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Ref.: 2019-09-D-5-en-4

Original: EN

Amendments to the Staff Regulations linked to the Introduction of a Middle Management

**Board of Governors of the European Schools**

Meeting on 3 - 5 December 2019 – Brussels

**I. Background**

In April 2019 the Board of Governors approved the proposals of the Educational Adviser Working Group to establish as of the 2020/21 school year a middle-management structure in the European Schools.

In this context the Board of Governors mandated the Educational Adviser Working Group to provide by December 2019:

* the necessary amendments to the Staff Regulations for Members of the Seconded Staff and the Service Regulations for Locally Recruited Teachers and,
	+ the necessary implementing rules, in particular for the selection and appointment of the Assistant Deputy Director Nursery and Primary Cycle and the Assistant Deputy Director Secondary Cycle.

A document providing the required changes of the Regulations for Seconded Staff Members of the European Schools and for the Service Regulations for Locally Recruited Teachers at the European Schools was discussed in the meetings of the Educational Adviser Working Group on 25 June 2019 and 26 September 2019.

This new document is based on the discussions of the Working Group and the written feedback received as a follow-up of the meetings.

**II. Opinion of the Joint Board of Inspectors**

The Joint Board of Inspectors expressed a favorable opinion on the proposed amendments to the Staff Regulations linked to the introduction of a middle management structure.

**III. Opinion of the Joint Teaching Committee**

The amendments to the Staff Regulations would be adapted according to the comments made in relation with the document ‘Draft Implementing Regulations for the Appointment of Assistant Deputy Directors’ (2019-09-D-4-en-2).

The Joint Teaching Committee expressed a favorable opinion on the document, which would be presented to the Budgetary Committee for its opinion and to the Board of Governors for final approval with entry into force on 1 January 2020.

**IV. Conclusion of the Budgetary Committee**

The Budgetary Committee supported the proposals to amend the ‘Regulations for Seconded Staff Members of the European Schools’ and to amend the ‘Service Regulations for Locally Recruited Teachers in the European Schools’, which shall enter into force on 1 January 2020 and asked the Board of Governors to approve them.

**V. Proposal**

The members of the Board of Governors are invited to approve the proposed amendments which should enter into force on 1 January 2020. The amendments are highlighted in **bold**.

All documents concerned will be adapted accordingly after the Board of Governors approval (e.g. “Regulations of Members of the Seconded Staff of the European Schools”, the “Service Regulations for Locally Recruited teachers at the European Schools” …).

**Annex I**

**Amendments of the Regulations for Members of the Seconded Staff of the European Schools** (changes to doc; 2011-04-D-14-en-10 are highlighted in **bold**):

**Article 1**

These Regulations shall apply to members of the executive (Directors**,** Deputy Directors **and Assistant Deputy Directors**), teaching and supervisory staff and to managerial staff seconded to the European Schools by their national authorities.

1. For the purposes of these Regulations, **‘STAFF SECONDED TO THE EUROPEAN SCHOOLS’** means any person who fulfils the necessary requirements in accordance with Article 12(3) and (4) (a) of the Convention defining the Statute of the European Schools, and who, within the limits of the posts fixed by the establishment chart of each School, is made available to these Schools by the competent public authority pursuant to an official instrument.

2. The term **‘EUROPEAN SCHOOL’** or **‘SCHOOL’** shall apply to each educational establishment set up by decision of the Board of Governors, and to the Office of the Secretary-General.

3. The term **‘STAFF’** shall apply to all the categories described in Article 6.

4. The term **‘SCHOOL YEAR’** shall apply to the period from 1 September to 31 August of the following calendar year.

5. The term **‘SECONDED’** shall denote all forms of secondment or availability in accordance with respective national practices.

**Article 3**

The date on which secondment takes effect may not be prior to the date on which the member of staff takes up his duties. In the case of Directors**,** Deputy Directors for the secondary cycle and the nursery and primary cycle **and Assistant Deputy Directors**, teaching and supervisory staff, if the presence of the person concerned is required, it may be a maximum of one week before the actual date on which the school year begins.

If a member of staff arrives in the middle of the school year, secondment shall take effect on the date on which he actually takes up his duties.

The secondment of staff who arrive at the beginning of the school year shall take effect on 1 September.

