIS

MEASÚNACHT TIONCHAIR CHOMHIONANNAIS

AR

RIALACHÁIN NA MÚINTEOIRÍ

(CÚITEAMH AS IOMARCAÍOCHT AGUS AS SCOR ROIMH AM) (TÉ) 2010

AGUS LEASUITHE COMHLÁNTACHA

AR RIALACHÁIN AOISLIÚNTAIS NA MÚINTEOIRÍ (TÉ) 1998

DEPARTMENT OF EDUCATION

EQUALITY IMPACT ASSESSMENT

ON

**THE TEACHERS' (COMPENSATION FOR REDUNDANCY AND PREMATURE
RETIREMENT) REGULATIONS (NI) 2010 AND COMPLEMENTARY AMENDMENTS TO THE
TEACHERS' SUPERANNUATION REGULATIONS (NI) 1998**

Mí na Samhna 2009

November 2009

**MEASÚNACHT TIONCHAIR
CHOMHIONANNAIS AR RIALACHÁIN NA
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AOISLIÚNTAIS NA MÚINTEOIRÍ (TÉ) 1998**

Éilíonn Alt 75 den Acht um Thuaisceart Éireann 1998 ar an Roinn, agus í i mbun a cuid feidhmeanna, aird mar is cuí a thabhairt ar an ghá le comhionannas deiseanna a chothú idir:

- daoine le creidimh reiligiúnacha difriúla;
- daoine ó ghrúpaí éagsúla ciníocha;
- daoine d'aoiseanna difriúla;
- daoine le stádais dhifriúla pósta;
- daoine le claontaí difriúla gnéasacha;
- fir agus mná i gcoitinne;
- daoine le nó gan míchumas;
- daoine le nó gan cleithiúnaithe; agus
- daoine le barúlacha difriúla polaitiúla.

Ina theannta sin, ach gan dochar don dualgas thuas, ba chóir don Roinn aird mar is cuí a thabhairt ar an inmhianaitheacht maidir le dea-chaidreamh a chothú idir dhaoine le le creidimh reiligiúnacha difriúla, le barúlacha difriúla polaitiúla nó ó ghrúpaí éagsúla ciníocha.

Éilíonn an reachtaíocht seo ar údaráis phoiblí Measúnacht Tionchair Chomhionannais (MTC) a chur i bhfeidhm mar ar dócha go

**EQUALITY IMPACT ASSESSMENT ON
TEACHERS' (COMPENSATION FOR
REDUNDANCY AND PREMATURE
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AND COMPLEMENTARY AMENDMENTS
TO THE TEACHERS' SUPERANNUATION
REGULATIONS (NI) 1998**

Section 75 of the Northern Ireland Act 1998 requires the Department, in carrying out its functions, to have due regard to the need to promote equality of opportunity between:

- people with different religious beliefs;
- people from different racial groups;
- people of different ages;
- people with different marital status;
- people with different sexual orientations;
- men and women generally;
- people with or without a disability;
- people with or without dependants; and
- people with different political opinions.

In addition, but without prejudice to the duty above, the Department should have due regard to the desirability of promoting good relations between people with different religious beliefs, with different political opinions or from different racial groups.

This legislation requires public authorities to conduct an Equality Impact Assessment (EQIA) where a proposed policy is likely to

mbeidh tionchar ag polasaí beartaithe ar chomhionannas deiseanna. Mar fhreagairt air seo, tá sé beartaithe ag an Roinn go bhfuil MTC de dhíth ar dhréacht-Rialacháin na Múinteoirí (Cúiteamh as Iomarcaíocht agus as Scor Roimh Am) (TÉ) 2010 agus Leasuithe Comhlántacha ar Rialacháin Aoisliúntais Na Múinteoirí (TÉ) 1998 (dá dtagraítear ina dhiaidh seo mar na dréacht-Rialacháin).

Is é atá sa cháipéis seo mar sin, ná an MTC ullmhaithe do na dréacht-rialacháin. Is é cuspóir na cáipéise seo ná cinntí an MTC a bhreacadh síos agus tuairimí a iarraidh.

have an impact on equality of opportunity. In response to this, the Department has decided that the draft Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2010 and complementary amendments to the Teachers' Superannuation Regulations (NI) 1998 (hereafter referred to as the draft regulations) require an EQIA.

This document is therefore the prepared EQIA for the draft regulations. The purpose of this document is to record the findings of the EQIA and invite comments.

AR LORG DO CHUID TUAIRIMÍ

Tá sé cinte ag an Roinn Oideachais (dá dtagraítear ina dhiaidh seo mar an Roinn) Measúnacht Tionchair Chomhionannais a dhéanamh ar dhréacht-Rialacháin na Múinteoirí (Cúiteamh as Iomarcaíocht agus as Scor Roimh Am) (TÉ) 2010 agus Leasuithe Comhlántacha ar Rialacháin Aoisliúntais Na Múinteoirí (TÉ) 1998. Iarrtar ort do chuid tuairimí a thabhairt ar an mheasúnacht seo. Is é is cuspóir don chomhairliúchán seo ná fáil amach faoi:

- Thuairimí na gcomhairlithe ar mheasúnacht seo na dtionchar comhionannais ar na dréacht-rialacháin; agus
- Aon eolas breise a d'fhéadfadh a bheith úsáideach ag measúnú dtionchar comhionannais sin.

Agus tú ag meabhrú ar d'fhreagairt, d'fhéadfadh treoirlíne úsáideach a bheith sna ceisteanna seo a leanas:

- An bhfuil aon tuairim agat ar aon ghné den chomhionannas a chlúdaítear sa dréachtmheasúnacht seo?
- An bhfuil aon cheist eile nár pléadh? Más sea, cad iad seo?
- An bhfuil aon tuairim agat ar cad é

SEEKING YOUR VIEWS

The Department of Education (hereafter referred to as the Department) has decided to carry out an Equality Impact Assessment on the draft Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2010 and complementary amendments to the Teachers' Superannuation Regulations (NI) 1998. You are invited to give your views on this assessment. The purpose of the consultation is to obtain:

- Consultees' views on this assessment of the equality impacts of the draft regulations; and
- Any further information which could be useful in assessing those equality impacts.

When considering your response, the following questions may offer a useful guideline:

- Do you have any views on any of the aspects of equality covered in this draft assessment?
- Are there any other issues that have not been addressed? If so, what are these?
- Do you have any views on how the

mar ba chóir na dréacht-rialacháin a fhrámú le díriú ar aon neamhionannas agus difreálach féideartha?

- An bhfuil aon bheart ba chóir a chur i gcrích le haon tionchar diúltach ar dhaoine sna grúpaí comhionannais Alt 75 a mhaolú?

Chuirfimis fáilte roimh aon eolas breise agus barúil bhreise a mheasann tú a chuideodh lenár gcuid breithnithe ar na dréacht-rialacháin a fhoirmiú.

Ba mhian linn do chuid barúlacha a fháil faoi 29 Eanáir 2010.

Tig leat dul i dteagmháil linn trí scríobh chugainn ag an seoladh thíos nó tríd an ríomhphost: seamus.gallagher@deni.gov.uk

Guthán: 028 91 279861

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Teach Ráth Gael
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BT19 7PR

Tá an cháipéis seo ar fáil fosta ón láithreán Gréasáin seo a leanas:

draft regulations should be framed to address any potential inequalities and differentials?

- Are there any measures that should be implemented to mitigate any adverse impact on people in the Section 75 equality groups?

We would welcome any additional information and comments that you feel would help inform our equality considerations of the draft regulations.

We would like to receive your comments by 29 January 2010.

You can contact us by writing to us at the address below or by Email: seamus.gallagher@deni.gov.uk

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This document is also available on the following Internet site:

www.deni.gov.uk

Más mian leat an cháipéis seo a fháil i bhformáid chomhrognach, déan teagmháil leis an seoladh thuas le do thoil.

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Should you require this document in an alternative format, please contact the above address.

Clár Ábhair

Table of Contents

1.	Intreoir agus Cúlra	9
1.	Introduction and Background	9
2	Ag Sainmhíniú Aidhmeanna na nDréacht-Rialachán	16
2	Defining the Aims of the Draft Regulations	16
3	Ag Amharc ar na Sonraí agus ar an Taighde atá ar Fáil	20
3	Consideration of Available Data and Research	20
4	Measúnacht Tionchar	26
4	Assessment of Impacts	26
5	Ag Amharc ar Mhaolú agus ar Chomhroghanna	36
5	Consideration of Mitigation and Alternatives	36
6	Profú Tuaithe/Réigiúnach	41
6	Rural/Regional Proofing	41
7	Comhairliúchán Foirmiúil	41
7	Formal consultation	41
8	Cinneadh ón Údarás Poiblí (An Roinn Oideachais)	45
8	Decision by the Public Authority (Department of Education)	45
9	Foilsíú Thorthaí na Measúnachta Tionchair Chomhionannais	45
9	Publication of Results of Equality Impact Assessment	45
10	Monatóireacht do Thionchar Diúltach sa Todhchaí agus Foilsíú Thorthaí na Monatóireachta seo	45
10	Monitoring for Adverse Impact in the Future and Publication of the Results of such Monitoring	45

Iarscríbhinní

Annexes

Iarscríbhinn 1	Sanas Téarmaí	47
Annex 1	Glossary of Terms	47
Iarscríbhinn 2	Achoimre ar fhreagairtí comhairliúchán	50
Annex 2	Summary of consultation responses	50
Iarscríbhinn 3	Coimre sonraí ar an lucht saothair teagaisc reatha	63
Annex 3	Compendium of data on the current teaching workforce	64
Iarscríbhinn 4	Clár Scor (tuaisceart na hÉireann)	69
Annex 4	Table of Retirements (north of Ireland)	70
Iarscríbhinn 5	Clár Scor (Sasana)	71
Annex 5	Table of Retirements (England)	72
Iarscríbhinn 6	Comparáid idir Shocrúithe Scor Roimh Am na Múinteoirí i dtuaisceart na hÉireann, i Sasana & an Bhreatain Bheag agus in Albain	73
Annex 6	Comparison of Teachers Premature Retirement Arrangements in the north of Ireland, England & Wales and Scotland	76
Iarscríbhinn 7	Comparáid idir Shocrúithe Scor Roimh Am na hEarnála Poiblí i dtuaisceart na hÉireann	79
Annex 7	Comparison of Public Sector Premature Retirement Arrangements in the north of Ireland	82

1. INTREOIR AGUS CÚLRA

Intreoir

Tá sé beartaithe ag an Roinn Oideachais Rialacháin na Múinteoirí (Cúiteamh as Iomarcaíocht agus as Scor Roimh Am) (TÉ) 2010 agus Leasuithe Comhlántacha ar Rialacháin Aoisliúntais na Múinteoirí (TÉ) 1998 (dá dtagraítear ina dhiaidh seo mar “na dréacht-rialacháin”) a dhéanamh.

Soláthraíonn na dréacht-rialacháin go n-íocfaidh fostóirí, amach anseo, as costas breise scor roimh am múinteoirí má tharlaíonn a leithéid.

Is é a dhéanfaidh na dréacht-rialacháin ná dliteanas a aistriú chuig fostóirí múinteoirí as na costais uile a bhaineann le cúiteamh as scor roimh am, lena n-áirítear luathíocaíocht sochar neamhlaghdaithe pinsin. Tabharfaidh siad rogha fosta d’fhostóirí íocaíochtaí méadaithe téarfa a dhéanamh suas le huasmhéid pá 104 seachtaine gan aon uasteorainn aoise. Do mhúinteoirí atá 55 d’aois agus níos mó, cuirfidh sé seo comhrogha ar fáil d’fhostóirí ar chúiteamh as scor roimh am a dheonú. Ceist pholasaí ó thaobh an fhostóra de a bheidh sna cúinsí faoina ndéanfar íocaíochtaí agus leibhéal na n-íocaíochtaí seo.

Bhí na dréacht-rialacháin, chomh maith le Scaghástáil Chomhionannais na ndréacht-

1. INTRODUCTION AND BACKGROUND

Introduction

The Department of Education proposes to make the Teachers’ (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2010 and complementary amendments to the Teachers’ Superannuation Regulations (NI) 1998 (hereafter referred to as “the draft regulations”). The draft regulations provide that, in future, employers will pay for the extra cost of teachers’ premature retirement as and when it takes place.

The draft regulations will have the effect of transferring liability to teachers’ employers for all the costs associated with compensation for premature retirement, including the early payment of unreduced pension benefits. They will also provide employers with discretion to make enhanced severance payments up to a maximum of 104 weeks pay with no upper age limit. For teachers aged 55 and over, this will provide employers with an alternative to granting premature retirement compensation. The circumstances under which payments may be made and the level of such payments will be a matter of policy on the part of the employer.

The draft regulations, together with an Equality Screening of the draft regulations,

rialachán, mar ábhar comhairliúcháin poiblí le linn Mhárta, Aibreáin agus Bealtaine na bliana seo (féach Alt 7: *Comhairliúchán Foirmiúil*). Mhaígh líon suntasach freagróirí go mbeadh tionchar ag na dréacht-rialacháin ar roinnt grúpaí Alt 75 agus gur chóir MTC iomlán a dhéanamh.

Cúlra

Scéim reachtúil atá i Scéim Pinsean Múinteoirí TÉ (NITPS) atá faoi réir ag Rialacháin Aoisliúntais na Múinteoirí (TÉ) 1998 (arna leasú). Scéim sochar ranníocach sainithe "tuarastal deiridh" atá ann, atá á riar ag an Roinn Oideachais thar ceann fostóirí múinteoirí.

Tá socruithe scoite ann faoi láthair a ligeann do mhúinteoirí a théann ar scor roimh am a bpinsin, a bheith íoctha go luath gan laghdú achtúireach agus, faoi rogha an fhostóra, cúiteamh iomlán a bheith dáfa dóibh i bhfoirm chreidmheas breise seirbhíse ("blianta breise"). Tugtar an Scéim Cúitimh as Scor Roimh Am ar na socruithe seo (PRCS).

Tá sé i gceist go gcuirfidh socruithe PRCS uirlis bhainistíochta ar fáil a thig le húdaráis fostaíochta a úsáid le feabhsú cáilíochtúil a chur i bhfeidhm i soláthar oideachais ina gcuid scoileanna. Ligeann siad d'fhostóirí mhúinteoirí iomarcaíochtaí a chur i bhfeidhm i gcomhthéacs athrú riachtanach eagraíochtúil agus múinteoirí a scor ar

were the subject of a public consultation during March, April and May of this year (see Section 7: *Formal Consultation*). A significant number of respondents claimed that the draft regulations would have an impact on certain Section 75 groups and that a full EQIA should be carried out.

Background

The NI Teachers' Pension Scheme (NITPS) is a statutory scheme subject to the Teachers' Superannuation Regulations (NI) 1998 (as amended). It is a contributory, defined benefit, "final salary" scheme administered by the Department of Education on behalf of teachers' employers.

Discrete arrangements currently exist that allow teachers who retire prematurely to have their pension paid early without actuarial reduction and, at the employers' discretion, to be awarded further compensation in the form of an additional service credit ("added years"). These arrangements are known as the Premature Retirement Compensation Scheme (PRCS).

The PRCS arrangements are intended to provide a management tool which employing authorities can use to bring about a qualitative improvement in the educational provision in their schools. They allow teachers' employers to effect redundancies in the context of necessary organisational change and to retire teachers in the interests

mhaithe le comhlíonadh éifeachtúil fheidhm an fhostóra. Ní bhronnann siad ceart luathscor ar mhúinteoirí.

Baineann PRCS le luathscor (roimh ghnátham pinsin an NITPS¹): tá forálacha leithleacha ann do scor tinnis, nach bhfuil aon tionchar ag na dréacht-rialacháin orthu.

Údaráis na scoileanna faoi láthair a dhéanann cinntí ar luathscor agus dámhachtain aon bhlianta breise atá údaraithe ag an Údarás Cúitimh (na Boird Oideachais agus Leabharlainne (BOLanna) do scoileanna rialaithe agus faoi chothabháil; an Roinn Oideachais do gach scoil dheontaschúnta eile; an Roinn Fostaíochta agus Foghlama (RFF) do choláistí breisoideachais). An NITPS a sheasfaidh costais phinsin neamhlaghdaithe roimh ghnátham a íoc agus mar sin de ní muirear ar bhuiséid scoileanna aonair nó ar bhuiséid na mBOLanna. Faoi Rialacháin na Múinteoirí (Cúiteamh as Iomarcaíocht agus as Scor Roimh Am) atá ann faoi láthair, caithfidh údaráis fostaíochta íoc as aon chúiteamh blianta breise a chinneann siad a cheadú. Roimh Aibreán 2008 níor cloíodh leis an riachtanas seo agus an NITPS a sheas na costais seo fosta. (Do choláistí breisoideachais bhí na costais seo á seasamh ag an RFF cheana féin.)

¹ D'iontrálaithe i ndiaidh 1 Aibreán 2007, is é gnáthaois an phinsin ná 65. D'iontrálaithe roimh an data seo, is é 60 gnáthaois an phinsin.

of the efficient discharge of the employer's function. They do not confer a right to early retirement on teachers.

PRCS applies to early retirement (before the NITPS normal pension age¹): there are separate provisions for ill-health retirement, which are unaffected by the draft regulations.

Decisions on early retirement are presently made by school authorities and the award of any added years authorised by the Compensating Authority (the Education & Library Boards (ELBs) for controlled and maintained schools; the Department of Education for all other grant-aided schools; the Department for Employment and Learning (DEL) for colleges of further education). The costs of paying unreduced pension before normal retirement age are borne by the NITPS and are thus not a charge on individual school budgets or on the budgets of the ELBs. Under the existing Teachers' (Compensation for Redundancy and Premature Retirement) Regulations employing authorities are required to pay any added years compensation which they decide to approve. Prior to April 2008 this requirement was not observed and these costs were also borne by the NITPS. (For colleges of further education these costs were already being met by DEL.)

¹ For entrants after 1 April 2007, normal pension age is 65. For entrants prior to this date, normal pension age is 60

Go ginearálta, bíonn gach scéim pinsean ag feidhmiú ar bhonn gur leor ranníocaíochtaí a íocann na baill agus a gcuid fostóirí le costas sochair sa todhchaí a chlúdach. Faoi na socruithe reatha, comhthiomsaítear costais scor roimh am don NITPS i measc gach fostóir múinteoirí (glactar leis go gclúdaíonn an téarma “múinteoirí” múinteoirí agus léachtóirí i gcoláistí breisoideachais). D’fhéadfadh sé tarlú mar sin nach ndéanadh fostóir scor roimh am ar bith nó cuid mhór, ach go ndíolfadh sé an ráta céanna ranníocaíochta sa dá chás. Chomh maith leis seo, ní fheictear costas chinntí na bhfostóirí ar scor roimh am ina gcuid ranníocaíochtaí go dtí an chéad luacháil eile de chuid Roinn Achtúire an Rialtais den NITPS, rud nach dtarlódh b’fhéidir go ceann roinnt blianta. Níor spreag an córas seo fostóirí gníomhú go críonna. Cé go raibh an PRCS éifeachtach agus iad ag cuidiú le fostóirí iomarcaíochtaí múinteoirí a éiríonn as druidim scoileanna agus as cónascthaí a bhainistiú, tharraing na méaduithe fiála a dámhadh mar chuid de phacáistí costasacha iomarcaíochta cáineadh ó Choiste Cuntas Poiblí Westminster.

Ciallaíonn teaghlaim de leibhéil fhiala méadaithe agus méadú i líon na scor roimh am le blianta beaga anuas go mbeadh gá le méadú suntasach i ranníocaíochtaí dá mbeadh costas scor roimh am le bheith mar thromualach go fóill ar an NITPS. Bheadh tionchar gan iarraidh aige seo ar sheirbhísí

In broad terms, all pension schemes operate on the basis that contributions paid by members and their employers should be sufficient to cover the cost of future benefits. Under the current arrangements, the costs of premature retirement to the NITPS are pooled among all employers of teachers (the term “teachers” should be taken to include both school teachers and lecturers in further education). Thus an employer might make no premature retirements or very many, but would pay the same contribution rate in either case. Also, the cost of employers’ decisions on premature retirement are not reflected in their contributions until the Government Actuary Department’s next valuation of the NITPS, which might not be for several years. This system has not encouraged employers to behave prudently. While the PRCS has been effective in helping employers to manage teacher redundancies arising from school closures and amalgamations, the generous enhancements awarded as part of expensive redundancy packages from increasing numbers of teachers have drawn criticism from the Westminster Committee of Public Accounts.

A combination of generous levels of enhancement and an increase in recent years in the number of premature retirements means that a significant increase in contributions would be needed if the cost of premature retirement were to remain a burden on the NITPS. This would have an

túslíne agus/nó ar an phá ghlan a bheadh ag gach múinteoir. Tá a leithéid de shuíomh neamh-inbhuanaithe agus tá gníomhaíocht de dhíth air le costais scor roimh am a rialú.

