



County Donegal Education Centre
Ionad Oideachais Chondae Dhún na nGall

County Donegal Education Centre

FREEDOM OF INFORMATION MANUAL

Section 15 Manual

Functions and Records of
County Donegal Education Centre

Section 16 Manual

Procedures and Guidelines of
County Donegal Education Centre

Prepared in accordance with Sections 15 and 16 of the
Freedom of Information Act, 1997
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Introduction to the Freedom of Information Act, 1997

The Freedom of Information Act, 1997 (referred to hereafter as the Act) establishes three new statutory rights:

- **A legal right for each person to access information held by public bodies;**
- **A legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading;**
- **A legal right to obtain reasons for decisions affecting oneself.**

The Act asserts the right of members of the public to obtain access to official information to the greatest extent possible consistent with the public interest and the right to privacy of individuals.

This manual is prepared in accordance with publication requirements set out in section 15 of the Act.

The effective date for compliance with the Freedom of Information Act, 1997 for County Donegal Education Centre is May 31st 2006.

County Donegal Education Centre

and the Freedom of Information Act

Routinely Available Information

The Centre routinely makes information available to the public in relation to its functions and activities. Such information will continue to be available informally without the need to use the FOI Act. This manual highlights, in relation to each Centre activity, where information of this nature is available.

The FOI Act is designed to allow public access to information held by public bodies that is NOT routinely available through other sources. Access to information under the Act is subject to certain exemptions and involves specific procedures and time limits. This manual provides a guide to the structure of the Centre to help you access information under the FOI Act.

The Centre is committed to providing information to the greatest extent possible in a manner consistent with the public interest while preserving the right to privacy of individuals.

Section 15 Manual

This manual has been prepared and published in accordance with the requirements of Section 15 of the Freedom of Information Act, 1997. Its purpose is to facilitate your access to information held by County Donegal Education Centre.

The Manual is a reference book to:

- The Management Structure of the Centre
- The Functions of the Centre
- The Records held by the Centre
- The Public Services provided by the Centre
- The arrangements for availing of services, accessing and amending records under the Freedom of Information Act

- The arrangements for appeal and review under the Freedom of Information Act

Section 16 Manual

Section 16 of the Freedom of Information Act requires the publication of information regarding the rules, procedures and guidelines used by the Centre. This information is presented in the second part of this publication.

Contact Details

This Manual is available upon request from the Freedom of Information Officer of County Donegal Education Centre.

Should you have any queries relating to this Manual or any other Freedom of Information Act related matters, please contact:

Freedom of Information Officer,
County Donegal Education Centre,
Floor 2/3, Pier 1, Quay Street
Donegal Town.

Tel: 074 9723647

Fax: 074 – 9723787

E-Mail: admin@donegaledcentre.ie

www.donegaledcentre.ie

1. Background and Functions of County Donegal Education Centre.

County Donegal Education Centre was established in 1998. In 2001, the Centre moved to its current location at Pier One, Quay Street, Donegal Town. The Centre is now one of the busiest in the national network catering for approximately 230 school communities and 3000 teachers.

The essential core business of the Centre to-date has been the professional development of local teachers. As teachers seek to equip and motivate their pupils to be lifelong learners they need to exemplify lifelong learning characteristics in their own behaviour and attitudes (Coolahan, 2002). Fullan (1993) commented that a high quality teaching force - always learning - is the *sine qua non* of coping with dynamic complexity.

Since its inception, the work and role of the Centre has continued to expand and evolve to meet the needs of its education community. The Centre has been consistently proactive in expanding its programmes with a view to addressing teacher professional development. Today, the Centre is responsible for the administration for the National Induction Programme (NIPT) for all Newly Qualified (NQTs) in the country.

The Centre currently provides an innovative and wide range of services to its education community:

- ❖ In-house and school-based national and local courses/programmes
- ❖ Initiatives to meet the needs of school Boards, administrative staffs and parents
- ❖ A comprehensive range of ICT training and educational software
- ❖ Accessibility for meetings, seminars, conferences, workshops
- ❖ Centre Website and on-line communication network

- ❖ Video/Resource Library
- ❖ Photocopying, Laminating & Binding services
- ❖ Local delivery of National Programmes
- ❖ The hosting of Teacher Professional Networks (TPN's), Teacher Professional Communities (TPC's), Subject Associations, Principals Groups and Parent Associations
- ❖ Collaborative partnerships with other Education and Professional Development Agencies.