**Article 4**

1. No secondment, within the framework of the posts provided for in the establishment chart of the Schools referred to in Article 5, may be made for any purpose other than that of filling a newly created post or a post which has become vacant following the departure of its holder.

 In the case of teaching and supervisory staff, a proposal from and the opinion of the Director shall be required.

2. At the request of a member of the teaching or supervisory staff, on the advice of the Director and on a proposal from the relevant national Inspector, the seconding authority may authorise a transfer from one School to another. However, such authorisation may only as a rule be granted once, on completion of the first five years of secondment. It shall in no way modify the total length of secondment (nine years) referred to in Article 29 of these Regulations.

3. The **~~length of secondment and the~~** rules for transfer for Directors and Deputy Directors for the nursery and primary and for the secondary cycle are laid down in the Implementing Regulations provided for in Article 9.

4. **The rules for transfer for Assistant Deputy Directors for the nursery and primary and for the secondary cycle are laid down in the Implementing Regulations provided for in Article 9 bis.**

**Article 6**

The posts covered by these Regulations shall be classified in the following categories:

(a) Executive staff:

 - Director

 - Deputy Director for the secondary cycle

 - Deputy Director for the nursery and primary cycle

 - Deputy Director for Finance and Administration

* **Assistant Deputy Director for the secondary cycle**
* **Assistant Deputy Director for the nursery and primary cycle[[1]](#footnote-1)**

(b) Teaching and supervisory staff

- Secondary school teacher

- Teacher qualified to teach lower secondary classes only

- Primary school teacher

- Nursery school teacher

- Principal educational adviser

- Educational adviser with a teaching qualification

- Educational adviser holding a secondary school certificate and without teaching qualifications

- Librarian

(c) Managerial staff

- Deputy Secretary-General

- Senior Assistant to the Secretary-General responsible for an administrative unit

- Central Accounting Officer

- Financial Controller

- Assistant Financial Controller

- Head of administrative unit

- Administrative and Legal Officer

**Article 7**

Pursuant to a decision by the Secretary-General, any member of staff, with the exception of the Central Accounting Officer and the Financial Controller, may be called upon to occupy temporarily a post other than the one to which he was appointed, provided that he has the qualifications required to hold the post. For Deputy Directors **and Assistant Deputy Directors** for the secondary cycle and nursery and primary cycle, and teaching and supervisory staff, the decision shall be taken on a proposal from the Director.

The Assistant Financial Controller may be called upon to occupy temporarily the post of Financial Controller.

From the beginning of the fourth cumulative month of his temporary posting, he shall receive an allowance equal to the difference between the basic salary carried by his post and his step therein and that corresponding to his step if he were to be appointed to the post of which he is the temporary holder. The duration of a temporary posting shall not exceed one year. Where necessary, on production of documentary evidence to that effect, a temporary posting may be extended, up to a maximum of two years, after the opinion of the relevant national Inspector has been sought for Directors, Deputy Directors for the secondary cycle and the nursery and primary cycle**, Assistant Deputy Directors** and for teaching and supervisory staff.

**Article 9 bis**

**ASSISTANT DEPUTY DIRECTORS for the secondary cycle and the nursery and primary cycle of the European Schools shall be appointed by the Director in accordance with a procedure laid down by Implementing Regulations.**

**Article 17**

1. A member of staff shall perform his duties and conduct himself solely in the interests of the School, in accordance, in particular, with the instructions laid down in the General Rules of the European Schools referred to in Article 10 of the Convention defining the Statute of the European Schools and with the school rules.

2. A member of staff shall not, without first obtaining the permission of the Secretary-General, accept, in his official position, any gift or payment from any source outside the School to which he belongs, except for services rendered or work carried out before his secondment to the European School.

 He shall not give lectures or produce material on the School or its problems without the consent of the Director or, where appropriate, the Secretary-General.

3. A member of staff wishing to engage in an activity of a professional nature or to carry out an assignment outside the Schools, whether gainful or otherwise, in agreement with the national Inspector in the case of Directors, Deputy Directors for the secondary cycle and the nursery and primary cycle**, Assistant Deputy Directors**, teaching and supervisory staff, must obtain permission from the Secretary-General. Permission shall be refused if the activity or assignment is such as to  impair the member of staff's ability to perform his duties or to be detrimental to the interests of the Schools.