Gníomhaíodh roinnt blianta ó shin² sna scéimeanna inchomparáide in Albain agus i Sasana agus sa Bhreatain Bheag le cinntiú go raibh fostóirí cuntasach as costais na gcinntí scor roimh am a dheonú. Moladh d'fhostóirí mar sin cinntí ciallmhara críonna a dhéanamh. Tá comparáid idir na socruithe i dtuaisceart na hÉireann, i Sasana agus sa Bhreatain Bheag agus Albain faoi iamh ag larscríbhinn 6. Is e an tionchar a bheadh ag na dréacht-rialacháin ná an NITPS a thabhairt i bhfogas leis na scéimeanna inchomparáide in Albain agus i Sasana agus sa Bhreatain Bheag agus le scéimeanna eile de chuid na hearnála poiblí i dtuaisceart na hÉireann chomh maith mar a mbíonn fostóirí freagrach cheana féin as costais bhreise scor roimh am a sheasamh. Tá comparáid idir na socruithe idir scéimeanna de chuid na hearnála poiblí i dtuaisceart na hÉireann faoi iamh ag larscríbhinn 7. I ndeisceart na hÉireann tá na trí shraith den Scéim um Luathscor do mhúinteoirí curtha ar fionraí ar feadh tréimhse éiginnte i ndiaidh cháinainnéis na bliana anuraidh.

² I 1996 in Albain agus i 1997 i Sasana agus sa Bhreatain Bheag d'éirigh fostóirí faoi dhliteanas as costais iomlána scor roimh am. Aistríodh costas mhéaduithe (“blianta breise”) chuig fostóirí i 1991.

unwanted impact on frontline services and/or on the take-home pay of all teachers. Such a position is unsustainable and requires action to control the costs of premature retirement.

Action was taken some years ago² in the comparable schemes in Scotland and in England and Wales to ensure that employers became accountable for the cost of decisions to grant premature retirement. Employers were thus encouraged to make considered, prudent decisions. A comparison of arrangements in the north of Ireland, England & Wales and Scotland is attached at Annex 6. The effect of the draft regulations would be to bring the NITPS into line with the comparable schemes in Scotland and in England and Wales and also with other public sector schemes in the north of Ireland where employers are already responsible for meeting the additional costs of premature retirement. A comparison of arrangements between public sector schemes in the north of Ireland is attached at Annex 7. In the south of Ireland all three strands of the Early Retirement Scheme for Teachers have been suspended indefinitely following last year's budget.

² In 1996 in Scotland and in 1997 in England & Wales employers became liable for the full costs of premature retirement. The cost of enhancements (“added years”) was transferred to employers in 1991.

Is scéimeanna sochar sainithe iad an mhórchuid de phinsin ghairme na hearnála poiblí, ach tá sé socraithe ag an earnáil phríobháideach na scéimeanna a dhruim den chuid is mó agus aistriú chuig scéimeanna le ranníocaíocht sainithe nó gan ranníoc le scéim ghairme ar chor ar bith. Tá na scéimeanna is féile de chuid na hearnála poiblí i ndiaidh éirí níos costasaí agus tharraing sé seo cáineadh suntasach ón phreas, go háirithe sa timpeallacht eacnamaíoch reatha. Sa chomhthéacs seo ní rogha réadúil é níos mó do scéim de chuid na hearnála poiblí leanúint uirthi ag cur lena cuid dliteanas trí na costais bhreise leanúnacha a bhaineann le cúiteamh as scor roimh am a sheasamh.

Thosaigh athbhreithniú fadréimseach ar an trí Scéim Pinsean Múinteoirí (Sasana agus an Bhreatain Bheag, Albain agus tuaisceart na hÉireann) i Mí na Samhna 2003, agus aontaíodh ar phacáiste leasuithe idir an Rialtas, ceardchumann agus fostóirí le hinbhuanaitheacht airgeadais a chinntiú san fhadtéarma, agus chun freastal ar riachtanais lucht saothair atá ag éirí níos ilghnéithí, agus níos nua-aimseartha i rith an ama. Mar chuid de na socruithe, socraíodh ráta ranníocaíocht na mball, i ndiaidh chur i bhfeidhm na bhforálacha nua, ag an leibhéal céanna trasna gach ceann de na trí scéim pinsean mhúinteoirí. Dlisteanáíodh é seo ar an bhonn gur chóir go mbeadh baill a fhaigheann sochair inchomparáide den chuid is mó ag dréim le ranníocaíochtaí a íoc ag an

Almost all public sector occupational pensions are defined benefit schemes, while the private sector has increasingly chosen to close these schemes and either move to defined contribution schemes or not to contribute to an occupational scheme at all. The more generous public sector schemes have become more costly and this has attracted significant criticism from the press, particularly in the current economic climate. In this context it is no longer a realistic option for a public sector scheme to continue to add to its liabilities by meeting the ongoing additional costs of premature retirement compensation.

A wide-ranging review of all three Teachers' Pensions Schemes (England and Wales, Scotland and the north of Ireland) began in November 2003, and a package of reforms was agreed between Government, unions and employers to ensure financial sustainability in the longer term, and to meet the needs of an increasingly diverse, and modern, workforce. As part of the arrangements, the member contribution rate following the implementation of the new provisions was set at the same level across all three teachers' pension schemes. This was justified on the basis that members receiving broadly comparable benefits should expect to pay contributions at the same rate, regardless of which of the three schemes they were members.

ráta céanna, is cuma cé acu ceann den trí scéim a bhí siad mar bhall di.

Nuair a aontaíodh air seo, bhíothas ag dréim go dtabharfaí socruithe um scor roimh am i dtuaisceart na hÉireann i bhfogas leo siúd a bhí ag feidhmiú sna scéimeanna eile pinsin mhúinteoirí. Dá leanfaí le PRCS gan mhaoiniú i dtuaisceart na hÉireann mar sin de rachadh se in éadan an pholasaí bhunaithe do Scéimeanna Pinsean na Múinteoirí agus do phinsin na hearnála poiblí go ginearálta.

Tá sé tábhachtach cur in iúl, áfach, nach bhféachann na dréacht-rialacháin atá beartaithe le deireadh a chur leis an chúiteamh a d'fhéadfadh fostóirí a dhíol le múinteoirí a théann ar scor roimh am nó é a laghdú. Ina áit sin, féachann siad le fostóirí a dhéanamh freagrach as costas chúiteamh mar seo agus mar sin de úsáid níos inbhuanaithe de na forálacha atá ann cheana féin a chothú.

In arriving at this agreement, it was anticipated that premature retirement arrangements in the north of Ireland would be brought into line with those operating in the other teachers' pension schemes. To continue with an unfunded PRCS in the north of Ireland would therefore run counter to established policy for the Teachers' Pension Schemes and for public sector pensions generally.

It is, however, important to emphasise that the proposed draft regulations do not seek to abolish or reduce the compensation that employers may pay to prematurely retired teachers. Rather, they seek to make employers liable for the cost of such compensation and thus encourage a more sustainable use of the existing provisions.

2. AG SAINIÚ AIDHMEANNA NA NDRÉACHT-RIALACHÁN

Cad iad aidhmeanna, cuspóirí agus feidhm na ndréacht-rialachán?

Scéim sochar sainithe "tuarastal deiridh" atá sa NITPS agus tá sé go fóill ar cheann de na sochair is tábhachtaí agus is luachmhaire atá ar fáil do mhúinteoirí. Tá sé tábhachtach tabhairt faoi deara ag an tús nach molann na dréacht-rialacháin aon athrú do na sochair atá ar fáil do mhúinteoirí faoin NITPS. Ina measc seo tá:

- Ranníocaíocht shuntasach fostóra chun costas pinsin –ag an ráta 13.6% den tuarastal comhlán faoi láthair;
- Pinsean ráthaithe ag gnáthaois an phinsin;
- An rogha cuid den phinsean a ghlacadh mar chnapshuim atá saor ó cháin (riachtanach do mhúinteoirí atá ag teacht isteach sa Scéim roimh 1 Aibreán 2007);
- Luach an phinsin cosanta trí threoirnasc iomlán;
- Rochtain ar shochair tinnis, má tharlaíonn sé go n-éiríonn múinteoir neamhábailte teagasc go buan;
- Pinsean do pháistí agus do chleithiúnaithe;
- Deontas báis inseirbhíse;
- An rogha go n-íocfaí an pinsean go

2. DEFINING THE AIMS OF THE DRAFT REGULATIONS

What are the aims, objectives and purpose of the draft regulations?

The NITPS is a defined benefit "final salary" scheme and remains one of the most important and valuable benefits available to teachers. It is important to note at the outset that the draft regulations do not propose any changes to the benefits available to teachers under the NITPS. These include:

- Substantial employer contribution towards the cost of pension – currently at the rate of 13.6% of gross salary;
- Guaranteed pension at normal pension age;
- The option to take part of pension as a tax-free lump sum (compulsory for teachers joining the Scheme before 1 April 2007);
- Pension value protected through full index linking;
- Access to ill-health benefits, should a teacher become permanently unable to teach;
- Children's and dependants' pension;
- In-service death grant;
- The option to have pension paid early at

luath ag ráta laghdaithe go hachtúireach nó trí rogha chéimnithe scoir.

Féachann an reachtaíocht nua le bearta a thabhairt isteach le costais mhéadaithe an PRCS a rialú. Mhol Roinn Achtúire an Rialtais i 2005 (is ón am sin a d'ardaigh minicíocht scor roimh am go suntasach) go mbeadh méadú suntasach i ranníocaíochtaí, de níos mó ná £60m sa bhliain, de dhíth dá mbeadh costas scor roimh am le bheith go fóill mar dhliteanas ar NITPS na múinteoirí; agus tharraing na socruithe atá ann faoi láthair diancháineadh ó Choiste Cuntas Poiblí Westminster.

Tabharfaidh an reachtaíocht nua na forálacha le múinteoirí a chúiteamh as scor roimh am a bheag nó a mhór i bhfogas leis na socruithe faoi na scéimeanna comhfhreagracha in Albain agus i Sasana agus sa Bhreatain Bheag. Is é an tionchar a bheidh leis na rialacháin nua ná fostóirí a dhéanamh freagrach as costas luathíocaíocht sochar pinsin neamhlaghdaithe i gcásanna inar chomhaontaigh siad scor roimh am a dheonú, mar aon le costas aon mhéadú "blianta breise". Ciallaíonn sé seo, uair amháin go ndéantar na rialacháin, go seasfaidh an NITPS costais na sochar fabhraithe amháin, .i. méid pinsin agus cnapshuim atá laghdaithe go hachtúireach do mhúinteoirí atá ag dul ar scor roimh am. Íocfaidh an fostóir as iarmhéid an phinsin

an actuarially reduced rate or through a phased retirement option.

The new legislation aims to introduce measures to control the escalating costs of the PRCS. The Government Actuary's Department advised in 2005 (since when the incidence of premature retirement has risen significantly) that a significant increase in contributions, of over £60m a year, would be needed if the cost of premature retirement was to remain as a liability on the teachers' NITPS; and the present arrangements have attracted severe criticism from the Westminster Committee of Public Accounts.

The new legislation will bring provisions for compensating teachers for premature retirement broadly into line with arrangements under the corresponding schemes in Scotland and in England and Wales. The effect of the new regulations will be to make employers liable for the cost of early payment of unreduced pension benefits in cases where they have agreed to grant premature retirement, in addition to the cost of any "added years" enhancement. This means that, once the regulations have been made, the NITPS will meet the cost of accrued benefits only, i.e. an actuarially reduced amount of pension and lump sum for teachers retiring prematurely. The cost of the balance of annual pension and lump sum will be met by the employer, including any additional service credit.

bhliantúil agus na cnapshuime, lena n-áirítear aon chreidmheas breise seirbhíse.

Ligfidh na rialacháin d'fhostóirí íocaíocht mhéadaithe théarfa (nó "foirceanta") suas le tuarastal 104 seachtain a dhéanamh fosta. Thabharfaí íocaíochtaí mar seo san áireamh i dtaca le dualgas reachtúil an fhostóra cúiteamh as iomarcaíocht a chomhlíonadh agus bheadh siad ar fáil fosta do gach múinteoir is cuma cén aois a bhí acu nó cén fad seirbhíse a bhí déanta acu (ina measc gach múinteoir nach bhfuil i dteideal íocaíocht láithreach an phinsin as siocair a n-aoise). Tá sé tábhachtach tabhairt faoi deara go mbeadh na roghanna ar scor roimh am agus ar phá téarfa méadaithe comheisiatach agus, faoi na rialacháin³ atá ann faoi láthair, ó 6 Aibreán 2010 méadóidh an aois íosta a dtig an pinsean a íoc go dtí 55. Do mhúinteoirí atá idir 55 agus 65, thabharfadh pá téarfa méadaithe comhrogha don fhostóir ar scor roimh am a dheonú.

The regulations will also allow employers to make an enhanced severance (or "termination") payment of up to 104 weeks' salary. Such payments would count towards fulfilling the employer's statutory duty to pay redundancy compensation and would also be available to all teachers regardless of age or length of service (including those teachers who are not eligible by reason of their age for immediate payment of pension). It is important to note that the options of premature retirement and enhanced severance pay would be mutually exclusive and that, under existing regulations³, from 6 April 2010 the minimum age at which pension can be paid will increase to 55. For teachers aged between 55 and 65 enhanced severance would therefore afford the employer an alternative to granting premature retirement.

³ The Teachers Superannuation Regulations (NI) 1998 (S.R. 1998 No. 333) arna leasú ag The Teachers' Pensions srl. (Reform Amendments) Regulations (NI) 2007 (S.R. 2007 No. 137)

³ The Teachers Superannuation Regulations (NI) 1998 (S.R. 1998 No. 333) as amended by The Teachers' Pensions etc. (Reform Amendments) Regulations (NI) 2007 (S.R. 2007 No. 137)

Is é aidhm na ndrúacht-rialachán cuidiú le hinbhuanaitheacht an NITPS sa todhchaí a urrú agus cinntiú go bhfanann ranníocaíochtaí agus sochair na mball coibhéiseach leo siúd sna scéimeanna incomparáide i Sasana agus sa Bhreatain Bheag agus in Albain. Féachann na drúacht-rialacháin leis an aidhm seo a bhaint amach trí:

- dhliteanas a aistriú as costais a bhaineann le cúiteamh as scor roimh am go dtí fostóirí múinteoirí, ag cinntiú mar sin nach mbíonn siad go fóill mar thromualach ar an NITPS;
- na forálacha atá ann do scor roimh am faoi láthair a choinneáil, a ligeann d'fhostóirí múinteoirí a scaoileadh saor go luath nuair is gá; agus
- chumhacht a thabhairt d'fhostóirí íocaíochtaí téarfa suas le tuarastal 104 seachtain a dhéanamh.

Ní féachann na drúacht-rialacháin atá beartaithe le deireadh a chur leis an chúiteamh a d'fhéadfadh fostóirí a dhíol le múinteoirí a théann ar scor roimh am nó é a laghdú. Ina áit sin, féachann siad le fostóirí a dhéanamh freagrach as costas chúiteamh mar seo agus mar sin de úsáid níos inbhuanaithe de na forálacha atá ann cheana féin a chothú.

The aim of the draft regulations is to help secure the future sustainability of the NITPS and ensure that members' contributions and benefits remain equivalent to those of the comparable schemes in England and Wales and in Scotland. The draft regulations seek to achieve this aim by:

- transferring liability for the costs of premature retirement compensation to teachers' employers, thus ensuring that they do not remain a burden on the NITPS;
- maintaining the existing provisions for premature retirement, which allow employers to secure the early release of teachers where necessary; and
- giving employers the power to make severance payments of up to 104 weeks' salary.

The proposed draft regulations do not seek to abolish or reduce the compensation that employers may pay to prematurely retired teachers. Rather, they seek to make employers liable for the cost of such compensation and thus encourage a more sustainable use of the existing provisions.

3. BREITHNIÚ AR SHONRAÍ AGUS AR THAIGHDE ATÁ AR FÁIL

Leagtar na sonraí atá ar fáil faoin phróifíl den lucht saothair teagaisc reatha amach ag larscríbhinn 3. Soláthraíonn larscríbhinn 4 sonraí ó chórais phinsin na múinteoirí a léiríonn líon na múinteoirí a bhain leas as na socruithe faoi scor roimh am roimhe seo; agus leagtar eolas inchomparáide do Shasana agus don Bhreatain Bheag amach ag larscríbhinn 5. Déanann larscríbhinn 6 comparáid idir na forálacha do scor roimh am i dtuaisceart na hÉireann na forálacha do mhúinteoirí i Sasana agus sa Bhreatain Bheag, in Albain agus i ndeisceart na hÉireann; agus soláthraíonn larscríbhinn 7 comparáid le scéimeanna eile de chuid na hearnála poiblí i dtuaisceart na hÉireann.

I Mí na Nollag 2002 d'fhoilsigh an Rialtas Páipéar Glas ina raibh tograí agus moltaí le daoine a spreagadh le hobair níos faide agus níos mó a choigilt don am a mbeadh siad ag dul ar scor: *Simplicity, security agus choice: Working agus saving for retirement* Cm 5677 (http://www.dsdni.gov.uk/green_paper-2.pdf).

I Mí an Mheithimh 2003, rinneadh moladh gur chóir athbhreithniú a dhéanamh ar gach scéim pinsean de chuid na hearnála poiblí: *Simplicity, security agus choice: Working agus saving for retirement- Action on occupational pensions* Cm 5835 (http://www.dsdni.gov.uk/wasfr_action_occup

3. CONSIDERATION OF AVAILABLE DATA AND RESEARCH

Available data about the profile of the current teaching workforce is set out at Annex 3. Annex 4 provides data from the teachers' pensions' computer systems showing the numbers of teachers previously availing of the premature retirement arrangements; and comparative information for England and Wales is set out at Annex 5. Annex 6 compares the premature retirement provisions for teachers in the north of Ireland with those for teachers in England and Wales, Scotland and the south of Ireland; and Annex 7 provides a comparison with other public sector schemes in the north of Ireland.

In December 2002 the Government published a Green Paper containing proposals and recommendations to encourage people to work longer and save more for retirement: *Simplicity, security and choice: Working and saving for retirement* Cm 5677 (http://www.dsdni.gov.uk/green_paper-2.pdf).

In June 2003, a recommendation was made that all public service pension schemes should be reviewed: *Simplicity, security and choice: Working and saving for retirement- Action on occupational pensions* Cm 5835 (http://www.dsdni.gov.uk/wasfr_action_occup_pensions.pdf). The Government was of the

[pensions.pdf](#)). Bhí an Rialtas den bharúil gur chóir gnáthaois an phinsin a ardú, agus d'athraigh na scéimeanna le fad saoil feabhsaithe agus patrúin oibre nua-aimseartha a léiriú.

I Mí na Bealtaine 2006 d'fhoilsigh an Rialtas a fhreagairt ar an dúshlán pinsean fadtéarmach: *Security in retirement: towards a new pensions system* Cm 6841 (<http://www.dwp.gov.uk/docs/white-paper-complete.pdf>). Féachann an Páipéar Bán le níos mó daoine a spreagadh pleanáil agus coigilt le dul ar scor.

Le chéile, tugann na caipéisí seo breac-chuntas ar na dúshláin atá roimh scéimeanna pinsin oibre mar thoradh ar bhrúnna mar fad saoil méadaithe. Mar shampla, idir 1980 agus 2005, mhéadaigh ionchas saoil ag 65 i dtuaisceart na hÉireann ó 13 go dtí 20 bliain; agus déanfaidh na daoine a bhaineann 65 amach faoi lár an chéid seo suas níos mó ná 90% dá nglúin agus beidh fad saoil de thart faoi 24 bliain eile acu.

Cháin tuairiscí ón Oifig Iniúcháireachta (OITÉ) agus ó Choiste Cuntas Poiblí Westminster (CCP) úsáid na scéime cúiteamh as scor roimh am, i dtaca le líon na múinteoirí a chuaigh ar scor roimh am agus méid an chúitimh a dheonaítear de ghnáth:

Tuairisc an OITÉ 1992 (*The Department of*

view that normal pension age should be increased, and schemes changed to reflect improved longevity and modern working patterns.

In May 2006 the Government published its response to the long-term pensions challenge: *Security in retirement: towards a new pensions system* Cm 6841 (<http://www.dwp.gov.uk/docs/white-paper-complete.pdf>). The White Paper aims to encourage more people to plan and save for their retirement.

Together, these documents outline the challenges facing occupational pension schemes as a result of pressures such as increasing longevity. For example, between 1980 and 2005, life expectancy at 65 in the north of Ireland increased from 13 to 20 years; and those reaching 65 by the middle of this century will represent over 90% of their generation and will have a life expectancy of around another 24 years.