2. Mission.

The Centre's core mission is:

'To facilitate learning opportunities for teachers in classrooms and schools for their professional and personal development. To create, maintain and resource a collaborative working system within the centre to achieve this'.

County Donegal Education Centre will accomplish this mission by working with its education partners: DES, Local Education Community, National and International Education Agencies to:

- ❖ Develop an innovative and flexible approach to meeting local education needs
- ❖ Assist schools in embracing ongoing change
- ❖ Generate and disseminate 'best education practice'
- ❖ Engender a commitment to ongoing professional development and life-long learning

Links

County Donegal Education Centre has a range of formal and informal links with other institutions in Ireland and overseas.

- Managerial Bodies
- County Donegal ETB
- Trinity College, Dublin
- NUI Galway
- St. Patricks College of Education, Drumcondra
- Marino College of Education
- Dublin City University
- London Institute of Education
- British Educational Leadership Management and Administrative Society (BELMAS)
- ENIRDELM (European Network International Research & Development in Education Leadership & Management)

The Centre Management Structure

The members of County Donegal Education Centre are the teachers in primary and post primary schools in the county. County Donegal Education Centre is managed by a Committee elected annually at an AGM in accordance with the Constitution of County Donegal Education Centre.

The Director is Secretary to the Management Committee and is responsible for taking minutes and reporting to the Committee at their monthly meetings.

The Management Committee of County Donegal Education Centre comprises twelve teachers representing Primary and Post Primary education together with 2 representatives from Primary and 1 Post Primary from Management Bodies and 2 representatives 1 Primary and 1 Post Primary from the national Parents Council and is structured as follows :

Management Committee

Chairperson

▪

Vice Chairperson

▪

Treasurer

▪

Vice Treasurer

▪

Recording Secretary

▪

Committee Members

Administrative Staff

Director

▪

Centre Administrator

▪

PDST / ICT Administrator

▪

General Admin/Reception Staff

▪

Accounts Technician

▪

Housekeeper

Classes of Records Held by County Donegal Education Centre

In accordance with its functions, County Donegal Education Centre holds the following classes of records:

- Records in relation to meetings of its Management Committee and sub-committees
- Records in relation to staff meetings
- Records relating to the administration of Project Maths (Post Primary) Summer Courses, PDST (primary), ICT.
- Internal administrative files
- Contact details relating to the primary and post-primary schools within its community
- Records and contact details of teachers who attend professional development programmes in the Centre
- Records in relation to the financial management of the Centre
- Records in relation to personnel of the Centre
- Records of Evaluation forms for all courses

Public Information Provided by County Donegal Education Centre.

DEC routinely provides the following information about its functions and services:

- Information about the Centre, its facilities, resources and programmes is published on its website, in newsletters, and brochures. This information may be obtained by contacting the Administrator at the Centre's main address and need not be requested under the Freedom of Information Act.

Arrangements for availing of services, accessing and amending records under the Freedom of Information Act

Information available under the FOI Act

Under the Freedom of Information Act, anyone is entitled to seek access to information from DEC, which is not otherwise publicly available.

Each person has a right of:

- Access to records held by the Centre
- Correction of personal information relating to oneself held by the Centre where it is inaccurate, incomplete or misleading.
- Access to reasons for decisions made by the Centre affecting oneself.

The following records come within the scope of the Act:

- All records relating to personal information held by the Centre irrespective of when created
- All other records created from commencement date
- Any other records necessary to the understanding of a current record
- Personnel records of serving staff created from commencement and those

Please note that the Freedom of Information Act does not cover the following information

- Information already available upon request from the Centre
- Non-personal information created before the commencement date of commencement

- Personal information relating to a third party (with some exceptions)

Some information may not automatically be released upon application under the Act. The key exemptions include records relating to the deliberative process, records relating to the performance of certain investigative functions and negotiations, and the disclosure to third parties of personal information, commercially sensitive information or information obtained in confidence. Most of the exemptions are not absolute. In several cases information may be withheld only if it can be demonstrated that a specific harm or injury would arise from disclosure. Many are subject to an overall test of whether disclosure would be in the public interest.