**Article 25**

Directors, Deputy Directors for the secondary cycle and the nursery and primary cycle, **Assistant Deputy Directors,** teaching and supervisory staff shall be required to attend meetings of the Councils and Committees set up and to participate in other activities organised under the General Rules of the School, in accordance with the procedures specified in the said Rules.

Attendance at these Council and Committee meetings and participation in other activities shall not be remunerated.

**Article 28**

1. Before they can be confirmed in their posts, all members of staff, with the exception of Directors, Deputy Directors for the secondary cycle and the nursery and primary cycle, **Assistant Deputy Directors,** the Deputy Secretary-General, the Central Accounting Officer, the Financial Controller and the Assistant Financial Controllers, shall serve a probationary period, which shall end:

(a) for members of the teaching and supervisory staff, after the second school year following their appointment;

(b) for managerial staff and the Deputy Director for Finance and Administration after 12 months.

2. A **REPORT**, concerning the ability of the probationer to perform the duties pertaining to his post and also his integration into the teaching and/or administrative community, shall be drawn up,

(a) after 1 January of the year of renewal of secondment for teaching and supervisory staff. This report shall be drawn up by both the national Inspector and the Director**, who may delegate the evaluation to members of the pedagogical executive staff as defined in Article 6 (a) of these Service Regulations**. In the event of disagreement, the national Inspector's report shall preponderate;

(b) at the end of the twelfth month of service for managerial staff, with the exception of the Deputy Secretary-General, the Central Accounting Officer, the Financial Controller and the Assistant Financial Controllers. This report shall be drawn up by the Secretary-General;

1. at the end of the twelfth month of service for the Deputy Director for Finance and Administration. This report shall be drawn up by the Director and the Secretary-General.

3. The report shall be sent to the Office of the Secretary-General not later than:

 (a) 20 January of the current school year for teaching and supervisory staff

(b) within one month of the end of the probationary period for managerial staff and the Deputy Director for Finance and Administration.

4. On the basis of the report, and by a deadline of thirty calendar days of its reception, the Secretary-General shall notify the member of staff concerned of the decision as to whether or not he is to be confirmed in his post.

5. Where during his probationary period a member of staff is prevented, by sickness, accident or maternity leave, from performing his duties for one month or more continuously, the seconding authority, on a proposal from the national Inspector in agreement with the Director, or the Secretary-General, depending on the category of staff concerned, may extend the probationary period by the corresponding length of time. Under no circumstances may the total probationary period extend beyond the third school year for teaching and supervisory staff and beyond the second year for managerial staff.

6. A report on the probationer may be made at any time during the probationary period if his work is proving obviously inadequate. In the case of staff who have not proved adequate for confirmation in their post, secondment shall be terminated.

**Article 29**

At the end of the probationary period referred to in Article 28 of these Regulations:

(a) (i) The secondment of a member of the teaching or supervisory staff as defined in Article 6(b) of these Regulations for whom a confirmation decision has been taken shall be extended for a three-year period, minus any lengthening of the probationary period, renewable once for four years.

(ii) The total period of secondment of a member of the teaching or supervisory staff may not be more than nine years, except as specified in this article.

(iii) Not withstanding national provisions, in special, duly justified cases, on request of the Director or on request of the seconding authority an extension up to a maximum period of another three years may be granted, if this is agreed between the seconding authority, the Director and the teacher.

(iv) In the case of a member of the teaching or supervisory staff whose secondment takes effect in accordance with Article 3 of these Regulations during the period from 1 September to 31 December, the secondment shall, for the purpose of Articles 28 and 29(a) (i) and (ii) above, be deemed in all cases to have taken effect from 1 September of the first school year of the secondment. An extension up to three years may be granted in accordance with Article 29(a) (iii) above.

(v) In the case of a member of the teaching or supervisory staff whose secondment takes effect in accordance with Article 3 of these Regulations on or after 1 January, the secondment shall, for the purpose of Articles 28 and 29(a) (i) and (ii) above, be deemed to have taken effect from 1 September of the following school year.