Reports by both the NI Audit Office (NIAO) and the Westminster Committee of Public Accounts (PAC) have been critical of the use of the Premature Retirement Compensation Scheme, both in terms of the numbers of teachers prematurely retired and the amount of the compensation routinely awarded:

NIAO report 1992 (*Department of Education*

Education for Northern Ireland: Premature Retirement of Teachers, Northern Ireland Audit Office, February 1992, HC 248) agus subsequent PAC hearing in 1992 (*17th Report, Session 1992-93, HC 84*).

Tuairisc an OITÉ Nollaig 2002 (*The Management of Substitution Cover for Teachers*):

<http://www.niauditoffice.gov.uk/pubs/reports/2002/Teachers/FullReport.pdf>

agus éisteacht CCP ina dhiaidh sin i Mí Feabhra 2003:

<http://www.publications.parliament.uk/pa/cm200203/cmselect/cmpublic/473/473.pdf>

In Aibreán 2008 cuireadh próiseas scagthástála ar bun maidir leis an chinneadh fostóirí a dhéanamh freagrach as na costais pinsean a bhain le dámhachtain creidmheas seirbhíse breise (“blianta breise”). Cuireadh an Teimpléad Scagthástála ar láithreán gréasáin na Roinne agus iarradh barúlacha ó pháirtithe leasmhara, ina measc ionadaithe ó ghrúpaí Alt 75. Ní bhfuarthas aon cheann. Thit líon na n-iomarcaíochtaí múinteoirí i scoileanna (seachas Coláistí Breisoideachais) faoi 47% i 2008 i gcomparáid le 2007; agus bhí laghdú breise 29% i 2009 i gcomparáid le 2008.

Bhí laghdú tobann de níos mó ná 80% i líon na scor roimh am i Sasana agus sa Bhreatain Bheag i 1998 i ndiaidh dóibh tosú muirear crua iomlán a ghearradh ansin ó Mheán Fómhair 1997. Bhí sé seo mar gheall

for Northern Ireland: Premature Retirement of Teachers, Northern Ireland Audit Office, February 1992, HC 248) and subsequent PAC hearing in 1992 (*17th Report, Session 1992-93, HC 84*).

NIAO report of Dec 2002 (*The Management of Substitution Cover for Teachers*):

<http://www.niauditoffice.gov.uk/pubs/reports/2002/Teachers/FullReport.pdf>

and subsequent PAC hearing in Feb 2003:

<http://www.publications.parliament.uk/pa/cm200203/cmselect/cmpublic/473/473.pdf>

In April 2008 a screening process was undertaken in relation to the decision to make employers liable for the pension costs associated with the award of additional service credit (“added years”). The Screening Template was placed on the Department’s website and comments invited from stakeholders, including representatives of Section 75 groups. None was received. The number of teacher redundancies in schools (excluding FE Colleges) fell by 47% in 2008 as compared to 2007; and there has been a further 29% reduction in 2009 as compared to 2008.

There was a sudden reduction by over 80% in the number of premature retirements in England and Wales in 1998 following the introduction of full hard charging there from September 1997. This was the result of

ar araíonacht níos fearr ó na húdaráis fostaíochta in úsáid cúiteamh as scor roimh am agus a laghdú comhfhreagrach i líon na ndeonach. Sna cúig bliana go díreach i ndiaidh 1998 mhéadaigh líon na scor roimh am de réir a chéile go dtí thart faoi 60% de na leibhéil réamh-1997. Féach an tábla ag larscríbhinn 4.

Rinneadh comhairliúchán le ceardchumann na múinteoirí agus le húdaráis fostaíochta trí Ghrúp Oibre Cúiteamh as Scor Roimh Am, ar fo-ghrúpa é de Choiste Comhairleach Aoisliúntais na Múinteoirí (Teachers' Superannuation Consultative Committee) (féach Alt 7: *Comhairliúchán Foirmiúil*). Léiríodh na tuairimí seo a leanas agus nótaíl an Roinn iad. (Thiocfadh dó go bhfuil cuid mhór de na tuairimí a léiríodh bunaithe ar an bhonn tuisceana nach mbeidh fostóirí sásta luatheisiúint sochar pinsean a mhaoiniú nó cúiteamh coibhéiseach a thairiscint, i ndiaidh do na rialacháin mholta a bheith déanta):

- D'fhéadfadh iomarcaíochtaí éigeantacha bheith mar thoradh ar na hathruithe.
- Ba chóir linn soláthair a chur ar bun le fostaíocht leanúnach a ráthú do mhúinteoirí a bheadh iomarcach go héigeantach gan é sin.
- Tá gá le deis le ligean do mhúinteoirí níos mó solúbthachta a bheith acu i dtaca le foirceannadh i dtreo

greater discipline by employing authorities in the use of premature retirement compensation and a corresponding reduction in the number of volunteers. In the five years immediately following 1998 the number of premature retirements gradually increased to around 60% of pre-1997 levels. See table at Annex 4.

Consultation has taken place with the teacher unions and employing authorities through a Premature Retirement Compensation Working Group, which is a sub-group of the Teachers' Superannuation Consultative Committee (see Section 7: *Formal Consultation*). The following views were expressed and noted by the Department. (Many of the views expressed may be founded on the assumption that, following the making of the proposed regulations, employers will not be prepared to fund the early release of pension benefits or to offer equivalent compensation):

- The changes could result in compulsory redundancies.
- A supply pool should be established to guarantee continued employment for teachers who would otherwise be compulsorily redundant.
- There is the need for a facility to allow teachers greater flexibility for winding down towards the end of their careers.

dheireadh a gcuid saol oibre.

- Ciallóidh na hathruithe laghdú i líon na múinteoirí nua-cháilithe a fhostófar.
- Ba chóir moill a chur ar na hathruithe ar an bhonn go ndéanfaidh sé níos mó céille iad a chur i bhfeidhm ag an am céanna le ESA.
- Beidh aimhrialtachtaí idir shochair scor roimh am mar thoradh ar na hathruithe agus ar na téarmaí téarfa a thairiscítear do mhúinteoirí agus d'fhoireann scoile neamhtheagaisc, agus don ghrúpa atá faoi thionchar an RPA.
- Má theipeann ar fhostóirí luatheisiúint sochar pinsin a mhaoiniú mar a rinneadh sna blianta roimhe seo féadfaidh gníomhaíocht thionsclaíoch ó cheardchumann na múinteoirí bheith mar thoradh air.
- The changes will mean a reduction in the number of newly qualified teachers obtaining employment.
- Changes should be delayed on the basis it would make more sense to bring them into operation at the same time as ESA.
- The changes will result in anomalies between the premature retirement benefits and severance terms offered to teachers' and to non teaching school staff, and the RPA affected group.
- Failure by employers to fund the early release of pension benefits as in previous years may result in industrial action by the teacher unions.

Leanadh air seo le comhairliúchán foirmiúil poiblí 8-seachtaine a chríochnaigh ar 15 Bealtaine 2009. Tá achoimre de na freagairtí comhairliúcháin faoi iamh ag larscríbhinn 2. Ardaíodh na ceistanna comhionannais seo a leanas:

- Tá na socruithe úra leithcheala in éadan mhúinteoirí atá anois thar 50, a chaithfidh obair níos faide agus a
- New arrangements are discriminatory against teachers now over 50, who will have to work longer and whose

This was followed up by an 8-week formal public consultation which finished on 15 May 2009. A summary of consultation responses is attached at Annex 2. The following equality issues were raised:

bhféadfadh a gcuid sláinte fulaingt dá dheasca.

- Ó tharla go mbeidh múinteoirí níos sine ag fanacht níos faide i bhfostaíocht, beidh sé níos doilí ar mhúinteoirí nua-cháilithe obair a fháil. Beidh seans níos láidre go dtarlóidh iomarcaíocht éigeantach do mhúinteoirí óga.
- Beidh tionchar ó thaobh inscne de ag cuimhneamh ar an chomhréir ard de mhúinteoirí baineanna, go háirithe sna réimsí aoiseanna ísle.
- Beidh tionchar ar chleithiúnaithe na múinteoirí a ghlacann pinsin atá laghdaithe go hachtúireach

Pléitear na pointí seo faoi *Measúnacht Tionchar agus Ag Amharc ar Mhaolú agus ar Chomhroghanna*.

Is cosúil go bhfuil na hargóintí a bhaineann le comhionannas bunaithe ar an bhonn tuisceana nach mbeidh fostóirí ábalta go leor deonach a aimsiú be le hiomarcaíochtaí éigeantacha a sheachaint. Tugann fianaise ó na scéimeanna eile múinteoirí, a d'athraigh chuig muirear crua a ghearradh sna 1990í, le fios gur ardaigh líon na ndeonach uair amháin gur choigeartaigh ionchais na múinteoirí go dtí leibhéal an chuitimh a bhí á thairiscint ag údaráis fostaíochta, cé go raibh íslíú i líon na ndeonach i dtús báire.

health may suffer as a result.

- As older teachers remain longer in employment, newly qualified teachers will find it more difficult to obtain work. Younger teachers will be more likely to suffer compulsory redundancy.
- There will be an impact in terms of gender given the high proportion of female teachers, particularly in the lower age ranges.
- There will be an impact on the dependants of teachers who take actuarially reduced pensions

These points are addressed under *Assessment of Impacts and Consideration of Mitigation and Alternatives*.

The arguments associated with equality appear to be predicated on the assumption that employers will be unable to secure sufficient volunteers to avoid compulsory redundancies. Evidence from the other teachers' schemes, which moved to hard charging in the 1990s, indicates that whilst there was an initial drop off in the number of volunteers, the numbers volunteering increased once teacher expectations had adjusted to the level of compensation offered by employing authorities.

4. MEASÚNACHT TIONCHAR

Sa MTC seo, d'amharc an Roinn ar an dualgas gan leithcheal a dhéanamh (go díreach nó go neamhdhíreach) i dtaca leis na grúpaí ábhartha agus ar an dóigh a gcuireann na moltaí comhionannas deiseanna chun cinn fosta. Leagtar measúnacht na dtionchar agus na sochar a bhaineann leis na dréacht-rialacháin i dtaca le gach ceann de na catagóirí Alt 75 amach san paragraif seo a leanas.

Inscne

I Mí Lúnasa 2008 b'ionann comhshuíomh an luchta saothair teagaisc agus 74.4% baineann agus 25.6% fireann. Taispeánann miondealú aoise na ndaoine atá i dteideal sochair scor roimh am a fháil (múinteoirí thar 50) go raibh 64.8% baineann agus 35.2% fireann. Taispeánann na figiúirí do scor roimh am (bliain airgeadais 2007/08) go bhfuil glacadh scor roimh am 61.3% baineann agus 38.7% fireann. Thaispeáin sé seo glacadh rud beag níos airde ó mhúinteoirí fireanna nuair a cuireadh i gcomparáid leis an réimse incháilithe é.

Thug freagairtí ar an chomhairliúchán le fios go méadóidh líon na múinteoirí óga baineanna a raibh iomarcaíocht éigeantach rompu dá mbeadh téarmaí téarfa nó scor roimh am níos mítharraingtí do mhúinteoirí is sine, rud a léiríonn an chomhréir is airde baineann san aoisbhanda is óige i

4. ASSESSMENT OF IMPACTS

In this EQIA, the Department has considered the duty not to discriminate (either directly or indirectly) in respect of the affected groups and also how the proposals promote equality of opportunity. An assessment of the impacts and the benefits of the draft regulations to each of the Section 75 categories are set out in the following paragraphs.

Gender

At August 2008 the makeup of the teaching workforce was 74.4% female and 25.6% male. The age breakdown of those eligible to receive premature retirement benefits (teachers over 50) shows that 64.8% were female and 35.2% male. The figures for premature retirement (2007/08 financial year) show uptake of premature retirement to be 61.3% female and 38.7% male. This showed a slightly higher take-up by male teachers when compared with the eligible field.

Responses to consultation suggested that the numbers of young female teachers facing compulsory redundancy would increase if severance or premature retirement terms are less attractive to older teachers, reflecting the higher proportion of females in the younger age bands compared to the over-

gcomparáid leis na thar-50í nó le gairm na múinteoireachta ina iomlán. Níl sé soiléir go fóill áfach, cad é an tionchar a bheidh ag an chúiteamh a thairgfear sna blianta amach romhainn ar líon agus ar phróifíl na ndaoine a bheidh ag glacadh go deonach le hiomarcaíocht.

Dá leanfaí ar aghaidh **gan** na hathruithe reachtacha molta is é an toradh a bheadh air ná méadú suntasach i ranníocaíochtaí pinsin. Bheadh tionchar gan iarraidh aige seo ar sheirbhísí túsline agus ar phá ghlan na múinteoirí uile, agus d'fhéadfadh sé tionchar díréireach a bheith aige ar mhúinteoirí is óige, is dócha a bheadh ar phointí íochtaracha an pháscála. Tá níos mó ban go comhréireach ar an aoisbhanda is óige fosta.

Aois

Ó tharla go mbaineann an polasaí seo le scor roimh am is féidir go mbeidh tionchar a bhaineann le haois i gceist. Ciallaíonn na Rialacháin um Chomhionannas Fostaíochta (Aois) (TÉ) 2006 (Employment Equality (Age) Regulations) (NI) 2006 go bhfuil sé neamhdhleathach do scéimeanna pinsean leithcheal a dhéanamh ar bhaill nó ar bhaill ionchasacha de scéim pinsean. Aithníonn an Rialtas áfach, go bhfuil gá le cuid mhór rialacha agus cleachtais a bhaineann le haois d'oibriú ceart scéimeanna pinsean. Díolmhaíonn na Rialacháin um Chomhionannas Fostaíochta (Aois) (TÉ)

50s or the teaching profession as a whole. However, it is not yet clear how the compensation offered in future years will affect the numbers and profile of those volunteering for redundancy.

To continue **without** the proposed legislative changes would lead to a significant increase in pension contributions. This would have an unwanted impact on frontline services and on the take-home pay of all teachers, and may impact disproportionately on younger teachers, who are more likely to be on the lower points of the pay scale. The younger age bands also contain proportionately more women.

Age

As this policy is concerned with premature retirement there may be an age related impact. The Employment Equality (Age) Regulations (NI) 2006 make it unlawful for pension schemes to discriminate against members or prospective members of a pension scheme. However, the Government recognises that many age-related rules and practices are necessary for the proper operation of pension schemes. The Employment Equality (Age) Regulations (NI) 2006, therefore, effectively exempt many age-related rules, practices, actions or decisions in relation to pension schemes.

2006, mar sin, cuid mhór rialacha, cleachtais, gníomhartha nó cinntí a bhaineann le haois go héifeachtúil, i dtaca le scéimeanna pinsean de.

Tá fianaise ann go bhfuil ionchas i measc roinnt múinteoirí gur rogha atá i scor roimh am nó gur chóir go mbeadh an rogha ann is féidir a chur i bhfeidhm go deonach ag baint 50 bliain d'aois amach dóibh nó ina dhiaidh. Ní ionchas dlisteanach é seo mar go bhfuil sé i gceist leis an Scém Cúitimh as Scor Roimh Am gur uirlis bhainistíochta a bheadh ann le cuidiú le fostóirí an lucht saothair teagaisc a bhainistiú, agus ní dóigh le múinteoirí ar mian leo scor go luath a éascú. (Tugadh foráil leithleach isteach i 2007 a cheadaíonn do mhúinteoir atá 55 bliain d'aois nó níos mó dul ar scor roimh ghnáthaois scoir agus sochair phinsin atá laghdaithe go hachtúireach a fháil). Mar sin féin, tá ionchas faoi láthair ag múinteoirí atá faoi 50 bliain d'aois a bhfógraítear a gcuid post a bheith iomarcach gur féidir leo iomarcaíocht aistriú a fháil mar gheall ar an líon deonach is dócha a bheidh ann i measc na thar-50í. Tá reachtaíocht ann cheana féin a ardóidh an aois scoir íosta go dtí 55 le héifeacht ó 6 Aibreán 2010.

Ó tharla nach seasfaidh an NITPS costas scor roimh am níos mó faoi na rialacháin mholta, is féidir nach mbeidh an leibhéal cúitimh a bheidh á thairiscint ag údaráis fostaíochta chomh flaithiúil agus a bhí sé sna blianta roimhe seo agus mar sin de is féidir

There is evidence of an expectation among some teachers that early retirement is or should be an option that may be exercised voluntarily on or after reaching age 50. This is not a legitimate expectation as the Premature Retirement Compensation Scheme is intended to be a management tool to assist employers in managing the teaching workforce, and not a means of facilitating those teachers who wish to retire early. (A separate provision was introduced in 2007 which allows a teacher aged 55 or over to retire before normal retirement age and receive actuarially reduced pension benefits). Nonetheless, teachers under the age of 50 whose posts are declared redundant currently have an expectation that transferred redundancy will normally be possible owing to the number of likely volunteers among the over-50s. Legislation is already in place raising the minimum retirement age to 55 with effect from 6 April 2010.

As under the proposed regulations the cost of premature retirement would no longer be borne by the NITPS, the level of compensation offered by employing authorities may be less generous than in previous years and consequently there may

go mbeidh níos lú deonach ann d'iomarcaíocht. (Tugadh an patrún seo faoi deara nuair a tugadh muirear cruá do chostais iomlána scor roimh am isteach i Sasana agus sa Bhreatain Bheag 12 bhliain ó shin.) Mura mbíonn fostóirí ábalta, amach anseo, go leor deonach a aithint faoi choinne iomarcaíochta, is féidir go mbeidh méadú i líon na n-iomarcaíochtaí éigeantacha. Is féidir go n-éireoidh aoisphróifil na múinteoirí iomarcacha níos measctha mar sin – nó san aoisraon is óige den chuid is mó – in ionad múinteoirí atá beagnach go heisiatach níos sine (50+) mar atá amhlaidh faoi láthair. Braitheann sé seo go hiomlán ar an leibhéal maoinithe atá leithdháilte faoi choinne cúitimh ag údaráis fostaíochta áfach, agus ar a gcumas poist iomarcacha a mheaitseáil le deonaigh. Bheadh sé seo ag brath faoi seach ar mhéid ionchas na múinteoirí maidir le cad é a chomhdhéanann leibhéal réasúnta nó inghlactha cúitimh. Sna cúig bliana go díreach ag leanúint 1998 mhéadaigh líon na scor roimh am i Sasana agus sa Bhreatain Bheag de réir a chéile go dtí thart faoi 60% de na leibhéil réamh-1997 (féach larscríbhinn 5).

I ndiaidh aistriú d'fhostóirí na gcostas a bhaineann le “blianta breise” in Aibreán 2008, thit líon na scor roimh am i scoileanna (seachas Coláistí Breisoideachais) ó 557 i 2007 go 306 i 2008 (inar thit iomarcaíochtaí ó 516 go 272). Bhí laghdú breise i líon na n-iomarcaíochtaí i 2009 go 193 (mar a bhí ag 31 Deireadh Fómhair). Astu seo bhí 11 acu

be fewer volunteers for redundancy. (This pattern was observed when hard charging for the total costs of premature retirement was introduced in England and Wales 12 years ago.) If, in future, employers are unable to identify sufficient volunteers for redundancy, there may be an increase in the number of compulsory redundancies. The age profile of redundant teachers may therefore become more mixed – or predominantly in the younger age range – rather than almost exclusively older (50+) teachers as at present. However, this depends entirely on the level of funding allocated for compensation by employing authorities and on their ability to match redundant posts to volunteers. This would depend in turn on the extent of teachers' expectation about what constitutes a reasonable or acceptable level of compensation. In the five years immediately following 1998 the number of premature retirements in England and Wales gradually increased to around 60% of pre-1997 levels (see Annex 5).

Following the transfer to employers of costs associated with “added years” in April 2008, the number of premature retirements in schools (excluding FE Colleges) fell from 557 in 2007 to 306 in 2008 (within which redundancies fell from 516 to 272). There has been a further reduction in the number of redundancies in 2009 to 193 (as at 31

éigeantach. Níl aon fhianaise ann go nuige seo le tabhairt le tuiscint nach mbeidh údaráis fostaíochta ábalta deonaigh a aimsiú faoi choinne iomarcaíochta sna blianta amach romhainn.

Cuireadh an argóint chun tosaigh go dtiocfadh leis na dréacht-rialacháin é a dhéanamh níos doilí do mhúinteoirí nua-cháilithe obair a fháil. Má chuimhnítear go raibh líon na múinteoirí a chuaigh ar scor roimh am ar mhaithe le comhlíonadh éifeachtach fheidhm an fhostóra go measartha beag le blianta beaga anuas (féach larscríbhinn 3), is cosúil go bhfuil an argóint seo bunaithe ar an bhonn tuisceana go bhfuil líon na scor roimh am in aon bhliain cinntithe ag an leibhéal cúitimh atá ar fáil in ionad ag líon na bpost iomarcach. Luaigh Coiste Cuntas Poiblí Westminster⁴ nach raibh sé inchosanta deolchairí a íoc le múinteoirí is sine le cinntiú go bhfaigheadh múinteoirí is óige fostaíocht. Ba chóir go soláthródh scoir bhliantúla mar gheall ar aois agus tinneas, chomh maith le leibhéal inbhuanaithe scor roimh am, go leor deiseanna leis an lucht saothair teagaisc a athnuachan.