The Act applies to all record types, as defined in Section 2 of the Act, be they textual, such as files, or non-textual, such as photographs, films or recordings. They can be recorded or stored in any format, manual, mechanical or electronic. The Act also covers drafts, parts and copies of records.

Application Procedure

Applications must be in writing and must indicate that the information is sought under the Freedom of Information Act. If information is desired in a particular form i.e. photocopy, transcript, computer disk, etc. this should also be mentioned in the application. Please give as much detail as possible to enable the FOI Officer to identify the record. If you have difficulty in identifying the precise records that you require, the FOI Officer will be happy to assist you in preparing your request.

Fees may be charged for the processing of requests:

In relation to personal records, fees in respect of the cost of copying the records requests will not apply, save where a large number of records are involved

In respect of other (non-personal) information, fees may be charged in respect of the time spent in efficiently locating and copying records (currently €20.95 per hour and 3c per copy). No charges may apply in respect of the time spent by public bodies in considering requests. These fees are in accordance with guidelines established by the Department of Finance.

Applications for information under the Freedom of Information Act should be addressed to:

Freedom of Information Officer,
County Donegal Education Centre,
Floor 2/3, Pier 1, quay Street, Donegal Town
County Donegal
Dublin 9.

Tel: 074 - 9723487

Fax: 074 - 9723787

E-Mail: admin@donegaledcentre.ie

www.donegaledcentre.ie

How Freedom of Information Applications are Dealt With.

The Act establishes strict time limits for the processing of a request:

- Applicants should receive an acknowledgement of a request *within two weeks* from the date the request is received
- They should receive a reply to a request *within four weeks* from the date the request is received. However, it may be necessary to extend this period for up to four more weeks if:
 - A request relates to a very large number of records, or a large number of requests for the same record(s) have been made.
 - If the period is extended, applicants will receive notice of this before the end of the initial four-week period, and the reasons for the delay will be given.

If DEC considers that a request should have been sent to another public body, e.g. Department of Education & Science, the request shall be forwarded to that body, and the applicant will receive notification of this event. This must be done not later than two weeks from receipt of a request. The request will then be

treated as though it had been sent to the second public body on the date on which it was forwarded by DEC.

If DEC holds some but not all of the records requested, then a letter will be sent to the applicant informing of this and supplying the name(s) and contact details of the other bodies from whom to request those records not held by DEC.

If a request is granted.

The applicant will:

- receive a letter stating that your request has been granted
- will be told the name of the person dealing with your request
- will be told the day on which access to the relevant records will be granted and the manner in which it will be granted
- will be given details of the fee, if applicable.

If a request is refused.

The applicant will:

- will receive a letter stating that the request has been refused and will be given the reasons for the refusal
- will be informed of their rights of review and appeal, as set out below.

Arrangements for Appeal and Review

The Freedom of Information Act specifies exemptions to protect third-party interests and key interests of the State. A decision by a public body to deny access to information with reference to such exemptions may be appealed. Appeals may also be made in relation to procedural matters such as breach of time limit, excessive charges, unsatisfactory form of access etc.

Internal Review

You may seek internal review of the initial decision made by the Freedom of Information Officer, if you are dissatisfied with the initial response, or if you have not received a reply within four weeks of your initial application.

Requests for internal review should be submitted in writing to :

**Director,
County Donegal Education Centre,
Floor 2/3, Pier 1, Quay Street
Donegal Town
Co Donegal.**

Tel: 074 - 9723647

Fax: 074 - 9723787

Email: admin@donegaledcentre.ie

www.donegaledcentre.ie

Such a request for internal review must be submitted *within four weeks of the initial decision*. County Donegal Education Centre must complete the review within three weeks. An internal review must be completed before an appeal may be made to the Information Officer.

Review by the Information Commissioner

Following completion of the internal review, if the request continues to be refused in part or total, the applicant may seek independent review of the decision from the Information Commissioner. Also if a reply to the application for internal review is not received within 3 weeks, this is deemed to be a refusal and you may appeal the matter to the Commission.