(b) Without prejudice to Article 29(a) above and notwithstanding national provisions on secondment, the seconding authority may agree on further secondments of members of the teaching and supervisory staff provided that between the last secondment and the new secondment the member of the teaching or supervisory staff has returned to a national system for a minimum period of three years and his/her last evaluation within the European Schools was positive.

(c) The secondment of managerial staff as defined in Article 6(c) of these Regulations shall be confirmed for either a specified or an unlimited period.

(d) The length of secondment of members of the Directors and Deputy Directors for the secondary cycle and the nursery and primary cycle are laid down in the ‘Implementing Regulations for the appointment of Directors and Deputy Directors’.

**(e)** **The length of secondment of the Assistant Deputy Directors for the secondary cycle and the nursery and primary cycle are laid down in the ‘Implementing Regulations for the Appointment of Assistant Deputy Directors’.**

**(f)** The length of secondment of Deputy Directors for Finance and Administration shall not exceed five years in the same School. On request of the Director concerned and taking into account recent results of internal and external audits, a further prolongation of the secondment to the same School for a period of a maximum of three years may be granted by the Secretary-General in agreement with the seconding authority, under the condition that mitigating controls or desensitising measures related to the sensitive tasks to be accomplished by the Deputy Director for Finance and Administration are in place.

 The Secretary-General will inform the Board of Governors about the prolongation of the secondment.

 Further prolongations of the secondment of the Deputy Directors for Finance and Administration to other European Schools will be possible under the same conditions.

**Article 30**

The ability, efficiency and conduct in the service of each member of the teaching and supervisory staff and of **Assistant Deputy Directors and** Deputy Directors for the secondary cycle and the nursery and primary cycle shall be the subject of a **PERFORMANCE EVALUATION REPORT** drawn up by both the Director and the national Inspector, in accordance with the arrangements laid down in the Implementing Regulations. In the event of disagreement, the Inspector's report shall preponderate.

Performance evaluation reports on managerial staff, with the exception of the Deputy Secretary-General, the Central Accounting Officer, the Financial Controller and the Assistant Financial Controllers, shall be drawn up by the Secretary-General.

The performance evaluation report of the Deputy Director for Finance and Administration shall be drawn up by the Director and the Secretary-General.

These reports shall be communicated to the persons concerned, who shall have five working days in which to submit any comments thereon in writing before signing them.

**Article 32**

A member of staff may submit a written request, through his immediate superior, to be relieved of his duties. The request shall be sent to the seconding authority and to the Secretary-General at least six months before

(a) the end of the school year for Directors, Deputy Directors for the secondary cycle and the nursery and primary cycle **and Assistant Deputy Directors**, teaching and supervisory staff;

(b) the date on which they wish their service to terminate for the Deputy Director for Finance and Administration and the managerial staff.

The time period laid down may be shortened if the competent public authority to which the member of staff belongs is in a position to provide a replacement.

**Article 36**

Members of staff shall be at the disposal of the European Schools for the performance of duties.

However, the staff's **NORMAL ATTENDANCE** shall be as follows:

1. Directors

 Because of their responsibilities, Directors shall in principle be required to be in attendance at the School during school hours throughout the school year.

1. Deputy Directors for the secondary cycle and the nursery and primary cycle and Assistant Deputy Directors

 Deputy Directors for the secondary cycle and the nursery and primary cycle **and Assistant Deputy Directors** shall in principle be in attendance at the School during school hours throughout the school year, except, where appropriate, for absences authorised by the Director connected with teaching duties.

1. Secondary school teachers

Teachers shall teach a minimum of 21 periods a week.

 The following rules shall be applied to calculate the teaching load of secondary school teachers:

 (i) For years s1 to s6 all periods where the teacher has a class/group with fewer than 12 pupils shall be weighted as 0.9 period.

 (ii) For classes taught to year s7 all periods shall be weighted as 1 period.

 Teachers shall be required, as needs arise, to maintain order between classes, and, in rotation, during breaks, on the basis of a roster drawn up by the Director.

 These duties shall not be remunerated.

1. Primary school and nursery school teachers

Primary school and nursery school teachers shall have a basic teaching load of 25.5 hours a week, including the recreation periods provided for in the harmonised timetables approved by the Board of Governors.

Teachers shall, moreover, be required to supervise pupils regularly before and after the school day, on their arrival and their departure, with the exception of the midday break, on the basis of a roster drawn up by the Director. These duties shall not be remunerated.