October). Of these 11 were compulsory. There is as yet no evidence to suggest that employing authorities will be unable to secure volunteers for redundancy in future years.

The argument has been advanced that the draft regulations might make it more difficult for newly qualified teachers to find work. Given that the number of teachers retired prematurely in the interests of the efficient discharge of the employer's function has been relatively small in recent years (see Annex 3), this argument appears to be predicated on the assumption that the number of premature retirements in any year is determined by the level of compensation available rather than the number of redundant posts. The Westminster Committee of Public Accounts commented⁴ that it was not justifiable to pay bounties to older teachers in order to ensure that younger teachers will find employment. Annual retirements through age and ill health, combined with a sustainable level of premature retirement, should provide ample opportunity to refresh the teaching workforce.

⁴ Committee of Public Accounts, 17th Report, Session 1992-93, HC 84.

⁴ Committee of Public Accounts, 17th Report, Session 1992-93, HC 84.

Bheadh íocaíochtaí téarfa méadaithe ar fáil fosta faoi rogha na bhfostóirí do mhúinteoirí nach bhfuil i dteideal íocaíocht láithreach a bpsin. Tionchar dearfach atá ann seo.

Éilíonn an dlí um leithcheal aoise ar fhostóirí cinntiú nach mbíonn tionchar ag aois duine ar chinntí a dhéantar maidir le hiomarcaíocht mura mbíonn fáth inchosanta ann go gcuirí an aois san áireamh. Soláthraíonn na Rialacháin um Chomhionannas Fostaíochta (Aois) (TÉ) 2006 eisceachtaí d'údarás reachtúil agus do sholáthar sochar méadaithe iomarcaíochta. Soláthraíonn an chéad cheann nach mbeidh sé neamhdhleathach leithcheal a dhéanamh ar fhoras aoise nuair a rinneadh é seo le ceanglas aon fhoráil reachtúil a chomhlíonadh. Ceadáíonn an dara ceann d'fhostóir íocaíochtaí iomarcaíochta níos flaitiúla a dhéanamh ná a dhéanfaí faoin scéim reachtúil agus ceann de na modhanna atá sainithe sna Rialacháin Aoise a úsáid agus bunaithe ar an scéim reachtúil iomarcaíochta méid na híocaíochta iomarcaíochta a ríomh. Léiríonn an dá eisceacht go bhfuil íocaíochtaí mar seo dleathach, cé go ríomhtar íocaíochtaí iomarcaíochta reachtúla ag úsáid critéar a bhaineann le haois.

Beidh an dualgas ar údaráis fostaíochta mar sin iad féin a shásamh go dtig leo aon difríocht in íocaíochtaí cúitimh le daoine d'aoiseanna éagsúla a bhfuil deireadh á chur

Enhanced severance payments would also be available at employers' discretion to teachers who are not eligible by reason of their age for immediate payment of pension. This is a positive impact.

Age discrimination law requires employers to ensure that a person's age does not influence decisions that are made regarding redundancy unless there is a justifiable reason for age to be taken into account. The Employment Equality (Age) Regulations (NI) 2006 provide exceptions for statutory authority and for provision of enhanced redundancy benefits. The former provides that it shall not be unlawful to discriminate on age grounds where this has been done in order to comply with the requirement of any statutory provision. The latter allows an employer to make more generous redundancy payments than under the statutory scheme and to use one of the methods specified in the Age Regulations and based on the statutory redundancy scheme to calculate the amount of redundancy payment. Both exceptions make clear that, even though statutory redundancy payments are calculated using age-related criteria, such payments are lawful.

The onus will therefore remain on employing authorities to satisfy themselves that they can objectively justify any difference in compensation payments to individuals of

lena gcuid fostaíochta go luath a dhlisteránu go hoibiachtúil.

Reiligiún

Faoi láthair is iad údaráis fostaíochta de ghnáth a bhailíonn an cineál seo eolais le linn gníomhaíocht earcaíochta de réir ceanglas reachtúil monatóireachta. Ní chomhordaítear an t-eolas seo de ghnáth agus ní raibh muid ábalta aon fhoinsé amháin eolais ar an lucht saothair a shainathint i dtaca leis an bheart seo de. Ní thugtar le tuiscint áfach, go mbeidh tionchar rómhór ag an pholasaí seo ar bhonn reiligiúin. Ba chóir go gcuirfeadh an t-aistriú chuig údarás fostaíochta amháin an deis ar fáil an t-eolas seo a chomhordú ó fhoinsé amháin amach anseo.

Tuairim Pholaitiúil

Ní bhailíonn údaráis fostaíochta an t-eolas seo. Níl aon fhianaise ann go mbeidh tionchar rómhór ag an pholasaí seo ar bhail den ghrúpa seo.

Stádas Pósta

Faoi láthair is iad údaráis fostaíochta de ghnáth a bhailíonn an cineál seo eolais le linn gníomhaíocht earcaíochta de réir ceanglas reachtúil monatóireachta. Ní chomhordaítear an t-eolas seo de ghnáth agus ní raibh muid ábalta aon fhoinsé amháin eolais ar an lucht saothair a

different ages whose employment is being terminated early.

Religion

At present this type of information is typically collected by employing authorities during recruitment activity in line with statutory monitoring requirements. This information is not usually collated and we have not been able to identify any single source of information on the workforce in relation to this measure. However, there is no indication that this policy will unduly impact on the basis of religion. The move to a single employing authority should provide the opportunity to collate this information from a single source in future.

Political Opinion

This information is not collected by employing authorities. There is no evidence that this policy will unduly impact on members of this group.

Marital Status

At present this type of information is typically collected by employing authorities during recruitment activity in line with statutory monitoring requirements. This information is not usually collated and we have not been able to identify any single source of information on the workforce in relation to

shainnaithe i dtaca leis an bheart seo de. Ní thugtar le tuiscint áfach, go mbeidh tionchar rómhór ag an pholasaí seo ar bhonn stádas pósta. Ba chóir go gcuirfeadh an t-aistriú chuig údarás fostaíochta amháin an deis ar fáil an t-eolas seo a chomhordú ó fhoinsí amháin amach anseo.

Stádas Cleithiúnach

Ní bhailíonn údarás fostaíochta an t-eolas seo. Thiocfadh leis an pholasaí seo dul i bhfeidhm ar mhúinteoirí le cleithiúnaigh ó tharla go dtéann sé i bhfeidhm ar mhúinteoirí i ngrúpaí aoise éagsúla (féach “Aois” thuas). Tá sé dearbhaithe gur dócha go mbeidh múinteoirí le cleithiúnaigh san aoisghrúpa faoi-50 agus mar sin de níos leochailí do thionchair airgeadais na hiomarcaíochta. Thug freagairtí ar an chomhairliúchán le tuiscint go méadóidh líon na múinteoirí a bhfuil iomarcaíocht éigeantach rompu má bhíonn laghdú i líon na múinteoirí is sine a iarrann iomarcaíocht aistrithe go deonach. Níor chosúil gur thug sé seo san áireamh áfach, gur dócha go mbeidh páistí cleithiúnacha ag múinteoirí is sine fosta agus/nó freagrachtaí cúraim eile.

Níl sé soiléir go fóill cad é mar a rachaidh an cúiteamh a thairgfear sna blianta amach romhainn i bhfeidhm ar líon agus ar phróifíl na ndaoine a ghlacfaidh le hiomarcaíocht go deonach.

this measure. However, there is no indication that this policy will unduly impact on the basis of marital status. The move to a single employing authority should provide the opportunity to collate this information from a single source in future.

Dependent Status

This information is not collected by employing authorities. The policy may affect teachers with dependants inasmuch as it affects teachers in different age groups (see “Age” above). It has been asserted that teachers with dependants are likely to be in the under-50 age group and therefore more vulnerable to the financial effects of redundancy. Responses to consultation suggested that the numbers of teachers with dependants facing compulsory redundancy will increase if there is a downturn in the number of older teachers volunteering for transferred redundancy. However, this did not seem to take into account the extent to which older teachers are also likely to have dependent children and/or other caring responsibilities.

It is not yet clear how the compensation offered in future years will affect the numbers and profile of those volunteering for redundancy.

Míchumas

Faoi láthair is iad údaráis fostaíochta de ghnáth a bhailíonn an cineál seo eolais le linn gníomhaíocht earcaíochta de réir ceanglas reachtúil monatóireachta. Ní chomhordaítear an t-eolas seo de ghnáth agus ní raibh muid ábalta aon fhoinsé amháin eolais ar an lucht saothair a shainaithint i dtaca leis an bheart seo de. Ba chóir go gcuirfeadh an t-aistriú chuig údarás fostaíochta amháin an deis ar fáil an t-eolas seo a chomhordú ó fhoinsé amháin amach anseo.

Fuair Suirbhé Sláinte agus Folláine⁵ a choimisiúnaigh an Taobh Bainistíochta de Choiste Idirbheartaíochta na Múinteoirí (the Management Side of the Teacher Negotiating Committee) i 2001 amach gur thuiriscigh roinnt bheag (5.3%) múinteoirí gur mheas siad go raibh siad faoi mhíchumas. (Sainmhíníodh míchumas mar aon lagú fisiciúil nó intinne, a bhfuil tionchar diúltach substaintiúil agus fadtéarmach (a mhaireann nó a mheastar a mhairfidh 12 mí nó níos mó) aige ar an chumas gnáth-ghníomhartha laethúla a dhéanamh.) Ní thugtar le tuiscint áfach, go mbeidh tionchar rómhór ag an pholasaí seo ar bhonn míchumais. Ní dhímholfaidh an polasaí/cinneadh daoine le míchumais ar

⁵ The NI Teachers' Health and Wellbeing Survey, Final Report – PricewaterhouseCoopers, Nollaig 2002: http://www.deni.gov.uk/teachers/h_safety/teachers_health_survey.pdf

Disability

At present this type of information is typically collected by employing authorities during recruitment activity in line with statutory monitoring requirements. This information is not usually collated and we have not been able to identify any single source of information on the workforce in relation to this measure. The move to a single employing authority should provide the opportunity to collate this information from a single source in future.

A Health and Wellbeing Survey⁵ commissioned by the Management Side of the Teacher Negotiating Committee in 2001 found that a small proportion (5.3%) of teachers reported that they considered themselves to have a disability. (Disability was defined as any physical or mental impairment, which has a substantial and long term (lasted or expected to last 12 months or more) adverse impact in ability to carry out normal day to day activities.) However, there is no indication that this policy will unduly impact on the basis of disability. The policy/decision will not in any way discourage people with disabilities from participating in public life nor does it fail to promote positive attitudes towards disabled people.

⁵ The NI Teachers' Health and Wellbeing Survey, Final Report – PricewaterhouseCoopers, December 2002: http://www.deni.gov.uk/teachers/h_safety/teachers_health_survey.pdf

dhóigh ar bith as páirt a ghlacadh sa saol poiblí nó ní theipfidh air dearcaí dearfacha a chur chun cinn maidir le daoine atá faoi mhíchumas.

Níl deis níos fearr ann dearcaí dearfacha a chur chun cinn maidir le daoine atá faoi mhíchumas nó iad a spreagadh páirt a ghlacadh sa saol poiblí ná trí athruithe a dhéanamh ar an pholasaí/chinneadh nó trí bearta breise a thabhairt isteach.

Eitneachas

Faoi láthair is iad údaráis fostaíochta de ghnáth a bhailíonn an cineál seo eolais le linn gníomhaíocht earcaíochta de réir ceanglas reachtúil monatóireachta. Ní chomhordaítear an t-eolas seo de ghnáth agus ní raibh muid ábalta aon fhoinsé amháin eolais ar an lucht saothair a shainaithint i dtaca leis an bheart seo de. Ní thugtar le tuiscint áfach, go mbeidh tionchar rómhór ag an pholasaí seo ar bhonn eitneachais. Ba chóir go gcuirfeadh an t-aistriú chuig údarás fostaíochta amháin an deis ar fáil an t-eolas seo a chomhordú ó fhoinsé amháin amach anseo.

Claonadh Gnéasach

Ní bhailíonn údaráis fostaíochta an t-eolas seo. Ní thugtar le tuiscint go mbeidh tionchar rómhór ag an pholasaí seo ar bhonn chlaonadh gnéasach.

There is no opportunity to better promote positive attitudes towards people with disabilities or encourage their participation in public life by making changes to the policy/decision or introducing additional measures.

Ethnicity

At present this type of information is typically collected by employing authorities during recruitment activity in line with statutory monitoring requirements. This information is not usually collated and we have not been able to identify any single source of information on the workforce in relation to this measure. However, there is no indication that this policy will unduly impact on the basis of ethnicity. The move to a single employing authority should provide the opportunity to collate this information from a single source in future.

Sexual Orientation

This information is not collected by employing authorities. There is no indication that this policy will unduly impact on the basis of sexual orientation.

5. AG AMHARC AR MHAOLÚ AGUS AR CHOMHROGHANNA

Tá an Roinn Oideachais go hiomlán tiomanta d'fheidhmiú na ndualgas atá á bhforchur ar údaráis phoiblí ag Alt 75 de agus Sceideal 9 don Acht um Thuaisceart Éireann 1998.

Is é tionchar na ndrúacht-rialachán ná dliteanas as costas scor roimh am a aistriú ón NITPS chucu siúd atá freagrach as cinntí a dhéanamh ar scor roimh am. Is é measúnacht na Roinne go mbeidh dea-thionchar ag na drúacht-rialacháin mar nach gcuireann siad deireadh le haon sochar a bhíodh ar fáil roimhe agus cuirfidh siad rogha ar fáil d'fhostóirí fosta íocaíochtaí méadaithe téarfa a dhéanamh suas le huasmhéid pá 104 seachtaine is cuma faoin aois nó faoin fhad seirbhíse. Tá dea-thionchar ag an fhoráil seo trí mhéid an chúitimh lánroghnaigh atá ar fáil a síneadh amach le go mbeidh múinteoirí atá faoi 55 bliain d'aois a chur san áireamh.

Soláthraíonn na socruithe céimnithe scoir a tugadh isteach i 2007⁶, chomh maith leis an deis pinsean atá laghdaithe go hachtúireach a ghlacadh, breis solúbthachta do mhúinteoirí atá ag tarraingt ar dheireadh a ngairmeacha. Soláthraíonn an deis pinsean breise a cheannach suas le £5,000, a cuireadh i bhfeidhm mar chuid de leasuithe

⁶ S.R. 2007 Uimh.137 The Teachers' Pensions srl. (Reform Amendments) Regulations (NI) 2007

5. CONSIDERATION OF MITIGATION AND ALTERNATIVES

The Department of Education is totally committed to the proper implementation of the duties imposed on public authorities by Section 75 of and Schedule 9 to the Northern Ireland Act 1998.

The effect of the draft regulations is to transfer liability for the cost of premature retirement from the NITPS to those responsible for making decisions on premature retirement. The Department's assessment is that the draft regulations will have a positive impact because they do not remove any of the benefits previously available and they will also provide employers with discretion to make enhanced severance payments up to a maximum of 104 weeks pay irrespective of age or length of service. This provision impacts positively by extending the availability of discretionary compensation to include teachers below the age of 55.

The introduction in 2007⁶ of phased retirement arrangements and the facility to take an actuarially reduced pension provide additional flexibilities for teachers approaching the end of their careers. The facility to purchase additional pension of up to £5,000, also implemented as part of the

⁶ S.R. 2007 No.137 The Teachers' Pensions etc. (Reform Amendments) Regulations (NI) 2007

2007 fosta, breis solúbthachta a dtig le fostóirí leas a bhaint as le múinteoirí a chúiteamh mar chomhrogha ar scor roimh am a thairiscint. Tá Coiste Comhairliúcháin Aoisliúntais na Múinteoirí ag amharc faoi láthair ar an tairbhe ionchasach a bheadh le Scéim Foirceanta (Winding Down Scheme) do mhúinteoirí a thabhairt isteach cosúil leis an cheann a chuireann Scéim Aoisliúntais na Múinteoirí na hAlban (the Scottish Teachers' Superannuation Scheme) ar fáil.

Ó am go ham thar na blianta, moladh gur chóir do na húdaráis fostaíochta linnte soláthair a chur ar bun, ina gcoinnítear múinteoirí iomarcacha i bhfostaíocht bhuan le freastal ar riachtanais múinteoirí ionaid. Bhain na húdaráis fostaíochta leas as linnte soláthair san am a chuaigh thart ach cuireadh deireadh leo seo i 1994, go bunúsach ar fhoras costais agus mar gur raibh siad bunoscionn leis na prionsabail a bhain le Bainistíocht Áitiúil Scoileanna (Local Management of Schools). Is doiligh na cúinsí a fheiceáil, go háirithe sa timpeallacht eacnamaíoch reatha, inar féidir a mheas gur luach ar airgead a bheadh ann múinteoirí a choinneáil i bhfostaíocht lánaimseartha ar phá iomlán, cé acu atá obair ann dóibh nó nach bhfuil.

Ó thaobh na staire de, d'oibrigh an t-iliomad údarás fostaíochta in aghaidh ath-implonaithe idir limistéir ELB nó trasna cineálacha bainistíochta scoile. Mhol an Roinn go gníomhach do na húdaráis

2007 amendments, provides an additional flexibility of which employers may avail to compensate teachers as an alternative to offering premature retirement. The Teachers' Superannuation Consultative Committee is currently considering the potential benefit in introducing a Winding Down Scheme for teachers similar to that provided for by the Scottish Teachers' Superannuation Scheme.

From time to time over the years it has been proposed that the employing authorities should establish supply pools, in which redundant teachers are retained in permanent employment in order to meet substitute teaching requirements. The employing authorities made use of supply pools in the past but these were discontinued in 1994, principally on grounds of cost and because they ran counter to the principles of Local Management of Schools. It is difficult to envisage circumstances, particularly in the current economic climate, in which keeping teachers in full-time employment on full pay, irrespective of whether or not there is work for them, can be considered value for money.

Historically, the multiplicity of employing authorities has militated against redeployment between ELB areas or across school management types. The Department has actively encouraged employing

fostaíochta comhoibriú agus iad ag iarraidh deonaigh a aimsiú faoi choinne iomarcaíochta redundancy agus ath-implonú múinteoirí i bpoist iomarcacha mar is cuí. Ba chóir go n-éascódh teacht an Údaráis Oideachais agus Scileanna (The Education and Skills Authority) (ESA), mar an t-aon údarás fostaíochta, ath-implonú múinteoirí agus meaitseáil na ndeonach le poist iomarcacha; agus sa chomhthéacs seo, déanfaidh an Roinn, i gcomhpháirt le ESA, ath-iniúchadh ar an chás do linnte soláthair múinteoirí. Tá £6m breise curtha ar fáil ag an Roinn sa bhliain airgeadais 2010-11 le cuidiú le ESA iomarcaíochtaí múinteoirí a bhainistiú i 2010. Airgead úr atá ann seo do scor roimh am agus is é seo an chéadair a cuireadh maoiniú tiomnaithe ar fáil don fheidhm seo.

Beidh leasú de dhíth ar na dréacht-rialacháin le cur ar bun ESA a léiriú. Saineofar ESA, arb é an t-aon údarás fostaíochta é, mar an t-Údarás Cúiteach (Compensating Authority) do gach scoil dheontaschúnta. Bheadh sé i gcomhréir leis an chur chuige seo don bhord rialaithe ábhartha a bheith sainithe mar an t-Údarás Cúiteach do gach coláiste breisoideachais; agus don údarás fostaíochta ábhartha a bheith sainithe ar an dóigh chéanna i dtaca le fostaíocht áit ar bith diomaite de scoil dheontaschúnta nó coláiste breisoideachais.

Moltar fosta na dréacht-rialacháin a leasú le níos mó solúbthachta a thabhairt d'údaráis

authorities to co-operate in securing volunteers for redundancy and the redeployment of teachers in redundant posts where appropriate. The advent of the Education and Skills Authority (ESA) as the single employing authority should facilitate the redeployment of teachers and the matching of volunteers to redundant posts; and in this context the Department, in conjunction with ESA, will re-examine the case for a teacher supply pool. The Department has made available an additional £6m in the 2010-11 financial year to help ESA manage teacher redundancies in 2010. This is new money for premature retirement and the first time that dedicated funding has been made available for this purpose.

The draft regulations will require amendment to reflect the establishment of ESA. ESA, as the single employing authority, will be designated as the Compensating Authority for all grant-aided schools. It would be consistent with this approach for the relevant governing body to be designated as the Compensating Authority for each college of further education; and for the relevant employing authority to be so designated in relation to employment other than in a grant-aided school or FE college.

It is also proposed to amend the draft regulations to afford compensating

chúiteacha le haon chostas cúitimh a bhfuil siad freagrach as a íoc trí rogha a sholáthar costais mar seo a íoc trí suas le cúig thráthchuid bhliantúla.