Appeals in writing may be made directly to the Information Commissioner at the following address:

Office of the Information Commissioner,
18 Lower Leeson Street,
Dublin 2.
Tel. 01 - 6785 222
Fax. 01 - 6610 570
Email. foi@ombudsman.irlgov.ie

Operational Structures of County Donegal Education Centre

This section gives the breakdown of the internal structure and organisation of the County Donegal Education Centre. It also describes the categories of information held and the ways in which they can be accessed, either through existing public notifications or personal request or through the procedures set out in the Act.

Please refer to the Centre Management Structure on pages 9/10

Under the Education Act 1998 Education Centres are required to:

- Provide training, development and support for teachers and the wider school community, both in terms of meeting locally researched and identified teacher and school community needs and also through involvement in national in-service programmes.
- Be involved, as a major strategic resource within education, in a range of national and other projects, programmes and initiatives as may be decided by the Minister, following consultation and in partnership with the Centres, for implementation in the education system from time to time.
- Act as far as possible as a resource and meeting centre for the local education community and actively promote its role.
- Plan for the development of expertise in key areas and to share such expertise throughout the Education Centre Network and the educational system in general.
- Co-operate and engage with other Education Centres, full and part-time, so as to ensure that an effective Network of Centres is established.
- Develop expertise in key areas as agreed by the Centres in consultation and partnership with the DES and to share such throughout the Education Centre Network and the education system in general.
- Provide other services and supports as may be requested by the Minister.

The Centre is funded by the Department of Education and Skills.

Functions of the DEC Management Committee :

The Management Committee is a statutory body which has responsibility for the administration and corporate governance of the Centre

In particular the Committee shall

- (a) Direct the management and development of the Centre.
- (b) Establish conditions of employment for all Centre staff. Employ and terminate the employment of all staff.
- (c) Lay down procedures for appointments.
- (d) Establish conditions for leave of absence.
- (e) Promote staff development.
- (f) Be responsible for all monies received and expended by the Centre; approve the annual estimates and accounts of income and expenditure and the management of the budget and resources available to the Centre.
- (g) Be responsible for the employment, deployment, appraisal, suspension, dismissal and the determination of the pay and conditions of service of officers and staff, subject at all times to clauses governing the employment and appointment of staff provided for by current employer/employee legislation, directives of the Minister for Education and understandings and agreements reached with Trade Unions from time to time.
- (h) Be responsible for co-operation with any other institution, authority or body for any purpose of the Centre.
- (i) Undertake any responsibility that is necessary and appropriate to promote the development of the Centre.

Composition of the Management Committee

The Committee shall consist of not more than 12 teacher members elected by teacher members of the DEC at the annual general meeting of the Centre. Due regard is given to achieving a balance between primary and post primary teachers as far as is reasonably possible.

- The Committee has the right to co-opt additional members who shall not exceed five annually in number.
- Not more than 2 members of recognised school management bodies, representative of National Parents' Council (one Primary & one Post Primary) representative of school management in the Centre's area (one primary and one Post Primary), nominated at a meeting, of representatives of school management bodies in the area, held annually for that purpose.
- Due regard will be given to gender balance across the Committee, as far as possible.
- The Director of the Centre acts as Secretary to the Committee.
- The Officers of the Management Committee shall consist of a Chairperson, Vice-Chairperson, Treasurer and Vice Treasurer elected annually by the Management Committee from amongst its members. A person may not hold a position as officer, other than as Director/Secretary, for more than 7 executive years.
- Where officer positions become vacant during the year, these may be filled for the remainder of the year by the Management Committee in the same manner as the original appointments were made.
- In the event of any elected or nominated member of the Committee dying or resigning during the term of office of the Committee s/he shall be replaced in the same manner, as s/he originally became a member of the Committee
- The Chairperson will be elected from the teacher members of the Management Committee as will at least one of the other officers.

- The Management Committee shall be responsible for ensuring that DEC carries out its full range of functions in an effective and efficient manner and that the terms of guidelines, the financial procedures and any other circulars, terms and conditions relevant to the Centre, notified by the Department, are fully and completely observed. Any breaches of the guidelines should be brought to the attention of the Department as soon as possible.
- The Management Committee shall meet a minimum of six times each year and will decide the frequency of its meetings.
- The Management have the power to appoint sub-committees to undertake specific functions, which may occur from time to time.