1. Principal educational advisers**[[2]](#footnote-2)** and Educational advisers; Librarians

 Principal educational advisers, Educational advisers and Librarians shall work a 40-hour week, in accordance with a timetable drawn up by the Director.

 In special circumstances, and provided that they have the requisite teaching qualifications, these staff may, on a proposal from the Board of Inspectors and subject to the authorisation of the Secretary-General, be required to teach up to four lessons, in which case one teaching period shall be regarded as equivalent to one and a half hours' normal duties.

1. Managerial staff and Deputy Directors for Finance and Administration

 Managerial staff and the Deputy Directors for Finance and Administration shall work a 40-hour week, in accordance with a general timetable drawn up by the Secretary-General.

**Article 39**

1. Directors**,** Deputy Directors for the secondary cycle and the nursery and primary cycle **and Assistant Deputy Directors** shall have the same **SCHOOL HOLIDAYS** as the pupils, with a maximum of six weeks during the summer holidays.

2. Teaching and supervisory staff shall have the same school holidays as the pupils.

However:

(a) teaching staff may be asked to be in attendance at the School on the first two days and the last four days of the summer holidays

(b) educational advisers and librarians may be required to perform their duties on the first six days and the last six days of the summer holidays.

3. Managerial staff and the Deputy Director for Finance and Administration shall be entitled to **ANNUAL LEAVE** of not less than 24 days nor more than 30 working days per calendar year, in accordance with the rules of the European Schools.

**Article 40**

1. In the event of their being unable to perform their duties as a result of **SICKNESS or ACCIDENT**,

(a) Directors shall inform the Secretary-General, who shall ascertain that arrangements have been made to replace them;

(b) Deputy Directors**, Assistant Deputy Directors** and members of the teaching, supervisory in post in the Schools shall inform the Director immediately;

(c) Members of the managerial staff employed in the Office of the Secretary-General shall inform the Secretary-General immediately.

 The Director or his representative will operate a system for recording days' absence because of sickness to which the members of the Board of Inspectors will have access at all times during their school visits.

2. A member of staff shall produce a **MEDICAL CERTIFICATE**, stating the probable period of incapacity, if he is absent for more than two days.

 All certificates received will be noted in the system for recording absences because of sickness.

 The Director or, where appropriate, the Secretary-General shall be empowered to check on absences in whatever manner they deem most appropriate.

 The outcome of the check will be noted in the recording system and, where appropriate, the member of staff will be informed in writing.

 If, over a period of twelve months, a member of staff is absent for up to two consecutive days because of sickness for a total of more than ten days, he shall be required to produce a medical certificate for any further absence because of sickness, whatever the duration.

 Where appropriate, the member of staff will be notified in writing, in accordance with this article; a copy of this notification will appear in the system for recording absences because of sickness.

3. A member of staff who is absent because of sickness may, at his request, resume his duties on a part-time basis if he produces a medical certificate in support of his request. The period of part-time work will be taken into account for purposes of calculating absence on long-term sick leave.

Where appropriate, the Director or his representative will take a decision on this request. The member of staff concerned will be notified of the decision in writing, in accordance with this provision.

4. Members of staff shall undergo a **MEDICAL CHECK-UP** organised by the School every two years.

A member of staff shall undergo a medical check-up at the duly substantiated request of either the Director or the national Inspector, should they wish to satisfy themselves of the fitness for duty of the person concerned.

Check-up costs shall be payable entirely by the Sickness Fund of the European Schools, in accordance with the provisions laid down for Community officials.

5. At the end of each school year, the Director shall forward to the national authorities a list of the periods of absence of the members of staff.

In addition, the seconding national authority and the Inspectors shall be informed of any absence of Directors**,** Deputy Directors for the secondary cycle and the nursery and primary cycle **and Assistant Deputy Directors**, teaching and supervisory staff of longer than four weeks in duration. The seconding national authority and the Inspectors shall likewise be informed if permission for part-time work is given to these staff by the Director.

**Article 41**

1. (a) In cases where a member of staff is absent on sick leave for an unbroken period of six months without being medically authorised actually to return to work full-time for at least one month, he shall be placed on **‘LONG-TERM SICK LEAVE’**, starting from the first day of sickness.