Dá leanfaí ar aghaidh gan na hathruithe reachtacha molta, tharlódh méadú suntasach i ranníocaíochtaí pinsin dá dheasca. Bheadh tionchar gan iarraidh ar sheirbhísí túsline agus ar phá ghlan gach múinteoir, agus d'fhéadfadh sé tionchar díréireach a bheith aige ar mhúinteoirí óga, is dócha a bheidh ar phointí íochtaracha an pháscála. (Tá níos mó ban go comhréireach ar an bhanda is óige fosta).

Tá freagracht ar gach fostóir cloí le reachtaíocht comhionannais agus iad ag déanamh cinntí le foireann a dhífhostú. Beifear ag súil go bhforbróidh an tÚdarás Oideachais agus Scileanna polasaí ar iomarcaíocht agus ar scor roimh am agus go gcuirfidh siad i bhfeidhm é agus go mbeidh siad sásta go gcomhlíonann an polasaí seo reachtaíocht comhionannais.

Ní mheasann an Roinn go mbeidh tionchar leithcheala nó aon tionchar diúltach ag na dréacht-rialacháin, ag cur comhshuíomh reatha gairm na múinteoireachta i gcuntas. Cuirfear córas ar bun áfach, le monatóireacht a dhéanamh ar thionchar na rialachán lena n-éifeacht ar na grúpaí ábhartha agus na foghrúpaí taobh istigh de na catagóirí comhionannais a dhearbhu. Má shíleann comhairlithe gur dócha go mbeidh aon

authorities greater flexibility in meeting any compensation costs for which they are liable by providing an option to pay such costs by up to five annual instalments.

To continue without the proposed legislative changes would lead to a significant increase in pension contributions. This would have an unwanted impact on frontline services and on the take-home pay of all teachers, and may impact disproportionately on younger teachers, who are more likely to be on the lower points of the pay scale. (The younger age bands also contain proportionately more women).

There is a responsibility on all employers to comply with equality legislation when making decisions to dismiss staff. The Education & Skills Authority will be expected to develop and implement policy on redundancy and premature retirement and be satisfied that this policy complies with equality legislation.

The Department does not consider that the draft regulations will have a discriminatory impact or any adverse impact, taking into account the current composition of the teaching profession. However, a system will be established to monitor the impact of the regulations in order to determine their effect on the relevant groups and sub-groups within the equality categories. If consultees think that the draft regulations would be likely to

tionchar diúltach ag na dréacht-rialacháin, chuirfeadh an Roinn fáilte roimh mholtaí a d'fhéadfadh tionchair mar sin a mhaolú agus roimh aon chomhrogha a d'fhéadfadh comhionannas deiseanna a chur chun cinn níos fearr.

have any adverse impacts, the Department would welcome suggestions on measures which might mitigate such impacts and any alternatives which might better promote equality of opportunity.

6. PROFÚ TUAITHE/RÉIGIÚNACH

Is é an aidhm atá leis an phrofú tuaithe/réigiúnach ná dearbhú an mbeidh tionchar difriúil ag na dréacht-rialacháin ar limistéir tuaithe ná a bheidh acu ar áiteanna eile.

Tá miondealú ar líon na scoileanna atá suite i limistéir Uirbeacha agus Tuaithe Rural de réir Bord Oideachais agus Leabharlann iniata ag larscríbhinn 3. Níl aon fhianaise ann le tabhairt le tuiscint go mbeidh tionchar diúltach ag na dréacht-rialacháin ar phobail tuaithe.

7. COMHAIRLIÚCHÁN FOIRMIÚIL

Coiste Comhairliúcháin Aoisliúntais na Múinteoirí

Is é Coiste Comhairliúcháin Aoisliúntais na Múinteoirí (TSCC) an fóram bunaithe do chomhairliúchán ar cheisteanna a bhaineann leis an NITPS. Cuimsíonn sé ionadaithe ó na cúig cheardchumann múinteoirí aitheanta, dhá cheardchumann a dhéanann ionadaíocht do léachtóir breisoideachais FE agus, ó 2007, ionadaithe na bhfostóirí ó earnálacha na scoileanna agus an bhreisoideachais. Cuireadh baill den Choiste ar an eolas den chéadair i Mí Feabhra 2006 go raibh gá le gníomhú le costais mhéadaithe an PRCS a rialú. Bhí PRCS mar mhír ar chlár cruinnithe ag gach cruinniú den TSCC ó shin. Bhí cruinnithe i Mí an Mheithimh 2006, Mí na Nollag 2006, Mí an Mheithimh 2007, Mí na Samhna 2007, Mí an

6. RURAL/REGIONAL PROOFING

The purpose of the rural/regional proofing is to determine whether or not the draft regulations will have a different impact on rural areas than elsewhere.

A breakdown of the number of schools located in Urban and in Rural areas by Education and Library Board is included at Annex 3. There is no evidence to suggest that the draft regulations will have an adverse impact on rural communities.

7. FORMAL CONSULTATION

Teachers' Superannuation Consultative Committee

The Teachers' Superannuation Consultative Committee (TSCC) is the established forum for consultation on matters relating to the NITPS. It comprises representatives of the five recognised teacher unions, two unions representing FE lecturers and, since 2007, employer representatives from both the school and further education sectors. Members of the Committee were first made aware in February 2006 that action was required to control the escalating costs of the PRCS. PRCS has featured as an agenda item at every meeting of the TSCC since then. Meetings were held in June 2006, December 2006, June 2007, November 2007, June 2008, November

Mheithimh 2008, Mí na Samhna 2008, Mí na Bealtaine 2009 agus Mí an Mheithimh 2009.

Grúpa Athbhreithnithe PRCS

Cuireadh fo-ghrúpa de chuid an Choiste, an Grúpa Athbhreithnithe PRCS (the PRCS Review Group), ar bun le hamharc ar roghanna leis na costais a bhaineann leis an scéim cúitimh as scor roimh am a bhainistiú agus le moltaí a thabhairt chun cinn. Is é a shainchúram ná roghanna a thabhairt chun cinn leis na costais a bhaineann leis an scéim cúitimh as scor roimh am a bhainistiú. Bhuail an Grúpa Oibre le chéile ar 26 Feabhra 2008, 7 Aibreán 2008, 25 Meitheamh 2008, 13 Samhain 2008, 5 Feabhra 2009 agus 27 Bealtaine 2009.

Cuimsíonn an Grúpa ionadaithe ón Roinn, fostóirí agus ceardchumainn mar seo a leanas:

6 ionadaí ón Roinn Oideachais (DE) (ina measc Cathaoir agus 1 ó ESAIT);
1 ionadaí ó DEL;
5 ionadaí fostóirí (4 ainmnithe ag Taobh Bainistíochta (Management Side) de chuid an TNC agus 1 ó ANIC); agus
7 n-ionadaí TUS: 1 ó gach ceann acu seo a leanas: ATL; INTO; NAHT; NASUWT; UTU; ACM & UCU.

2008, May 2009 and June 2009.

PRCS Review Group

A sub-group of the Committee, the PRCS Review Group, was set up to consider options to manage the costs of the premature retirement compensation scheme and to bring forward recommendations. Its remit is to bring forward options for managing the costs of the premature retirement compensation scheme. The Working Group met on 26 February 2008, 7 April 2008, 25 June 2008, 13 November 2008, 5 February 2009 and 27 May 2009.

The Group comprises representatives of the Department, employers and trade unions as follows:

6 representatives from DE (including Chair and 1 from ESAIT);
1 representative from DEL;
5 Employer representatives (4 nominated by Management Side of TNC and 1 from ANIC); and
7 TUS representatives: 1 each from ATL; INTO; NAHT; NASUWT; UTU; ACM & UCU.

Comhairliúchán Foirmiúil

D'eisigh na dréacht-rialacháin, chomh maith le Scagthástáil Chomhionannais na ndréacht-rialachán, faoi choinne chomhairliúchán foirmiúil ar 12 Márta 2009 do chomhlachtaí san earnáil oideachais, do gheallsealbhóirí eile, do chomhairlithe Alt 75 agus do pháirtithe leasmhara eile. Ina theannta sin, cuireadh ríomhphost chuig scoileanna agus fógraíodh an comhairliúchán ar the Belfast Telegraph, the Irish News, the Newsletter agus Foinse. Bhí an cháipéis ar fáil fosta trí láithreán gréasáin an DE. Dhruid an comhairliúchán ar 15 Bealtaine 2009. Leagtar achoimre de na buncheisteanna ó na freagairtí ar an chomhairliúchán amach ag larscríbhinn 2.

Measúnacht Tionchair Chomhionannais (MTC)

I ndiaidh breithniú ar na freagairtí ar an chomhairliúchán agus an Scagthástáil Chomhionannais, shocraigh an Roinn gur chóir MTC iomlán a dhéanamh. Is mian leis an Roinn mar sin, comhairliú chomh forleathan agus is féidir ar thionchair ionchais comhionannais na ndréacht-rialachán. Leanfaidh an Comhairliúchán na treoirphrionsabail ar chomhairliúchán ón Choimisiún Comhionannais atá ina dTreoir Phraiticiúil ar Mheasúnacht Tionchair Chomhionannais (Practical Guidance on Equality Impact Assessment). Le linn tréimhse an chomhairliúcháin cuirfidh an Roinn:

Public Consultation

The draft regulations, together with an Equality Screening of the draft regulations, issued for formal consultation on 12 March 2009 to bodies in the education sector, other stakeholders, Section 75 consultees and other interested parties. In addition, schools were emailed and the consultation was advertised in the Belfast Telegraph, the Irish News, the Newsletter and Foinse. The document was also available through the DE website. The consultation closed on 15 May 2009. A summary of the key issues from responses to the consultation is set out at Annex 2.

Equality Impact Assessment (EQIA)

Following consideration of responses to the consultation and Equality Screening, the Department has decided that a full EQIA should be carried out. The Department therefore wishes to consult as widely as possible on the potential equality impacts of the draft regulations. The Consultation will follow the Equality Commission's guiding principles to consultation contained in their Practical Guidance on Equality Impact Assessment. During the consultation period the Department will:

- scoileanna, grúpaí leasa oideachais, grúpaí reiligiúnacha, grúpaí Alt 75, gach geallsealbhóir a bhí páirteach i réamhchomhairliúchán ar na dréacht-rialacháin agus aon duine den phobal a iarrann é ar an eolas maidir le hoscailt an chomhairliúcháin agus go mbeidh doiciméad comhairliúcháin an MTC ar fáil;
- cóip de na doiciméid chomhairliúcháin ar láithreán gréasáin an DE agus nasc leis an chomhairliúchán ar láithreán gréasáin an OFMDFM trí Nasc Polasaí (Policy Link), mar aon le foirm freagartha comhairliúcháin ar líne;
- na doiciméid chomhairliúcháin ar fáil i bhformáid chomhroghnach dóibh siúd a iarrann é;
- socróidh sí cruinnithe comhairliúcháin nuair a iarrtar iad le daoine aonair nó le hionadaithe ó ghrúpaí leasa ar leith, ag cur aon riachtanas speisialta a bheadh acu i gcuntas; agus
- rachaidh sí i ngleic le haon cheist ar dhóigh phras.
- notify the opening of the consultation and the availability of the EQIA consultation document to schools, educational interest groups, religious groups, Section 75 groups, all stakeholders involved in prior consultation on the draft regulations and to any members of the public on request;
- place a copy of the consultation documents on DE's website and a link to the consultation on the OFMDFM website through Policy Link, together with an on-line consultation response form;
- make the consultation documentation available in alternative formats for those who request it;
- arrange consultation meetings on request with individuals or representatives of particular interest groups, taking account of any special requirements they may have; and
- deal with any queries in a prompt manner.

Tá an comhairliúchán seo á chomhordú ag Brainse Idirbheartaíochta agus Polasaí Pinsean na Múinteoirí (Teacher Negotiating & Pensions Policy Branch) agus is é 29 Eanáir 2010 an dáta deiridh.

The consultation is being co-ordinated by Teacher Negotiating & Pensions Policy Branch and the closing date is 29 January 2010.

8. CINNEADH ÓN ÚDARÁS POIBLÍ

Déanfaidh an Roinn anailís ar na freagairtí ar an chomhairliúchán agus cuirfidh sí cinneadh an MTC i gcuntas sula ndéanann sí aon chinneadh deiridh ar na dréacht-rialacháin .

Beidh sonraí na mbeart maolaithe san áireamh san moltaí deireanacha a chuirfear i láthair agus an cinneadh á dhéanamh. Má tharlaíonn sé nach nglacfar le comhroghanna mar seo tabharfar na fáthanna uile.

9. FOILSIÚ THORTHAÍ NA MEASÚNACHTA TIONCHAIR CHOMHIONANNAIS

Foilseofar torthaí an MTC seo nuair a fhógraítear na cinntí. Cuirfear cóip de cháipéis na dtorthaí chucu sin a thugann freagairt ar an chomhairliúchán agus cuirfear suas ar láithreán gréasáin na Roinne é. Cuirfear ar fáil í fosta i bhformáidí comhroghnacha nuair a iarrtar iad.

10. MONATÓIREACHT DO THIONCHAR DIÚLTACH SA TODHCHAÍ AGUS FOILSIÚ TORTHAÍ NA MONATÓIREACHTA SEO

Baileofar sonraí ar bhonn bliantúil maidir leis an tionchar atá ag an athrú polasaí ar na grúpaí agus na fo-ghrúpaí ábhartha taoh istigh de na catagóirí comhionannais chomh maith le líon na scor roimh am. Má thaispeánann an mhonatóireacht agus an anailís seo ar thorthaí

8. DECISION BY THE PUBLIC AUTHORITY

The Department will analyse the responses to the consultation and take the findings of the EQIA into account before making any final decisions on the draft regulations.

Details of mitigation measures will be included in the final recommendations presented during decision making. In the event that such alternatives are not accepted full reasons will be given.

9. PUBLICATION OF RESULTS OF EQUALITY IMPACT ASSESSMENT

The results of this EQIA will be published when decisions are announced. A copy of the results document will be sent to those who respond to the consultation and will be posted on the Department's website. It will also be made available in alternative formats when requested.

10. MONITORING FOR ADVERSE IMPACT IN THE FUTURE AND PUBLICATION OF THE RESULTS OF SUCH MONITORING

Data will be collected on an annual basis about the effect the policy change is having on the relevant groups and sub-groups within the equality categories as well as the number of premature retirements. If this monitoring and analysis of results over a

thar tréimhse dhá bhliain tionchar atá níos diúltaí ná a rabhthas ag dúil leis, nó má thagann deiseanna chun tosaigh a cheadódh comhionannas deiseanna níos fearr a chur chun cinn, déanfar athbhreithniú ar na rialacháin mar aon le polasaithe ábhartha na n-údarás fostaíochta le dearbhú an féidir fothorthaí níos fearr a bhaint amach do na grúpaí comhionannais ábhartha.

two-year period shows a greater adverse impact than expected, or if opportunities arise which would allow for greater equality of opportunity to be promoted, the regulations will be reviewed along with the employing authorities' relevant policies to determine whether better outcomes for the relevant equality groups may be achieved.

SANAS TÉARMAÍ

GLOSSARY OF TERMS

ACM	Association of College Managers (Cumann na mBainisteoirí Coláiste)	ACM	Association of College Managers
ANIC	Association of NI Colleges (Cumann na gColáistí TÉ)	ANIC	Association of NI Colleges
ATL	Association of Teachers agus Lecturers (Cumann na Múinteoirí agus na Léachtóirí)	ATL	Association of Teachers and Lecturers
DE	Department of Education (An Roinn Oideachais)	DE	Department of Education
DEL	Department for Employment agus Learning (An Roinn Fostaíochta agus Foghlama)	DEL	Department for Employment and Learning
BOL	Education agus Library Board (Bord Oideachais agus Leabharlann)	ELB	Education and Library Board
MTC	Equality Impact Assessment (Measúnacht Tionchair Chomhionannais)	EQIA	Equality Impact Assessment
ESA	Education agus Skills Authority (Údarás Oideachais agus Scileanna)	ESA	Education and Skills Authority
ESAIT	Education agus Skills Authority Implementation Team (An Fhoireann Feidhmithe an Údaráis Oideachais agus Scileanna)	ESAIT	Education and Skills Authority Implementation Team
FE	Further Education (Breisoideachas)	FE	Further Education
GAD	Government Actuary's Department (Roinn Achtúire an Rialtais)	GAD	Government Actuary's Department
GTC (NI)	General Teaching Council for NI (an Chomhairle Ghinearálta Teagaisc do TÉ)	GTC (NI)	General Teaching Council for NI
INTO	Irish National Teachers' Organisation (Cumann Múinteoirí Éireann)	INTO	Irish National Teachers' Organisation
NAHT	National Association of Head	NAHT	National Association of Head

	Teachers (Cumann Náisiúnta na bPríomhoidí)		Teachers
NASUWT	National Association of Schoolmasters/Union of Women Teachers (Cumann Náisiúnta na Máistrí Scoile/Aontas na mBanmhúinteoirí)	NASUWT	National Association of Schoolmasters/Union of Women Teachers
NIAO	NI Audit Office (Oifig Iniúchóireachta)	NIAO	NI Audit Office
NITPS	NI Teachers' Pension Scheme (Scéim Pinsean Múinteoirí TÉ)	NITPS	NI Teachers' Pension Scheme
OFMDFM	Office of First Minister agus Deputy First Minister (Oifig an Chéad-Aire agus an leasChéad-Aire)	OFMDFM	Office of First Minister and Deputy First Minister
PAC	Committee of Public Accounts (Westminster) (Coiste Cuntas Poiblí)	PAC	Committee of Public Accounts (Westminster)
PRCS	Premature Retirement Compensation Scheme (Scéim Cúitimh as Scor Roimh Am)	PRCS	Premature Retirement Compensation Scheme
RPA	Review of Public Administration (Athbhreithniú ar Riarachán Poiblí)	RPA	Review of Public Administration
TNC	Teacher Negotiating Committee (Coiste Idirbheartaíochta na Múinteoirí)	TNC	Teacher Negotiating Committee
TSCC	Teachers' Superannuation Consultative Committee (Coiste Comhairliúcháin Aoisliúntais na Múinteoirí)	TSCC	Teachers' Superannuation Consultative Committee
TUS	Trade Union Side (Taobh na gCeardchumann)	TUS	Trade Union Side
UCU	University agus College Union (Aontas na nOllscoileanna agus na gColáistí)	UCU	University and College Union
UTU	Ulster Teachers' Union (Aontas Múinteoirí Uladh)	UTU	Ulster Teachers' Union

Achoimre ar Fhreagairtí ar an Phróiseas Comhairliúcháin maidir le Dréacht-Rialacháin na Múinteoirí (Cúiteamh as Iomarcaíocht agus as Scor Roimh Am) Rialacháin (TÉ) 2009 agus leasuithe comhlántacha ar Rialacháin Aoisliúntais na Múinteoirí (TÉ) 1998

I ndiaidh cead a fháil ón Aire Oideachais, eisíodh na dréacht-rialacháin le haghaidh comhairliúcháin foirmiúil ar 12 Márta 2009 do chomhlachtaí san earnáil oideachais, do gheallsealbhóirí eile, do dhaoine a ndeachthas i gcomhairle leo i dtaca le hAlt 75 agus do pháirtithe leasmhara eile. Chomh maith leis sin, seoladh ríomhphost chuig scoileanna agus fógraíodh an próiseas comhairliúcháin sna nuachtáin seo a leanas: Belfast Telegraph, The Irish News, News Letter agus Foinse. Bhí an cháipéis ar fáil trí láithreán Gréasáin na Roinne Oideachais fosta. Cuireadh deireadh leis an phróiseas comhairliúcháin ar an 15 Bealtaine 2009.

Tá achoimre le fáil thíos ar na príomh-shaincheisteanna ó na freagairtí a fuarthas le linn an phróisis comhairliúcháin. Rinneadh anailís ar gach freagairt agus rinne an Roinn breithniú iomlán ar na saincheisteanna a ardaíodh.

Fuarthas freagairtí ó 77 eagraíocht/duine aonair sna catagóirí seo a leanas:

Summary of Consultation Responses to the Draft Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2009 and complementary amendments to the Teachers' Superannuation Regulations (NI) 1998.

Following approval from the Minister for Education, the draft regulations issued for formal consultation on 12 March 2009 to bodies in the education sector, other stakeholders, Section 75 consultees and other interested parties. In addition, schools were emailed and the consultation was advertised in the Belfast Telegraph, the Irish News, the Newsletter and Foinse. The document was also available through the DE website. The consultation closed on 15 May 2009.

Below is a summary of the key issues from the responses during the consultation process. Each response has been analysed and issues raised have been fully considered by the Department.

Responses were received from 77 organisations/individuals in the following

categories.