Director

The Director is the Chief Executive of the Centre and will be responsible to the Management Committee. The Director, in conjunction with the Officers of the Committee, will have responsibility for day to day management of the Centre and its operations, in accordance with the 'Guidelines, the Financial Procedures for Centres and other Circulars' as may be issued from time to time by the Department of Education and Skills.

- Where the post of Director is vacated for any reason a successor will be appointed in accordance with above.
- The Director of DEC shall be appointed by the Management Committee for a specified period of time following selection by open competition from among serving teachers, on a secondment basis and subject to contract and in accordance with the requirements and sanction of the Minister.

Sub - Committees of County Donegal Education Centre Management Committee

- *Finance & Legal sub- committee*
- *Staffing sub-committee*
- *Conflict Resolution Education (CRE) sub-committee*

Term of Office

The Management Committee shall hold office for a term of one year and until the appointment of a new Committee. The term of office of the new Committee begins in March each year.

Delivery of Services:

The Management Committee does not supply any services directly to the general public other than those envisaged under the Freedom of Information Act, 1997.

Classes of Records Held by the Management Committee:

- Records in relation to meetings of the Management Committee and decisions reached
- Records in relation to Centre accounts

Section 16 Manual:

Procedures and Guidelines for the Operation of County Donegal Education Centre

Section 16 of The Freedom of Information Act requires the Centre publish its rules, procedures, practices, guidelines and interpretations. The availability of this information is complementary to the public's general right of access. The objectives of this provision may be broadly summarised as:

- To assist the public in understanding more fully their rights and entitlements in relation to the Centre's activities
- To enhance public confidence in decision making
- To enable the quality and accuracy of the public body's interpretation and application of statutory provisions to be assessed

General Policies and Procedures

The Centre in all areas of its operation complies with:

- The Data Protection Act, 1967
- The Freedom of Information Act, 1997

The Library

The *Library Code of Conduct* details policy regarding the use of the Library facilities by staff, students and authorised visitors to the Centre.

The Library operates in accordance with current copyright legislation.

Information Technology

Policies regarding staff and student usage of the Centre's computer network are stated in the *Staff Handbook and Centre Policy Handbook*.

Procedures and Guidelines of the Administration of County Donegal Education Centre

Financial and Procurement Procedures

The financial and accounting rules and procedures of the Centre are in accordance with relevant legislation and with circulars and guidelines issued by the Department of Finance and the Department of Education where applicable.

These include in summary:

- Prompt payments of *Accounts Act, 1997*
- *Comptroller and Auditor General (Amendment) Act, 1993*
- Procedures for public procurements established by the Department of Finance

Human Resources

County Donegal Education Centre abides by all government legislation pertaining to personnel administration, including, in brief, the following:

- Employment Legislation (various)
- *Payment of Wages Act, 1991*
- *Organisation of Working Time Act, 1997*
- *Industrial Relation Acts (various)*
- Legislation pertaining to maternity, paternity and adoptive leave, and holiday entitlements
- And all other relevant legislation

The **Centre Staff Handbook** is published annually at the beginning of the academic year. It contains information for the following:

- Useful Addresses and Details
- Forms
- Useful Staff Information
- Centre Prices and Rates
- Procedures for using Computer Room

- *General Information*

Department of Education and Skills guidelines and circulars pertaining to recruitment of employees, salary scales, allowances, job grades, special payments, career breaks, leave of absence, maternity absence, pensions, job sharing, grievance and disciplinary procedures, and other terms of employment.

The *Centre Policy Handbook* outlines all Centre policies which are regularly reviewed and updated according to changing legislation and Centre needs.

Industrial Relations

The Centre recognises the following labour unions: **IMPACT, ASTI, INTO** and **TUI**

Health and Safety

The Centre works towards full compliance with legislation ensuring the health and safety of its staff and clients under

- Health, Safety and Welfare at Work Act, 1989 and all subsequent amendments
- The Centre Safety Statement.