 School holidays or leave lasting at least two weeks shall be excluded for purposes of calculation of the minimum one-month period of return to work.

 The member of staff concerned will be notified in writing of this decision and the consequences, the grounds being set out, as provided for in this article. At the same time, the member of staff concerned will be notified in writing of the appeal possibilities open to him. A copy of this notification will be sent to the competent public authority which arranged the secondment.

 (b) During long-term sick leave, the member of staff concerned shall be entitled:

 1° during the first six months, to the full remuneration which he was receiving prior to the start of his sickness, without prejudice to regular advancement to a higher step or pay increases. There shall be no payment for overtime not worked.

 2° during the next six months, to 50% of his remuneration.

 However, he shall continue to receive 100% family allowances.

 Contributions to the sickness insurance scheme shall be calculated on the basis of the total basic salary and the amounts owed by the person concerned.

 However, if the sums paid to the member of staff concerned by the competent public authority which arranged his secondment are higher than this reduced remuneration, he shall be entitled to retain the difference between the two sums.

2. The Director shall refer to the Secretary-General and, for the Directors, Deputy Directors for the secondary cycle and the nursery and primary cycle, **Assistant Deputy Directors** and teaching and supervisory staff, to the national Inspector, the case of any member of staff whose **CUMULATIVE SICK LEAVE**, including the leave referred to in Article 40(3), exceeds twelve months over a period of three years.

 A copy of this notification will be sent to the competent national authority which arranged the secondment.

3. At the end of the periods provided for under 1. and 2., the secondment of the member of staff concerned shall be terminated and he shall then be placed at the disposal of the competent public authority which arranged the secondment. The opinion of the relevant Inspector shall be required in the case of Directors, Deputy Directors for the secondary cycle and the nursery and primary cycle **and Assistant Deputy Directors** or a member of the teaching and supervisory staff.

4. The Secretary-General may, on a reasoned proposal from the Director and after hearing the relevant Inspector, depart from this provision concerning the consequences of ‘long-term sick leave’. The Secretary-General will notify the member of staff concerned of his decision in writing, setting out the grounds on which it is based. A copy of this notification will be sent to the competent national authority which arranged the secondment.

**Article 43**

1. In so far as the requirements of the service allow, and to enable the member of staff concerned to deal with urgent personal matters or to meet obligations to his immediate family, **ABSENCES OF SHORT DURATION** may be authorised, in accordance with the arrangements determined by the Board of Governors:

(a) by the Director, for Deputy Directors**, Assistant Deputy Directors** and members of the teaching, supervisory staff in post in a School;

(b) by the Secretary-General, for Directors and for managerial staff in post in the Office of the Secretary-General.

2. Special leave without pay on personal grounds and leave with reduced duties, other than for medical reasons, as provided for in Article 41, shall not be authorised.

**Article 76**

1. The Board of Governors shall be the sole body competent to take **DISCIPLINARY ACTION** against the Secretary-General, the Central Accounting Officer and the Financial Controller and the Assistant Financial Controllers.

 On a report from its Secretary-General, the Board of Governors may also take disciplinary action against the Deputy Secretary-General, Directors**,** Deputy Directors for the secondary cycle and the nursery and primary cycle **and Assistant Deputy Directors**.

2. The Director, after seeking the opinion of the national Inspector, shall issue written warnings to members of the teaching and supervisory staff. Acting on a proposal from the Director, the Board of Inspectors shall be responsible for reprimanding these staff.

 The Director shall issue written warnings to and shall reprimand the Deputy Director for Finance and Administration of the School.

3. The Secretary-General shall take disciplinary action against his Senior Assistant and Heads of administrative units.

 Acting on a proposal from the Directors and the Board of Inspectors, the Secretary-General shall be responsible for removing members of the teaching and supervisory staff from their posts.

 The Secretary-General shall be responsible for removing the Deputy Directors for Finance and Administration from their posts, acting on a proposal from the Director of the School.

**Article 78**

1. Any decision relating to a specific individual which is taken under these Regulations shall be communicated in writing to the member of staff concerned without delay. Any decision adversely affecting a member of staff shall state the grounds on which it is based; decisions concerning Directors and Deputy Directors for the secondary cycle and the nursery and primary cycle**, Assistant Deputy Directors** and the members of the teaching and supervisory staff shall be communicated to the national Inspector.