Príomhoide/Leas-phríomhoide	17	Principal / VP	17
Múinteoir	41	Teacher	41
Gobharnóir Scoile	1	School Governor	1
Údaráis/ Eagraíochtaí Fostaíochta	5	Employing Authorities /Organisations	5
Ceardchumann Mhúinteoirí	6	Teachers Unions	6
Comhairlí Áitiúla	2	Local Councils	2
Ranna Rialtais	2	Government Departments	2
Eile	3	Other	3
lomlán	77	Total	77

Bhí na freagairtí diúltach den chuid is mó. I dtaca leis an cheist shonrach – **An bhfuil tú sásta go bhfuil gá don Roinn na rialacháin seo a dhéanamh?** Ba é 80.5% céatadán na n-eagraíochtaí a bhí ag easaontú go láidir; bhí 9.1% ag aontú agus bhí 10.4% ann nár aontaigh ná nár easaontaigh (féach briseadh síos na bhfigiúirí sa tábla thíos). Bhí Údaráis Fostaíochta sásta tacaíocht a thabhairt don mholadh gur chóir athruithe a dhéanamh ar na rialacháin. Bhí an t-ábhar inní a d'ardaigh ceardchumann mhúinteoirí le linn an phróisis comhairliúcháin tríd an ghrúpa athbheithnithe le fáil i bhformhór na bhfreagairtí ó mhúinteoirí. Cé gur aontaigh thar 10% de na freagróirí go raibh gá leis na rialacháin d'ardaigh na freagróirí uile beagnach (iad siúd a d'aontaigh go bhfuil gá leis na rialacháin san áireamh) saincheist amháin nó níos mó a bhaineann leis na téamaí seo a leanas:

- Cúrsaí Airgid
- Tionchar ar mhúinteoirí

Responses were mainly negative. In relation to the specific question - **Are you content that there is a need for the Department to make these regulations?** The percentage of organisations directly expressing disagreement was 80.5%, 9.1% were in agreement and 10.4% neither agreed nor disagreed (see breakdown of figs in table below). Employing Authorities were supportive of the need for changes to the regulations. The vast majority of responses from teachers echoed concerns raised by teacher unions during consultation through the review group. Although over 10% of respondents agreed there was a need for the regulations almost all respondents (including those who agreed with the need for the regulations) raised one or more specific issues falling under the following themes:

- Financial
- Impact on teachers

- Saincheisteanna Oideachais
- Uainiú
- Comhionannas
- Cúrsaí Reachtaíochta
- Cúrsaí Comhairliúcháin
- Athfhostú múinteoirí atá ar scor.

- Educational issues
- Timing
- Equality
- Legislative
- Consultation
- Re-employment of retired teachers.

Catagóir na Freagartha	TÁ	NÍL	Níl mé cinnte	Níor tugadh freagra
Príomhoide/Leasphríomhoide	0	15	2	0
Múinteoir	0	41	0	0
Gobharnóir Scoile	0	1	0	0
Fostóir	4	0	1	0
Ceardchumann Mhúinteoirí	1	4	0	1
Comhairlí Áitiúla	0	0	0	2
Ranna Rialtais	1	0	0	1
Eile	1	1	0	1
Iomlán	7	62	3	5
%	9.1	80.5	3.9	6.5

Response Category	YES	NO	Not Sure	Did Not Answer
Principal / VP	0	15	2	0
Teachers	0	41	0	0
School Governor	0	1	0	0
Employer	4	0	1	0
Teacher Unions	1	4	0	1
Local Councils	0	0	0	2
Govt Depts	1	0	0	1
Others	1	1	0	1
Total	7	62	3	5
%	9.1	80.5	3.9	6.5

Cúrsaí Airgid

Thug ceithre fhreagróir is fiche a dtuairimí ar chúrsaí airgid. Seo a leanas na príomhthéamaí a ardaíodh:

- Níor tugadh go leor airgid d'fhostóirí le ligean dóibh íoc as an chostas bhreise a bhaineann le dul ar scor roimh am, rud a chiallaíonn nach féidir le fostóirí a lucht oibre a bhainistiú go héifeachtach.
- Bunaithe ar an fhoirmle chomh-mhaoinithe, beidh níos lú maoinithe ann de bharr go bhfuil líon na ndaltaí ag titim, rud a chiallaíonn gur gá gearradh siar i líon na múinteoirí. Má táthar chun é sin a éascú trí luathscor deonach

Financial

Twenty four respondents made comments about financial issues. The main themes raised were as follows:

- Insufficient funds have been made available to employers to enable them to pay the extra cost of premature retirement resulting in employers being unable to manage their workforce effectively.
- Based on the common funding formula, declining pupil numbers will result in reduced funding which in turn will require reductions in teaching staff. If this is to continue to be facilitated by encouraging

múinteoirí a spreagadh, ní mór go leor maoinithe a chur ar fáil lena chinntiú nach mbeidh gá le hiomarcaíocht éigeantach.

- Caithfear ciste teagmhais a chruthú le cibé deacrachtaí a réiteach má chruthaítear na hathruithe ar an dáta a mholtar.
 - Easpa eolais maidir leis an mheicníocht mhaoinithe a úsáidfear.
 - Is féidir airgead a shábháil trí mhúinteoirí atá fostaithe ar phointí níos airde ar an scála tuarastail a scaoileadh agus múinteoirí nuacháilithe a fhostú.
 - Ba chóir an choigilteas cuí a dhéanamh trí choigilteas i gcúrsaí riaracháin i ranna rialtais.
 - Ba chóir comparáid a dhéanamh idir na costais do shaoire bhreuiteachta i gcomparáid leis an choigilteas a mheastar a sholáthróidh na moltaí nua.
 - Tá na múinteoirí atá ag fáil Liúntas Teagaisc sa scoil ina bhfuil siad faoi láthair i dteideal Liúntas Atheagrúcháin lena dtuarastal a choinneáil ag an leibhéal ag a bhfuil sé anois mura n-éiríonn leo post freagrachta a fháil sa scoil nua nó post freagrachta ag an leibhéal céanna. Ba chóir an costas
- voluntary early retirement of teachers, sufficient funding needs to be allocated to avoid the need for compulsory redundancy.
 - There needs to be a contingency fund created to resolve any difficulties created if the changes are created on the proposed date.
 - Lack of detail on the actual funding mechanism that will be used.
 - Savings can be made from releasing teachers employed on higher salary scale points and employing newly qualified teachers.
 - The necessary savings should be made through administrative savings in government departments.
 - A comparison should be made between the costs for sickness absence compared with the savings which the new proposals are expected to provide.
 - Teachers in receipt of a Teaching Allowance in their existing school are entitled to a Reorganisation Allowance to retain their salary at its existing level if they are unsuccessful in obtaining a post of responsibility in the new school or a post of responsibility at the same level. This

breise sin a chur san áireamh.

- Tá seans níos mó ann go dtógfar cásanna sa chúirt oibreachais agus tá neart costais ag baint lena leithéid de chásanna a chosaint, am na bhfostóirí san áireamh.

additional cost would have to be accounted for.

- Increased risk of challenges at industrial tribunal and the associated costs including employers' time defending such cases.

Tionchar ar mhúinteoirí

Chuir aon fhreagróir is seachtó béim ar an tionchar a bheidh ag na rialacháin ar mhúinteoirí. Seo a leanas na príomhthéamaí a ardaíodh:

- Múinteoirí níos sine nach bhfuil ábalta dul ar scor, rud a mhéadaíonn leibhéal struis phearsanta; maítear go mbíonn múinteoirí “dóite amach” faoin am a bhfuil siad sna luath 50í.
- Ba chóir don Roinn Oideachais athbreithniú a dhéanamh ar phroifíl na gairme agus ar an tacaíocht a sholáthraítear do mhúinteoirí a fhéadfaidh a bheith ag fulaingt ó bheith “dóite amach” ach ab é sin.
- Ba chóir múinteoirí atá níos sine a spreagadh le dul ar scor le fostú múinteoirí atá níos óige a éascú.
- Beidh múinteoirí a ghlacann le luathscor deonach thíos leis ar bhonn airgid.

Impact on Teachers

Seventy one respondents highlighted an impact on teachers. The main themes raised were as follows:

- Older teachers unable to retire early creating an increase in personal stress levels; it is suggested that teachers' are “burnt out” by their early 50's.
- The Department of Education should review the career profile and support provided for teachers who may otherwise suffer from “burn out”.
- Older teachers should be encouraged to leave the profession to facilitate the employment of younger teachers.
- Teachers accepting voluntary early retirement will be financially

- Deiseanna le haghaidh ardú céime laghdaithe.
- Beidh sé níos deacra do Mhúinteoirí Nuacháilithe obair a fháil.
- Níor chóir laghduithe achtúireacha a chur i bhfeidhm i gcásanna iomarcaíochta ar nós riachtanais churaclaim, druidim nó cónascadh scoileanna.

Saincheisteanna Oideachais

Thug ceithre fhreagróir is tríocha tuairimí ar an tionchar ar chúrsaí oideachais. Seo a leanas na príomhthéamaí a ardaíodh:

- Má choinnítear baill foirne a bheadh sásta dul ar luathscor agus ligean do mhúinteoirí atá níos óige a gcuid oibre a dhéanamh; is dócha go mbeidh drochthionchar aige sin ar chaighdeán an oideachais a sholáthraítear laistigh de scoileanna.
- Tá ganntanas múinteoirí in Albain, i Sasana & sa Bhreatain Bheag fad is go bhfuil barrachas múinteoirí i dtuaisceart na hÉireann.
- Beidh na daltaí thíos leis de bharr go mb'fhéidir nach mbeidh múinteoirí atá níos sine ábalta riachtanais úra

disadvantaged.

- Reduced promotion opportunities.
- Newly Qualified Teachers will find it more difficult to obtain work.
- Actuarial reductions should not be applied in redundancy cases such as curricular needs, closure or amalgamation of schools.

Educational Issues

Thirty four respondents commented on the impact on education. The main themes raised were as follows:

- There is likely to be an adverse impact on the quality of education provision within schools arising from the retention of staff who otherwise would have accepted early retirement and been replaced by younger teachers.
- Scotland, England & Wales have a shortage of teachers while the north of Ireland has a surplus.
- Pupils will suffer as older teachers may be unable to deliver new curriculum requirements and

curaclaim a sheachadadh agus glacadh le hathruithe teicneolaíochta sna seomraí ranga.

- Cuirfidh na hathruithe bac ar Bhoird Ghobharnóirí agus ar Údaráis Fostaíochta iomarcaíochtaí deonacha a chinntiú leis na himpleachtaí a bhaineann le meanma foirne, rialúchán agus cúrsaí airgid i bhfógairt na nIomarcaíochtaí Éigeantacha.
- Baineann Pleanáil Cheantarbhunaithe leis na riachtanais oideachais a bheidh ag ceantar áirithe san am atá le teacht agus pleanáil le freastal ar na riachtanais sin. Is é an chuspóir lárnach atá ag Pleanáil Cheantarbhunaithe go leor áiteanna oideachais a chur ar fáil tríd an mheascán cheart d'áiseanna den mhéid cheart, sna suíomhanna cearta. Níl an sprioc sin á baint amach i láthair na huaire – tá toilleadh barrachais nach beag ann, tá scoileanna áirithe ag streachailt le líon na ndaltaí ar rolla ag titim, agus níl aon chomhpleanáil ann trasna na n-earnálacha éagsúla. Leis an bhunspríoc de Phleanáil Cheantarbhunaithe a bhaint amach, bunaithe ar an titim dhéimeagrafach agus laghdú ar líon na n-áiteanna reatha breise, caithfear scoileanna a dhúnadh, a chuíchóiriú agus a chónascadh. Ciallóidh sé sin go mbeidh níos lú post múinteoireachta de dhíth agus beidh laghdú i líon na múinteoirí dá bharr.

embrace technological changes in classrooms.

- The changes will inhibit Boards of Governors and Employing Authorities securing voluntary redundancies with the associated staff morale, governance and financial implications in the declaration of Compulsory Redundancies.
- Area Based Planning is about anticipating the future education needs of an area and planning to meet those needs. Its central objective is to provide a sufficiency of education places through the appropriate mix of facilities of the right size, in the right locations. At present this objective is not being achieved – there is significant surplus capacity, struggling schools with falling rolls and no integration of planning across the different sectors. To meet this key objective of Area Based Planning, based on demographic downturn and reduction of current surplus places, school closures, rationalisation and amalgamations will have to occur. This will result in fewer teaching posts being required which in turn will require reductions in teaching staff. Without the Teachers' Premature Retirement Compensation

Gan Scéim Cúitimh na Múinteoirí maidir le Scor Roimh Am a bheith ann, beidh sé sin thar a bheith deacair do na comhlachtaí cuí a bhaint amach.

- Tá tuairiscí ag teacht ó scoileanna ar bhonn rialta i dtaca leis na buntáistí don phróiseas foghlama má úsáidtear múinteoirí atá níos óige go háirithe i réimse scileanna ICT agus úsáid na scileanna sin sa seomra ranga.
- Thiocfadh laghdú ar líon na n-áiteanna do mhúinteoirí faoi oiliúint de bharr nach mbeadh oiread múinteoirí nua de dhíth. Caithfimid a bheith cúramach lena chinntiú go gcoinníonn áiseanna oiliúna múinteoirí an toilleadh le freastal ar níos mó éilimh sa todhchaí agus nach mbíonn ganntanas múinteoirí i dtuaisceart na hÉireann, mar atá an scéal faoi láthair i Sasana & sa Bhreatain Bheag.
- Caithfear comhoibriú na foirne a chinntiú sna scoileanna atá le druidim/cónascadh lena chinntiú go dtarlóidh an druidim/cónascadh beartaithe gan stró agus le meanma agus tacaíocht na gCeardchumann a choinneáil. Is léir ón taithí go mbíonn tionchar thar a bheith diúltach ag iomarcaíochtaí éigeantacha ar an lucht oibre agus scriosann siad dea-chaidrimh tionsclaíochta sna scoileanna.

Scheme in place, this will prove very difficult for the relevant bodies to achieve.

- There are consistent reports from schools in relation to the benefits for learning from the engagement of the younger cohort of teachers especially in the area of ICT skills and their application to the classroom.
- A reduction in the number of new teachers required would result in a corresponding reduction in the number of teacher training places. We need to be careful to ensure that teacher training facilities retain the capacity to cope with a future upturn in demand and the north of Ireland does not end up, as is the current position in England & Wales, with a future shortfall of teachers.
- The co-operation of staff in the schools concerned for closure/amalgamation must be secured in order to ensure that the proposed closure/amalgamation proceeds smoothly and to sustain teacher morale and Trade Union support. Experience demonstrates that compulsory redundancies are disproportionately demoralising on the workforce and undermine good industrial relations in schools.

Uainiú

Thug dhá fhreagróir is fiche tuairimí ar uainiú na n-athruithe. Seo a leanas na príomhthéamaí a ardaíodh:

- Ba chóir na hathruithe a chur siar go dtí deireadh phróiseas cuíchóirithe na scoileanna.
- Ba chóir moill a chur ar na hathruithe seo go dtí go mbunófar ESA.
- Tá na hathruithe á ndéanamh róghasta; ba chóir na hathruithe a dhéanamh de réir a chéile nó moill a chur orthu.
- Tá easpa soiléireachta ann dóibh siúd a bheidh thíos le hiomarcaíocht. Ba chóir moill a chur ar na moltaí agus/nó iad a thabhairt isteach de réir a chéile.
- Chuir roinnt príomhoidí agus múinteoirí a scor ar athlá le fanacht i scoileanna ar cuireadh a druidim ar ceal ar feadh bliana agus dá bharr sin chaill siad amach ar an seans rochtain a fháil ar a bpinsean.
- Tá na hathruithe á dtabhairt isteach róghasta agus rachaidh siad i bhfeidhm ar na Coláistí Oiliúna Múinteoirí.

Timing

Twenty two respondents commented on the timing of the changes. The main themes raised were as follows:

- Changes should be deferred until the completion of the school rationalisation process.
- These changes should be delayed until the establishment of ESA.
- The changes are being made too quickly; the changes should be phased in or delayed.
- There is a lack of clarity for those affected by redundancy. The proposals should be delayed and/or phased in.
- A number of principals and teachers have deferred their retirement to stay in schools whose closure has been postponed for a year and as a result have now lost out on the ability to access their pension.
- The changes are being rushed through and will impact on the intake upon Teacher Training Colleges.

Cúrsaí Reachtaíochta

Thug aon fhreagróir déag tuairimí ar a bhfuil ann sa reachtaíocht. Seo a leanas na príomhthéamaí a ardaíodh:

- Ba chóir Coláistí Breisoideachais a shainiú mar Údaráis Chinniúna agus Chúiteacha.
- Níor chóir aon rogha a bheith i gCuid 2.
- Níl aon sainmhíniú sonrath ar an fhostóir.
- Ba chóir na rialacháin a leasú le ligean do líon múinteoirí a chruthú le tacú le scoileanna, rud a chinnteoidh nach mbeidh aon iomarcaíochtaí éigeantacha ann.
- Níl sé soiléir ó Chuid 4 de na rialacháin atá molta an mbaineann an cúiteamh éigeantach seo le scor roimh am ar bhonn scaoileadh éifeachtacht fheidhm an fhostóra agus ní i gcás go ligean fostóir do mhúinteoir éirí as go luath ach le buntáistí achtúireachta laghdaithe.
- Ní shonraítear mionleibhéal an leasa.

Legislative

Eleven respondents commented on the actual content of the legislation. The main themes raised were as follows:

- Further Education Colleges should be designated as both Deciding and Compensating Authorities.
- There should be no discretion in Part 2.
- There is no specific definition of the employer.
- The regulations should be amended to allow for a pool of teachers to be created to support schools thus ensuring no compulsory redundancies.
- It is unclear from Part 4 of the proposed regulations if this mandatory compensation only applies in the event of premature retirement on efficiency discharge grounds of the employers function and not when an employer permits a teacher to retire early but with actuarially reduced benefits.
- The minimum level of benefit is not specified.

- Níl aon sainmhíniú ar an téarma “suas go dtí uasmhéid”.
- Ba chóir scéim íoschéimnithe a chur le chéile do Phríomhoidí le caitheamh go cothrom leo.
- Ba chóir go mbeadh an modh trína gcinntítear toradh barúlach infheistíochta a bheith faoi réir iniúchadh oscailte agus trédhearcach ag an chomhlacht aitheanta caibidlíochta.
- There is no definition of the term “up to a maximum”.
- A step down scheme for Head Teachers should be devised to treat them equally.
- The method by which notional investment outcome is determined should be subject to open and transparent scrutiny by the recognised negotiating body.

Saincheistanna Comhionannais

Thug aon fhreagróir is fiche tuairimí ar shaincheistanna comhionannais de thairbhe na n-athruithe. D'iarr cúig fhreagróir déag go ndéanfaí MTC iomlán agus thug 4 acu sin fáthanna mionsonraithe. Seo a leanas na príomhthéamaí a ardaíodh:

- Tá socruithe nua leatromach in éadan múinteoirí atá os cionn 50 anois, a mbeidh orthu oibriú níos faide anois agus a bheas thíos leis ó thaobh cúrsaí sláinte dá bharr.
- De réir mar a fhanann múinteoirí atá níos sine ag obair i scoileanna, beidh sé níos deacra do mhúinteoirí nuacháilithe obair a fháil. Tá seans níos mó ann go mbeidh ar mhúinteoirí atá níos óige glacadh le hiomarcaíocht éigeantach.
- Beidh tionchar ann i dtéarmaí inscne de

Equality Issues

Twenty-one respondents commented in relation to equality issues arising as a result of the changes. Fifteen respondents requested that a full EQIA should be carried out and, of these, 4 gave detailed reasons. The main themes raised were as follows:

- New arrangements are discriminatory against teachers now over 50, who will have to work longer and whose health may suffer as a result.
- As older teachers remain longer in employment, newly qualified teachers will find it more difficult to obtain work. Younger teachers will be more likely to suffer compulsory redundancy.
- There will be an impact in terms of

siocair an ardchoibhneas banmhúinteoirí, go háirithe sna réimsí aoise atá níos ísle.

- Rachaidh sé i bhfeidhm ar chleithiúnaithe na múinteoirí a ghlacann pinsin atá laghdaithe go hachtúireach.

Ardaíodh roinnt ábhar inní eile. I ndáiríre, is ábhair inní iad faoi chothroime/chothromas seachas comhionannas i dtéarmaí ghrúpaí Alt 75:

- D'fhéadfadh na rialacháin dul i bhfeidhm níos mó ar mhúinteoirí atá ag obair san earnáil iar-bhunscolaíochta seachas iad siúd in earnáil na scoileanna gramadaí.
- Iomarcaíochtaí éigeantacha an toradh a bheidh ar na hathruithe seo.
- Is iad na socruithe d'iomarcaíocht mhúinteoirí na cinn is lú tarraingt de chuid aon ghrúpa d'oibrithe de chuid na hearnála poiblí i dtuaisceart na hÉireann. Tugadh le fios go bhfuil na scoruithe iomarcaíochta cosúil le téarmaí téarfa atá ar fáil do bhaill foirne i scoileanna nach múinteoirí iad agus an grúpa a bhfuil RPA ag dul i bhfeidhm orthu.
- D'fhéadfadh cóireáil éagothrom tarlú de bharr go bhfuil gné lánroghnach ann sa chúiteamh.

gender given the high proportion of female teachers, particularly in the lower age ranges.

