

To: The Personnel Officers of the Education and Library Boards;  
The Personnel Officer of the Council for Catholic Maintained Schools;  
Chairmen of the Boards of Governors, and Principals of: St Joseph's  
Special School, Middletown; St Stephen's Special School, Glenmona;  
Lakewood Special School, Bangor;  
Teacher Unions.

20 January 2000

Dear Sir/Madam

### TRANSFER OF UNDERTAKINGS ALLOWANCE

The enclosed Determination gives effect in law to the payment of a Transfer of Undertakings Allowance to the teachers formerly employed in the Northern Ireland Office Training Schools who are now employed by the South Eastern Education and Library Board or the Council for Catholic Maintained Schools.

This allowance is a consequence of the requirements of the Transfer of Undertakings and Protection of Employment directive.

The Department will now pay all salary and allowances to the teachers concerned. As a result, the SEELB will no longer need to make separate payments. However, it will be for the employing authorities to determine the rates of the Transfer of Undertaking Allowance to be paid to their teachers and to inform the Department's Teachers Salaries Branch at Waterside House, Londonderry. This will require continual assessment of the teachers' salaries against those which they would have received had their employment continued with the NIO - see paragraph 3 of the Determination.

These new arrangements will take effect from February 2000, and employing authorities should contact Teachers Salaries Branch as soon as possible about revised pay levels.

Any enquiries about the content of this letter should be addressed to the relevant employing authority.

Yours faithfully



E N MCGUIGAN

## DETERMINATION

### TRANSFER OF UNDERTAKINGS ALLOWANCE

1. The Department of Education, in exercise of the powers conferred on it by Article 69(1) and (6) of the Education and Libraries (Northern Ireland) Order 1986 hereby makes the following determination, having effect from 1 September 1999.

2. In this determination:-

"current employer" means the South Eastern Education and Library Board or the Council for Catholic Maintained Schools;

"emoluments" means salary and allowances;

"training centre" means:

Glenmona Resource Centre, Belfast;

Lakewood Care Unit, Rathgael Centre, Bangor, Co. Down;

St Joseph's Adolescent Centre, Middletown, Co. Armagh;

3. Any teacher who was employed by the Northern Ireland Office in any training centre on 31 August 1999, and who transferred to the employment of a current employer on 1 September 1999, shall be paid a Transfer of Undertakings Allowance equal to the difference between his actual emoluments and the emoluments which he would have received from time to time had he continued to be employed in the post which he held on 31 August 1999.

4. The Transfer of Undertakings Allowance shall cease to be payable if a teacher in receipt of it ceases to be employed in the post to which he transferred on 1 September 1999.

5. This Determination shall not apply to a teacher other than one who is in receipt of a Transfer of Undertakings Allowance under paragraph 3.