2. Any member of staff may submit to the Director or the Secretary-General, in their spheres of competence, a **REQUEST** that they take a decision in respect of him within three months of submission of the request. If at the end of the aforementioned period no reply to the request has been received, this shall be deemed to constitute an implied decision rejecting it, against which an administrative appeal within the meaning of Article 79 may be lodged.

**Article 81**

1. These Regulations shall enter into force on 1 September 1996 and shall apply in full to members of staff in post from that date, save as otherwise provided in Articles 81(2) to 85 below.

2. For members of staff in post before 1 September 1996, the provisions of Article 49(2) (c) concerning the application of a negative adjustment shall enter into force on 1 September 2000.

3. The changes to the wording of Articles 1, 2, 5, 6, 7, 8, 12, 17, 22, 27, 28, 30, 32, 34, 35, 36, 38, 40, 41, 42, 43, 44, 47, 69, 70, 76, 77, 78, 79 and 80 and of Annexes III and VI shall be applicable retrospectively from 1 January 1999 to the term ‘EURO’ and from 1 October 2002 to the terms ‘Secretary-General’ and ‘Complaints Board’.

 The material changes to Articles 49, 53, 54 and 73 and the changes to Annex IX concerning the preceding articles shall become effective from 1 May 2004 or later dates specified.

 The material changes to Article 50 shall become effective from 1 January 2014.

 The material changes to Articles 36.3, 36.5 36.6, 55, 56.2, 58.7, 61, 62.4, 62.5, Annex IV with respect to the Deputy Directors for the nursery and primary sections and the nursery school teachers and Annex IX with respect to the annual travel expenses shall become effective from 1 September 2014.

 The material changes to Articles 11, 42.2, 63, 64 and 65 and to the corresponding provisions in Annex IX shall be applicable from the first day of the month following approval by the Board of Governors.

 Payment of the orphan’s pension to persons entitled before 1 May 2004 under former Article 54(8) shall continue until such time as the conditions are no longer fulfilled.

4. The changes related to the Deputy Director for Finance and Administration will enter into force on 1 January 2018.

5. The changes linked to the introduction of the function of Central Accounting Officer will enter into force on 1 September 2017. Changes related to the allowance linked to the function of Central Accounting Officer will enter into force on 12 March 2018.

6. The changes related to the Staff Representation will enter into force on 1 September 2018.

7. The changes related to the introduction of a potential prolongation of the secondment up to 12 years and related to the introduction of multiple secondments will enter with immediate effect, from 8 July 2019.

8. The changes linked to the introduction of a “compensation allowance” will enter into force on 1 September 2019.

**9. The changes linked to the introduction of the staff category** **“Assistant Deputy Director” will enter into force on 1 January 2020.**

**SALARY SCALES FOR MEMBERS OF THE SECONDED STAFF OF THE EUROPEAN SCHOOLS**

**Scale 1**

Director

Deputy Secretary-General

**Scale 2**

Deputy Director for the secondary cycle

Senior Assistant to the Secretary-General in charge of an administrative unit

Central Accounting Officer

Financial Controller

Head of an administrative unit

**Scale 3**

Secondary school teacher

Deputy Director for the nursery and primary cycle

Deputy Director for Finance and Administration

**Assistant Deputy Director for the secondary cycle**

**Scale 4**

Administrative and Legal Officer

**Scale 5**

**Assistant Deputy Director for the nursery and primary cycle**

Principal educational adviser[[3]](#footnote-3)

**Scale 6**

Teacher qualified to teach lower secondary classes only

Assistant Financial Controller

**Scale 7**

Primary school teacher

Nursery school teacher

Educational adviser **~~with a teaching qualification~~**

Librarian

**Scale 8**

**Scale 9**

Educational adviser with a secondary school leaving certificate but without teaching qualifications[[4]](#footnote-4)

**Annex II**

**Amendments of the Service Regulations for Locally Recruited teachers at the European Schools** (changes to doc. 2016-05-D-en-3 are highlighted in **bold**):