- There will be an impact on the dependants of teachers who take actuarially reduced pensions

A number of other concerns were raised, which are more properly concerns about fairness/equity rather than equality in terms of Section 75 groups:

- The regulations will have a potentially greater impact upon teachers working in the secondary sector than upon those in the grammar sector.
- These changes will result in compulsory redundancies.
- Arrangements for teacher redundancy are the least attractive of any group of public sector workers in the north of Ireland. A parallel has been drawn with severance terms available to non teaching school staff, and the RPA affected group.
- The discretionary element to the compensation could lead to unequal treatment.

Cúrsaí Comhairliúcháin

Thug cúig fhreagróir déag tuairimí ar chúrsaí comhairliúcháin. Seo a leanas na príomhthéamaí a ardaíodh:

- Ní dhearnadh aon iarracht dul i gcomhairle le daoine mar is ceart.
- Bhí an tréimhse chomhairliúcháin róghairid.
- Ba chóir na hathruithe a phlé agus a aontú le ceardchumannn aitheanta na múinteoirí.

Athfhostú múinteoirí atá ar scor.

Dúirt triúr freagróirí:

- Nár chóir múinteoirí atá ar scor bheith athfhostaithe mar mhúinteoirí ionaid.

Consultation

Fifteen respondents commented on consultation. The main themes raised were as follows:

- There has been no attempt to engage in meaningful consultation.
- The consultation period was too short.
- The changes should be negotiated and agreed with the recognised teacher unions.

Re-employment of Retired Teachers

Three respondents commented that:

- Retired teachers should not be re-employed as substitute teachers.

Iarscríbhinn 3

SONRAÍ ATÁ AR FÁIL AR NA MÚINTEOIRÍ ATÁ AG OBAIR I DTUAISCEART NA HÉIREANN

1. Líon na múinteoirí de réir aoise agus inscne, Márta 2008

Raon aoise	Baineann	%	Fireann	%	Iomlán	%
<i>24 agus faoi sin</i>	304	81.5	69	18.5	373	1.9
<i>25 go 29</i>	2064	79.5	531	20.5	2595	13.1
<i>30 go 34</i>	2534	78.6	689	21.4	3223	16.3
<i>35 go 39</i>	2558	77.2	756	22.8	3314	16.7
<i>40 go 44</i>	1899	74.1	664	25.9	2563	12.9
<i>45 go 49</i>	1681	70.3	711	29.7	2392	12.1
<i>50 go 54</i>	2198	71.2	891	28.8	3089	15.6
<i>55 go 59</i>	1248	65.6	655	34.4	1903	9.6
<i>60 go 64</i>	199	60.1	132	39.9	331	1.7
<i>65 agus os a chionne sin</i>	12	63.2	7	36.8	19	0.1
<i>Iomlán</i>	14697	74.2	5105	25.8	19802	100.0

Foinse: GTC (NI) Digest of Statistics 2008

2. Líon na múinteoirí de réir chineál bainistíochta na scoile agus inscne, Márta 2008

Inscne	Scoileanna Caitliceacha faoi Chothabháil	Scoileanna Rialaithe Imeasctha	Scoileanna Rialaithe	Scoileanna Imeasctha faoi Chothabháil Stáit	Scoileanna eile faoi Chothabháil	Scoileanna Gramadaí Deonacha	Iomlán
Baineann	4,958	212	6,607	679	141	2,100	14,697
Fireann	1,705	65	1,834	232	43	1,226	5,105
Iomlán	6,663	277	8,441	911	184	3,326	19,802

Foinse: GTC (NI) Digest of Statistics 2008

AVAILABLE DATA ON THE TEACHING WORKFORCE IN THE NORTH OF IRELAND

1. Number of teachers by age and gender, March 2008

Age Range	Female	%	Male	%	Total	%
<i>24 and under</i>	304	81.5	69	18.5	373	1.9
<i>25 to 29</i>	2064	79.5	531	20.5	2595	13.1
<i>30 to 34</i>	2534	78.6	689	21.4	3223	16.3
<i>35 to 39</i>	2558	77.2	756	22.8	3314	16.7
<i>40 to 44</i>	1899	74.1	664	25.9	2563	12.9
<i>45 to 49</i>	1681	70.3	711	29.7	2392	12.1
<i>50 to 54</i>	2198	71.2	891	28.8	3089	15.6
<i>55 to 59</i>	1248	65.6	655	34.4	1903	9.6
<i>60 to 64</i>	199	60.1	132	39.9	331	1.7
<i>65 and over</i>	12	63.2	7	36.8	19	0.1
<i>Totals</i>	14697	74.2	5105	25.8	19802	100.0

Source: GTC (NI) Digest of Statistics 2008

2. Number of teachers by school management type and gender, March 2008

Gender	Catholic Maintained Schools	Controlled Integrated Schools	Controlled Schools	Grant Maintained Integrated Schools	Other Maintained Schools	Voluntary Grammar Schools	Totals
Female	4,958	212	6,607	679	141	2,100	14,697
Male	1,705	65	1,834	232	43	1,226	5,105
Totals	6,663	277	8,441	911	184	3,326	19,802

Source: GTC (NI) Digest of Statistics 2008

3. Líon na múinteoirí de réir chineál bainistíochta scoile agus aois, Márta 2008

Raon aoise	Scoileanna Caitliceacha faoi Chothabháil	Scoileanna Rialaithe Imeasctha	Scoileanna Rialaithe	Scoileanna Imeasctha faoi Chothabháil Stáit	Scoileanna eile faoi Chothabháil	Scoileanna Gramadaí Deonacha	Iomlán
24 & faoi sin	89	4	182	28	7	63	373
25 go 29	780	44	1,144	147	50	430	2,595
30 go 34	1,048	55	1,322	223	34	541	3,223
35 go 39	1,212	44	1,295	181	32	550	3,314
40 go 44	959	32	988	120	14	450	2,563
45 go 49	822	27	967	92	18	466	2,392
50 go 54	1,095	47	1,400	75	13	459	3,089
55 go 59	555	20	969	39	11	309	1,903
60 go 64	102	4	159	5	5	56	331
65 & os a choinne sin	1		15	1		2	19
Iomlán	6,663	277	8,441	911	184	3,326	19,802

Foinse: GTC (NI) Digest of Statistics 2008

4. Múinteoirí faoi mhíchumas

Fuarthas amach i suirbhé Sláinte agus Folláine¹ arna chóimisiúnú ag Lucht Bainistíochta Choiste Caibidlíochta na Múinteoirí sa bhliain 2001 gur thug céatadán beag (5.3%) le fios gur mheas siad go raibh siad faoi mhíchumas. (Sainmhíníodh míchumas mar aon lagú fisiceach nó intinne, a bhfuil tionchar diúltach suntasach agus fadtéarmach (a mhair, nó atáthar ag dúil go mairfidh sé, 12 mhí nó níos mó) aige ar chumas an mhúinteora gnáthruaí a dhéanamh ó lá go lá.

¹ The NI Teachers' Health and Wellbeing Survey, Tuarascáil Dheiridh – PricewaterhouseCoopers, Nollaig 2002: http://www.deni.gov.uk/teachers/h_safety/teachers_health_survey.pdf

3. Number of teachers by school management type and age, March 2008

Age Range	Catholic Maintained Schools	Controlled Integrated Schools	Controlled Schools	Grant Maintained Integrated Schools	Other Maintained Schools	Voluntary Grammar Schools	Totals
24 & under	89	4	182	28	7	63	373
25 to 29	780	44	1,144	147	50	430	2,595
30 to 34	1,048	55	1,322	223	34	541	3,223
35 to 39	1,212	44	1,295	181	32	550	3,314
40 to 44	959	32	988	120	14	450	2,563
45 to 49	822	27	967	92	18	466	2,392
50 to 54	1,095	47	1,400	75	13	459	3,089
55 to 59	555	20	969	39	11	309	1,903
60 to 64	102	4	159	5	5	56	331
65 & Over	1		15	1		2	19
Totals:	6,663	277	8,441	911	184	3,326	19,802

Source: GTC (NI) Digest of Statistics 2008

4. Teachers with a disability

A Health and Wellbeing Survey¹ commissioned by the Management Side of the Teacher Negotiating Committee in 2001 found that a small proportion (5.3%) of teachers reported that they considered themselves to have a disability. (Disability was defined as any physical or mental impairment, which has a substantial and longterm (lasted or expected to last 12 months or more) adverse impact in ability to carry out normal day to day activities.)

¹ The NI Teachers' Health and Wellbeing Survey, Final Report – PricewaterhouseCoopers, December 2002: http://www.deni.gov.uk/teachers/h_safety/teachers_health_survey.pdf

5. Líon na scoileanna lonnaithe i limistéir Uirbeacha agus Thuaithe de réir Bord Oideachais agus Leabharlann 2008/09

		Béal Feirste	Iarthar	Oirthuisceart	Oirdheisceart	Deisceart	Iomlán i dTÉ
Naíscoileanna	Tuaithe	0	1	0	2	4	7
	Uirbeacha	32	11	15	17	16	91
	Iomlán	32	12	15	19	20	98
Bunscoileanna (scoileanna ullmhúcháin san áireamh)	Tuaithe	0	129	126	72	166	493
	Uirbeacha	94	56	85	86	59	380
	Iomlán	94	185	211	158	225	873
Iar-bhunscoileanna Meánscoileanna (neamhghramadaí)	Tuaithe	0	13	11	8	10	42
	Uirbeacha	20	18	25	20	29	112
	Iomlán	20	31	36	28	39	154
Scoileanna Gramadaí	Tuaithe	0	2	1	0	2	5
	Uirbeacha	16	11	15	10	12	64
	Iomlán	16	13	16	10	14	69
Scoileanna Speisialta	Tuaithe	0	1	0	2	1	4
	Uirbeacha	11	6	9	8	4	38
	Iomlán	11	7	9	10	5	42

Foinse: Daonáireamh scoileanna TÉ

Nóta:

Tá rangú na limistéar uirbeach agus tuaithe mar atá sé leagtha amach sa Tuarascáil de chuid an Ghrúpa Idir-Rannach ar Rangú Staitistiúil agus líniú Lonnaíochtaí (Feabhra 2005).

5. Number of schools located in Urban and in Rural areas by Education and Library Board 2008/09

		Belfast	Western	North Eastern	South Eastern	Southern	NI total
Nursery schools	Rural	0	1	0	2	4	7
	Urban	32	11	15	17	16	91
	Total	32	12	15	19	20	98
Primary schools (inc. prep)	Rural	0	129	126	72	166	493
	Urban	94	56	85	86	59	380
	Total	94	185	211	158	225	873
Post primary Secondary (non-grammar) schools	Rural	0	13	11	8	10	42
	Urban	20	18	25	20	29	112
	Total	20	31	36	28	39	154
Grammar schools	Rural	0	2	1	0	2	5
	Urban	16	11	15	10	12	64
	Total	16	13	16	10	14	69
Special schools	Rural	0	1	0	2	1	4
	Urban	11	6	9	8	4	38
	Total	11	7	9	10	5	42

Source: NI school census

Note:

Classification of urban and rural areas is as set out in the Report of the Inter-Departmental Group on Statistical Classification and delineation of Settlements (February 2005).

Iarscríbhinn 4

MÚINTEOIRÍ AGUS LÉACHTÓIRÍ BO AG DUL AR SCOR I DTUAISCEART NA HÉIREANN

1990-91 go 2009-10 blianta airgeadais – Ceart suas go dtí 1Deireadh Fómhair 2009

Bliain	Roimh Am			Aois	Laghduithe go hAchtúireach	Droschshláinte	Líon iomlán na múinteoirí a chuaigh ar scor	Roimh am mar % den iomlán
	Scaoileadh Éifeachtach	Iomarcaíocht	Iomlán					
1990-91	246	164	410	169		104	683	60
1991-92	208	174	382	154		84	620	62
1992-93	131	149	280	174		114	568	49
1993-94	106	141	247	191		136	574	43
1994-95	85	173	258	162		159	579	45
1995-96	60	170	230	198		200	628	37
1996-97	56	274	330	214		182	726	45
1997-98	52	410	462	232		182	876	53
1998-99	61	327	388	240		183	811	48
1999-00	52	287	339	224		177	740	46
2000-01	57	376	433	229		181	843	51
2001-02	53	358	411	231		180	822	50
2002-03	49	378	427	248		184	859	50
2003-04	53	386	439	273		147	859	51
2004-05	44	373	417	289		121	827	51
2005-06	46	567	613	291		126	1030	60
2006-07	48	540	588	368		137	1093	54
2007-08	42	561	603	285	30	158	1076	56
2008-09	28	476	504	305	72	78	959	53
2009-10	1	166	167	224	63	46	500	35
Iomlán	1,478	6,450	7,928	4,701	165	2,879	15,673	51

Foinse: Ríomhchórais DE Phinsin na Múinteoirí

RETIREMENT OF TEACHERS AND FE LECTURERS IN THE NORTH OF IRELAND

1990-91 to 2009-10 financial years - Correct up to 1 October 2009

Year	Premature		Age	Actuarially Reduced	Ill Health	Total Retirements	Premature as % of the total
	Efficient Discharge	Redundancy					
1990-91	246	164	410	169	104	683	60
1991-92	208	174	382	154	84	620	62
1992-93	131	149	280	174	114	568	49
1993-94	106	141	247	191	136	574	43
1994-95	85	173	258	162	159	579	45
1995-96	60	170	230	198	200	628	37
1996-97	56	274	330	214	182	726	45
1997-98	52	410	462	232	182	876	53
1998-99	61	327	388	240	183	811	48
1999-00	52	287	339	224	177	740	46
2000-01	57	376	433	229	181	843	51
2001-02	53	358	411	231	180	822	50
2002-03	49	378	427	248	184	859	50
2003-04	53	386	439	273	147	859	51
2004-05	44	373	417	289	121	827	50
2005-06	46	567	613	291	126	1030	60
2006-07	48	540	588	368	137	1093	54
2007-08	42	561	603	285	30	1076	56
2008-09	28	476	504	305	72	959	53
2009-10	1	166	167	224	63	500	35
Total	1,478	6,450	7,928	4,701	165	2,879	51

Source: DE Teachers' Pensions computer systems

Iarscríbhinn 5

LÍON NA MÚINTEOIRÍ A CHUAIGH AR SCOR Ó SCOILEANNA NA NÚDARÁS ÁITIÚIL FAOI CHOTHABHÁIL I SASANA¹

Bliain Airgeadais	Roimh Am ²³	Aois	Drochshlainte ⁴	Iomlán	Roimh Am mar % den Iomlán
1989-90	8,060	3,500	3,580	15,140	53
1990-91	7,740	3,500	4,280	15,520	50
1991-92	6,530	3,170	4,030	13,730	48
1992-93	7,170	3,310	4,050	14,530	49
1993-94	8,030	3,430	4,820	16,280	49
1994-95	7,120	3,520	5,290	15,930	45
1995-96	8,600	3,480	5,160	17,240	50
1996-97	10,210	3,300	4,980	18,490	55
1997-98	11,350	3,590	3,260	18,200	62
1998-99 ⁵	2,370	3,850	2,280	8,500	28
1999-00	2,650	4,280	2,320	9,250	29
2000-01	3,150	4,250	2,630	10,030	31
2001-02	3,470	4,450	2,380	10,300	34
2002-03	3,950	5,070	2,030	11,050	36
2003-04	4,930	5,690	1,870	12,490	39
2004-05	6,050	6,580	1,580	14,210	43
2005-06	6,640	6,440	1,500	14,580	46
2006-07 ⁶	7,460	8,610	1,100	17,170	43
2007-08	7,440	10,120	720	18,280	41
2008-09	7,880	10,700	610	19,190	41

Foinse: Córas Staitistiúil Pinsinéirí (PENSTATS).

¹ Níl coláistí séú bliain curtha san áireamh.

² Áiríonn sé daoine a théann ar scor de réir a chéile agus sna cásanna sin is féidir leis na múinteoirí bheith ag obair i scoileanna.

³ Is é an toradh a bhí ar an athrú ar Scéim Pinsin na Múinteoirí ón 31 Lúnasa 1997 ná go ndeachaigh i bhfad ní ba mhó múinteoirí ar scor sa bhliain 1997 seachas sna blianta roimhe sin. Áiríonn 'roimh am' daoine a chuaigh ar scor ó 2000-01 le Buntáiste Laghdaithe go hAchtúireach.

⁴ Chuaigh athruithe sna rialacháin reachtúla maidir le scor de bharr drochsláinte i bhfeidhm ar 1 Aibreán 1997. Le bheith i dteideal buntáistí scoir de bharr drochsláinte, caithfidh dearbhú a bheith ar fáil a mhíníonn nach mbeidh an múinteoir ábalta teagasc arís de bharr drochsláinte.

⁵ Tá na figiúirí ó 1998-1999 ar aghaidh á leasú ar bhonn leanúnach de bharr go bhfuil dámhachtain aisebhreathnaitheacha á gcur isteach san áireamh agus de bharr go bhfuil buntáistí pinsin á gcur ar ceal de bharr go bhfuil múinteoirí ag tosú ag obair arís.

⁶ Is meastacháin shealadacha iad na figiúirí ó 2006-07 ar aghaidh.

RETIREMENTS FROM LOCAL AUTHORITY MAINTAINED SCHOOLS IN ENGLAND¹

Financial year	Premature ²³	Age	Ill-health ⁴	Total	Premature as % of Total
1989-90	8,060	3,500	3,580	15,140	53
1990-91	7,740	3,500	4,280	15,520	50
1991-92	6,530	3,170	4,030	13,730	48
1992-93	7,170	3,310	4,050	14,530	49
1993-94	8,030	3,430	4,820	16,280	49
1994-95	7,120	3,520	5,290	15,930	45
1995-96	8,600	3,480	5,160	17,240	50
1996-97	10,210	3,300	4,980	18,490	55
1997-98	11,350	3,590	3,260	18,200	62
1998-99 ⁵	2,370	3,850	2,280	8,500	28
1999-00	2,650	4,280	2,320	9,250	29
2000-01	3,150	4,250	2,630	10,030	31
2001-02	3,470	4,450	2,380	10,300	34
2002-03	3,950	5,070	2,030	11,050	36
2003-04	4,930	5,690	1,870	12,490	39
2004-05	6,050	6,580	1,580	14,210	43
2005-06	6,640	6,440	1,500	14,580	46
2006-07 ⁶	7,460	8,610	1,100	17,170	43
2007-08	7,440	10,120	720	18,280	41
2008-09	7,880	10,700	610	19,190	41

Source: Pensioner Statistical System (PENSTATS).

¹ Excludes sixth form colleges.

² Includes phased retirements and in these cases the teachers may remain in service.

³ The effect of the change in the Teachers' Pension Scheme as from 31 August 1997 was that many more teachers took early retirement in 1997 than in previous years. Premature includes Actuarially Reduced Benefit retirements from 2000-01.

⁴ Changes in the statutory regulations governing ill-health retirement came into force on 1 April 1997. To qualify for ill-health retirement benefits a teacher must now be regarded as permanently unfit to teach.

⁵ Figures from 1998-1999 onwards continue to be subject to slight revision due to the addition of retrospective awards and suspension of pension benefits where teachers return to service.

⁶ Figures from 2006-07 onwards are provisional estimates.

Comparáid idir na Socruithe maidir le Scor Roimh Am do Mhúinteoirí i dtuaisceart na hÉireann, i Sasana & sa Bhreatain Bheag agus in Albain

	TUAISCEART NA HÉIREANN	SASANA & AN BHREATAIN BHEAG	ALBAIN
Rialacháin na Príomhscéime	Rialacháin Aoisliúntais na Múinteoirí (TÉ) 1998	Na Rialacháin um Phinsin na Múinteoirí 1997	Rialacháin Aoisliúntais na Múinteoirí (TÉ) 2005.
Rialacháin maidir le Scor Roimh Am	Rialacháin na Múinteoirí (Cúiteamh as Iomarcaíocht agus as Scor Roimh Am) (TÉ) 1991	Rialacháin na Múinteoirí (Cúiteamh as Iomarcaíocht agus as Scor Roimh Am) (TÉ) 1997.	Rialacháin na Múinteoirí (Cúiteamh as Iomarcaíocht agus as Scor Roimh Am) (TÉ) 1996.
Íocaíocht Iomarcaíochta le gné feabhsaithe	Suas go dtí uasmhéid de 30 seachtain de phá iomlán.	Suas go dtí 30 seachtain d'íocaíocht iomlán.	Suas go dtí 30 seachtain d'íocaíocht iomlán.
Feabhsú Lánroghnach	Suas go dtí uasmhéid de 6 2/3 blianta. Costais íochta ag an Údarás Cúiteach/Fhostóir ón 1 Aibreán 2008.	Suas go dtí uasmhéid de 10 mbliana. Tá an tÚdarás Cúiteach/Fostóir ag íoc na gcostas ó 1991.	Suas go dtí uasmhéid de 10 mblianta. Tá an tÚdarás Cúiteach/Fostóir ag íoc na gcostas ó 1991.
Luathíocaíocht an Phinsin	Faigheann múinteoirí a fágadh iomarcach faoin Scéim Scor Roimh Am buntáistí neamhlaghdaithe pinsin. Íocann an Scéim Pinsean costas na luathíocaíochta .i. an difear idir na buntáistí fabhraithe agus an méid atá laghdaithe go hachtúireach (ar a dtugtar cúiteamh éigeantach sna scéimeanna eile).	Faigheann múinteoirí a fágadh iomarcach faoin Scéim Scor Roimh Am buntáistí neamhlaghdaithe pinsin. Íocann an Scéim Pinsean an méid atá laghdaithe go hachtúireach den phinsean agus den chnapshuim. Tá an difear idir an méid laghdaithe agus buntáistí neamhlaghdaithe fabhraithe, cúiteamh bliantúil agus cúiteamh cnapshuime (ar a dtugtar cúiteamh éigeantach) á íoc ag an Údarás Cúiteach/Fhostóir ó 1997.	Faigheann múinteoirí a fágadh iomarcach faoin Scéim Scor Roimh Am buntáistí neamhlaghdaithe pinsin. Íocann an Scéim Pinsean an méid atá laghdaithe go hachtúireach den phinsean agus den chnapshuim. Tá an difear idir an méid laghdaithe agus buntáistí neamhlaghdaithe fabhraithe, cúiteamh bliantúil agus cúiteamh cnapshuime (ar a dtugtar cúiteamh éigeantach) á íoc ag an Údarás Cúiteach/Fhostóir ó 1996.

	TUAISCEART NA HÉIREANN	SASANA & AN BHREATAIN BHEAG	ALBAIN
Coigeartú chuig Cúiteamh Éigeantach	N/A	I gcás go bhfuil tréimhse seirbhíse breise múinteoirí níos mó ná 6 2/3 de bharr feabhsú lánroghnach agus i gcás go bhfuil sé/sí i dteideal íocaíocht iomarcaíochta laghdaítear cúiteamh éigeantach faoi rialachán 17.	I gcás go bhfuil tréimhse seirbhíse breise múinteoirí níos mó ná 6 2/3 de bharr feabhsú lánroghnach agus i gcás go bhfuil sé/sí i dteideal íocaíocht iomarcaíochta laghdaítear cúiteamh éigeantach faoi rialachán 11 de réir na foirmle i sceideal 3 de na rialacháin.
Pá Téarfa Feabhsaithe	N/A	Suas go dtí uasmhéid de 104 seachtain lúide aon íocaíocht a dhéanfar i bhformáid íocaíochta iomarcaíochta. Iníochta mar rogha eile seachas scor roimh am a cheadú do mhúinteoirí atá idir 50 agus 59 bliain d'aois. Tá na híocaíochtaí sin ar fáil do mhúinteoirí fosta nach bhfuil i dteideal a bpinsean a fháil láithreach de bharr a n-aoise. Tá sé tábhachtach a thabhairt faoi deara go bhfuil na roghanna, Scor Roimh Am agus pá téarfa méadaithe comheisiach.	Suas go dtí uasmhéid de 66 seachtain lúide aon íocaíocht a dhéanfar i bhformáid íocaíochta iomarcaíochta. Tá na húdaráis in Albain ag dréachtú na n-athruithe riachtanacha faoi láthair le pá téarfa a fheabhsú go dtí 104 seachtain. Iníochta mar rogha eile seachas scor roimh am a cheadú do mhúinteoirí atá idir 50 agus 59 bliain d'aois. Tá na híocaíochtaí sin ar fáil do mhúinteoirí fosta nach bhfuil i dteideal a bpinsean a fháil láithreach de bharr a n-aoise. Tá sé tábhachtach a thabhairt faoi deara go bhfuil na roghanna, Scor Roimh Am agus pá téarfa méadaithe comheisiach.
Pinsean atá Laghdaithe go hAchtúireach	Tugadh isteach an fhoráil le Pinsean atá Laghdaithe go hAchtúireach a ghlacadh mar	Tugadh isteach an fhoráil le Pinsean atá Laghdaithe go hAchtúireach ar 30 Márta	Tugadh isteach an fhoráil le Pinsean atá Laghdaithe go hAchtúireach a ghlacadh ar 1

	TUAISCEART NA HÉIREANN	SASANA & AN BHREATAIN BHEAG	ALBAIN
	pháirt de na leasuithe pinsin ar 1 Aibreán 2007. Tugann sé deis do bhall atá níos mó ná 55 bliain d'aois éirí as go deonach ar phinsean laghdaithe roimh ghnáthaois pinsin. Ní théann sé i bhfeidhm ar na forálacha éirí as ar bhonn aoise, drochshláinte, iomarcaíochta nó scaoileadh éifeachtach. Níl Pinsin atá Laghdaithe go hAchtúireach faoi réir lacáiste.	2000. Tugann sé deis do bhall atá níos mó ná 55 bliain d'aois éirí as go deonach ar phinsean laghdaithe roimh ghnáthaois pinsin. Ní théann sé i bhfeidhm ar na forálacha éirí as ar bhonn aoise, drochshláinte, iomarcaíochta nó scaoileadh éifeachtach. Níl Pinsin atá Laghdaithe go hAchtúireach faoi réir lacáiste.	Iúil 2002. Tugann sé deis do bhall atá níos mó ná 55 bliain d'aois éirí as go deonach ar phinsean laghdaithe roimh ghnáthaois pinsin. Ní théann sé i bhfeidhm ar na forálacha éirí as ar bhonn aoise, drochshláinte, iomarcaíochta nó scaoileadh éifeachtach. Níl Pinsin atá Laghdaithe go hAchtúireach faoi réir lacáiste.
Buntáistí breise bliantúla pinsin a cheannach.	Féadfaidh fostóirí buntáistí breise bliantúla a cheannach thar ceann an duine aonair in iolraithe de £250 suas go dtí uasmhéid ar fiú £5,000 í de bhuntáiste breise bliantúil pinsin. Tugtha isteach mar pháirt de na leasuithe pinsin ar an 1 Aibreán 2007.	Féadfaidh fostóirí buntáistí breise bliantúla a cheannach thar ceann an duine aonair in iolraithe de £250 suas go dtí uasmhéid ar fiú £5,000 í de bhuntáiste breise bliantúil pinsin. Tugtha isteach mar pháirt de na leasuithe pinsin ar an 1 Eanáir 2007.	Féadfaidh fostóirí buntáistí breise bliantúla a cheannach thar ceann an duine aonair in iolraithe de £250 suas go dtí uasmhéid ar fiú £5,000 í de bhuntáiste breise bliantúil pinsin. Tugtha isteach mar pháirt de na leasuithe pinsin ar an 1 Aibreán 2007.

Comparison of Teachers' Premature Retirement Arrangements in the north of Ireland, England & Wales and Scotland

	NORTH OF IRELAND	ENGLAND & WALES	SCOTLAND
Main Scheme Regulations	The Teachers' Superannuation Regulations (NI) 1998	The Teachers' Pensions Regulations 1997	The Teachers' Superannuation Regulations (Scotland) 2005
Premature Retirement Regulations	The Teachers (Compensation for Redundancy and Premature Retirement) Regulations (NI) 1991	The Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1997	The Teachers (Compensation for Premature Retirement and Redundancy) (Scotland) Regulations 1996
Redundancy Payment with an improved element	Up to a maximum of 30 weeks full pay	Up to a maximum of 30 weeks full pay.	Up to a maximum of 30 weeks full pay.
Discretionary Enhancement	Up to a maximum of 6 2/3 years. Costs borne by the Compensating Authority/Employer from 1 April 2008.	Up to a maximum of 10 years. Costs have been borne by Compensating Authority/Employer since 1991.	Up to a maximum of 10 years. Costs have been borne by Compensating Authority/Employer since 1991.
Early Payment of Pension	Teachers made redundant under the Premature Retirement Scheme receive unreduced pension benefits. The cost of the early payment i.e. the difference between the accrued benefits and the actuarially reduced amount (known as mandatory compensation in the other schemes) is borne by the Pension Scheme.	Teachers made redundant under the Premature Retirement Scheme receive unreduced pension benefits. The Pension Scheme pays the actuarially reduced amount of pension and lump sum. The difference between the reduced amount and unreduced accrued benefits, annual compensation and lump sum compensation (known as mandatory compensation) has been borne by Compensating Authority/Employer since 1997.	Teachers made redundant under the Premature Retirement Scheme receive unreduced pension benefits. The Pension Scheme pays the actuarially reduced amount of pension and lump sum. The difference between the reduced amount and unreduced accrued benefits annual compensation and lump sum compensation (known as mandatory compensation) has been borne by Compensating Authority/Employer since 1996.
Adjustment to Mandatory Compensation	N/A	Where the period of a teachers Additional service by way of	Where the period of a teachers Additional service by way of

	NORTH OF IRELAND	ENGLAND & WALES	SCOTLAND
		discretionary enhancement exceeds 6 2/3 and he/she is entitled to a redundancy payment mandatory compensation is reduced by regulation 17.	discretionary enhancement exceeds 6 2/3 and he/she is entitled to a redundancy payment mandatory compensation is reduced by regulation 11 in accordance with the formula in schedule 3 of the regulations.
Enhanced Severance	N/A	Up to a maximum of 104 weeks less any payment made in the form of a redundancy payment. Payable as an alternative to granting premature retirement to teachers aged between 50 and 59. These payments are also available to teachers who are not eligible by reason of their age for immediate payment of pension. It is important to note that the options of Premature Retirement and enhanced severance pay are mutually exclusive.	Up to a maximum of 66 weeks less any payment made in the form of a redundancy payment. Scotland are currently drafting the necessary changes to increase severance pay to 104 weeks. Payable as an alternative to granting premature retirement to teachers aged between 50 and 59. These payments are also available to teachers who are not eligible by reason of their age for immediate payment of pension. It is important to note that the options of Premature Retirement and enhanced severance pay are mutually exclusive.
Actuarially Reduced Pension	The provision to take an Actuarially Reduced Pension was introduced as part of the pension reforms at 1 April 2007. It provides a facility for a member aged over 55 to retire voluntarily on a reduced pension before normal pension	The provision to take an Actuarially Reduced Pension was introduced at 30 March 2000. It provides a facility for a member aged over 55 to retire voluntarily on a reduced pension before normal pension age. It does not impact on the	The provision to take an Actuarially Reduced Pension was introduced at 1 July 2002. It provides a facility for a member aged over 55 to retire voluntarily on a reduced pension before normal pension age. It does not impact on the

	NORTH OF IRELAND	ENGLAND & WALES	SCOTLAND
	age. It does not impact on the provisions to retire on grounds of age, ill-health, redundancy or efficient discharge. Actuarially Reduced Pensions are not subject to abatement.	provisions to retire on grounds of age, ill-health, redundancy or efficient discharge. Actuarially Reduced Pensions are not subject to abatement.	provisions to retire on grounds of age, ill-health, redundancy or efficient discharge. Actuarially Reduced Pensions are not subject to abatement.
Purchase of additional annual pension benefits.	Employers may purchase of additional annual pension benefits on behalf of the individual in multiples of £250 up to a maximum of £5,000 worth of additional annual pension benefit. Introduced as part of the pension reforms at 1 April 2007.	Employers may purchase of additional annual pension benefits on behalf of the individual in multiples of £250 up to a maximum of £5,000 worth of additional annual pension benefit. Introduced as part of the pension reforms at 1 January 2007.	Employers may purchase of additional annual pension benefits on behalf of the individual in multiples of £250 up to a maximum of £5,000 worth of additional annual pension benefit. . Introduced as part of the pension reforms at 1 April 2007.

Comparáid idir na Socruithe le haghaidh Scor Roimh Am de chuid na hEarnála Poiblí i dtuaisceart na hÉireann

	Múinteoirí	Sláinte	Státseirbhís	Rialtas Áitiúil
Íocaíocht Iomarcaíochta	Suas go dtí uasmhéid de 30 seachtain de phá iomlán	Suas go dtí uasmhéid de Thuarastal 24 mhí ar bhonn tuarastal aon mhí amháin do gach bliain iomlán de théarfa inríofa. Socrú Idirthréimhseach: Má roghnaíonn ball úsáid a bhaint as socruithe idirthréimhseacha, tá an íocaíocht iomarcaíochta caidhpeáilte ag pá iomlán 30 seachtain.	Iníoctha amháin i gcás go bhfuil cúiteamh níos lú ná sin a bheadh iníoctha faoi na forálacha reachtúla.	Suas go dtí uasmhéid de 30 seachtain de phá iomlán
Pá Téarfa Feabhsaithe	<i>Á bhreithniú: Ón 1 Aibreán suas go dtí uasmhéid de 104 seachtain lúide aon íocaíocht a dhéanfar i bhfoirm íocaíochta iomarcaíochta. Tá sé tábhachtach a thabhairt faoi deara go bhfuil na roghanna, Scor Roimh Am agus pá téarfa méadaithe comheisiach.</i>	Níl aon fhoráil ar leith ann ach cuirtear san áireamh mar pháirt den íocaíocht iomarcaíochta é.	Dóibh siúd atá faoi 50 bliain d'aois uasmhéid de thuarastal inphinsin 3 bliana do théarfa éigeantach agus tuarastal 2 bhliain do luath-théarfa solúbtha (deonach).	Suas go dtí uasmhéid de 104 seachtain lúide aon íocaíocht a rinneadh i bhformáid íocaíochta iomarcaíochta.
Feabhsú Lánrognach	Suas go dtí uasmhéid de 6 2/3 blianta. Costais íoctha ag an Údarás Cúiteach/Fhostóir ón 1	Ón 1 Deireadh Fómhair 2011 ní bheidh aon fheabhsú iníoctha.	Féach an chuid faoi luathíocaíochtaí.	Suas go dtí uasmhéid de 6 2/3 blianta. Costais íoctha ag an Fhostóir.

	Múinteoirí	Sláinte	Státseirbhís	Rialtas Áitiúil
	Aibreán 2008.	Socrú Idirthréimhseach: 10 mbliana an t-uasméad a bhí ar fáil ar an 30 Meán Fómhair 2006. Do gach bliain ina dhiaidh sin laghdaítear an t-uasmhéad faoi dhá bhliain go dtí nach bhfuil aon fheabhsú ar fáil ó 1 Deireadh Fómhair 2011.		<i>Laghdóidh an tUas-fheabhsú go dtí 4 bliana ar 1 Aibreán 2009, 2 bhliain in Aibreán 2010 agus ó Mhárta 2011 ní bheidh aon rogha ag fostóirí pinsean blianta breise a ofráil.</i>
Luathíocaíocht an Phinsin	Faigheann múinteoirí a fágadh iomarcach faoin Scéim Scor Roimh Am buntáistí neamhlaghdaithe pinsin. Íocann an Scéim Pinsean costas na luathíocaíochta .i. an difear idir na buntáistí fabhráithe agus an méid atá laghdaithe go hachtúireach (ar a dtugtar cúiteamh éigeantach sna scéimeanna eile) <i>Á bhreithniú: Ón 1 Aibreán 2009, múinteoirí a fágadh iomarcach faoin Scéim Scor Roimh Am; gheobhaidh siad buntáistí neamhlaghdaithe pinsin ar bhonn leanúnach. Íocann an Scéim Pinsean</i>	Féadfaidh baill de Scéim Pinseanan NHS roghnú éirí as go luath gan luach na mbuntáistí pinsin a laghdú mar rogha eile seachas an íocaíocht iomarcaíochta a fháil. Íocann an fostóir an costas iomlán caipitlithe. Má roghnaíonn ball an rogha seo agus má tá an méid atá iníochta mar íocaíocht iomarcaíochta níos mó ná an costas caipitlithe don fostóir, tá an fostóir i dteideal an difear idir an dá shuim a fháil.	Tá Luathscor Éigeantach iníochta dóibh siúd atá fágtha iomarcach agus áiríonn sé siúd a chuir isteach ar iomarcaíocht nuair a ghlaonn an fostóir faoi choinne luathíocaíocht an pinsin. Costais íochta ag an fhostóir. Íoctar pinsean feabhsaithe (uasmhéid de 6 2/3 bliana) agus cnapshuim saor ó cháin láithreach bonn móide íocaíocht cúitimh cnapshuime ar fiú suas go dtí 6 mhí de thuarastal é. Do chuid buntáistí breise luathscoir uile íochta mar chúiteamh amháin le pinsean neamhfheabhsaithe	Mar rogha eile do luath-théarfa féadfaidh múinteoirí íocaíocht a fháil láithreach bonn de bhuntáistí neamhlaghdaithe pinsin. Íocann an Fostóir costas na luathíocaíochta.

	Múinteoirí	Sláinte	Státseirbhís	Rialtas Áitiúil
	<p><i>an méid atá laghdaithe go hachtúireach den phinsean agus den chnapshuim. Beidh an difear idir an méid laghdaithe agus buntáistí neamhlaghdaithe fabhraithe, cúiteamh bliantúil agus cúiteamh cnapshuime (ar a dtugtar cúiteamh éigeantach) á íoc ag an Údarás Cúiteach/Fhostóir.</i></p>		<p>agus cnapshuim curtha ar leataobh le haghaidh íocaíochta ag aois pinsin.</p>	

Comparison of Public Sector Premature Retirement Arrangements in the north of Ireland

	Teachers	Health	Civil Service	Local Government
Redundancy Payment	Up to a maximum of 30 weeks full pay	Up to a maximum of 24 Months Salary on the basis of one month's salary for each complete year of reckonable severance. Transitional Arrangement: If a member opts to avail of transitional arrangements the redundancy payment is capped at 30 weeks full pay.	Only payable in cases where compensation is less than that which would be payable under the statutory provisions.	Up to a maximum of 30 weeks full pay
Enhanced Severance	<i>Under Consideration: From 1 April 2009 Up to a maximum of 104 weeks less any payment made in the form of a redundancy payment. Payable as an alternative to granting premature retirement to teachers aged between 50 and 59. These payments are also available to teachers who are not eligible by reason of their age for immediate payment of pension. It is important to note that the</i>	No separate provision but included as part of the redundancy payment.	For those under age 50 a maximum of 3 years pensionable salary for compulsory severance and 2 years salary for flexible early severance (voluntary).	Up to a maximum of 104 weeks pay less any payment made in the form of a redundancy payment.

	Teachers	Health	Civil Service	Local Government
	<i>options of Premature Retirement and enhanced severance pay are mutually exclusive.</i>			
Discretionary Enhancement	Up to a maximum of 6 2/3 years. Costs borne by the Compensating Authority/Employer from 1 April 2008.	From 1 October 2011 no enhancement will be payable. Transitional Arrangement: Maximum enhancement available at 30 September 2006 was 10 years. For each year after that the maximum enhancement is reduced by two years until no enhancement is available from 1 October 2011.	See early payment section.	Up to a maximum of 6 2/3 years. Costs borne by the Employer. <i>Maximum enhancement will Reduce to 4 years at 1 April 2009, 2 years at April 2010 and from March 2011 there will be no discretion by employers to offer added years pension.</i>
Early Payment of Pension	Teachers made redundant under the Premature Retirement Scheme receive unreduced pension benefits. The cost of the early payment i.e. the difference between the accrued benefits and the actuarially reduced amount (known as mandatory compensation in the other schemes) is	Members of the NHS Pension scheme may choose to retire early without reduction in the value of pension benefits as an alternative to receiving the Redundancy payment. The employer meets the full capitalised cost. If a member chooses this option and the amount	Compulsory Early Retirement is payable to those who are redundant and includes those who apply for redundancy when the employer calls for early payment of pension. Costs borne by employers. An enhanced (maximum of 6 2/3 Years) pension and tax free lump sum paid	As an alternative to early severance teachers made redundant may receive immediate payment of unreduced pension benefits. The cost of the early payment is borne by the Employer.

	Teachers	Health	Civil Service	Local Government
	<p>borne by the Pension Scheme.</p> <p><i>Under Consideration: From 1 April 2009 Teachers made redundant under the Premature Retirement Scheme will continue to receive unreduced pension benefits. The Pension Scheme pays the actuarially reduced amount of pension and lump sum. The difference between the reduced amount and unreduced accrued benefits, annual compensation and lump sum compensation (known as mandatory compensation) will be borne by Compensating Authority/Employer</i></p>	<p>payable as a redundancy payment exceeds the capitalised cost to the employer, the employee is entitled to receive the difference between the two sums.</p>	<p>immediately plus a lump sum compensation payment of up to 6 months salary.</p> <p>Or</p> <p>All of your additional early retirement benefits paid solely as compensation with an unenhanced pension and lump sum preserved for payment at pension age.</p> <p>.</p>	