**Article 2**

**Scope**

These Service Regulations, adopted by the Board of Governors pursuant to Article 12 of the Convention defining the Statute of the European Schools, shall apply to all teachers **and locally recruited educational adviser** referred to in Article 4 point 3**. They also apply mutatis mutandis to locally recruited Assistant Deputy Directors** **appointed by the Director in accordance with a procedure laid down by implementing rules.**

**Article 4**

**Definitions**

For the purpose of these Service Regulations, the meaning of the terms listed below shall be as follows:

1. ‘Statute of the European Schools’: the Convention of 21 June 1994 defining the Statute of the European Schools;
2. ‘European School’ or ‘School’: any educational establishment whose setting up is decided by the Board of Governors on the basis of the Statute of the European Schools;
3. ‘Locally recruited teacher’: any teacher **or educational adviser** recruited by the Director of a European School to perform teaching, educational and pupil support duties and which cannot be assigned to members of the seconded staff; it is to be distinguished between the following locally recruited teachers:
* ‘school year(s) teacher’: any teacher locally recruited for a definite or an indefinite period to perform, for an entire school year, teaching jobs that cannot be provided otherwise,
* ‘ad interim teacher’: any teacher locally recruited to perform, in course of the schooling period, temporary teaching tasks that cannot be provided otherwise;

**Article 12 bis**

**Contracts of Assistant Deputy Directors**

**1. The term of office of locally recruited Assistant Deputy Directors shall be nine years in accordance with the Implementing Regulations for the Appointment of Assistant Deputy Directors.**

**2. The length of the term may be extended by one year in the interests of the service at the end of nine years in the same school.[[5]](#footnote-5)**

**3. In the case of a transfer, the total length of the term in the two schools is ten years. It may not, under any circumstances, exceed ten years.**

**4. Locally recruited teachers already on permanent contracts, prior to their appointment as Deputy Assistant Director, shall retain the benefit of such contracts for the duration of the term of their appointment, their contracts being suspended during this period. This suspension does not affect their advancement in step in accordance with Article 36 of these Service Regulations.**

**Article 22**

**Evaluation**

1. An evaluation in accordance with Article 14 shall be carried out at the end of the probationary period.

2. An evaluation in accordance with Article 12.2 shall be carried out at least three months before the fixed-term contract period expires.

3. Furthermore, the pedagogical performance and competence of each locally recruited teacher with a contract for an indefinite period shall be the subject of an evaluation carried out by the Director and a national inspector at minimum every four years. The Director will consult a national inspector in order to carry out the evaluation.

4. A copy of the evaluation report, signed by the Director, shall be given to the locally recruited teacher concerned and a second copy will be kept in the personal file. The locally recruited teacher concerned shall be entitled to add all comments thereon which he/she deems relevant.

**5. Locally recruited Assistant Deputy Directors shall be evaluated by the Director and a national inspector in their second and fifth year of term.**

**6.** The aforementioned evaluations shall be duly carried out in line with guidelines to be defined by the Office of the Secretary General. In the event of disagreement between the Director and the inspector, the Director’s judgement shall preponderate.

**7. The Director may delegate the evaluation of locally recruited teachers to members of the pedagogical executive staff as defined in Article 6 (a) of the Regulations for Members of the Seconded Staff of the European Schools.**

**Article 29**

**Teaching hours and teaching periods**

1. On recruitment or renewal of his/her assignment, a locally recruited teacher shall be assigned a number of weekly teaching hours/periods.

2. As far as reasonably possible and taking account of the School’s logistic constraints, and, should the need arise, by proposing to make up the timetable with weekly hours/periods to be taught in another School in the same city, the Director shall seek to group the weekly teaching hours/periods of any particular locally recruited teacher without any obligation to respect a minimum amount of teaching hours/periods.

**3. Assistant Deputy Directors shall in principle be in attendance at the School during school hours throughout the school year, except, where appropriate, for absences authorised by the Director connected with teaching duties.**

**4. Educational advisers shall work a 40-hour week, in accordance with a timetable drawn up by the Director.**

**Article 32**

**Leave**

**1.** Locally recruited teachers shall have the same school holidays as the pupils. However, locally recruited teachers may be invited to be present at the School on the first two days and the last four days of the summer holidays.

**2. In principle, Assistant Deputy Directors shall have the same school holidays as the pupils, with a maximum of six weeks during the summer holidays.**

**Salary scales for locally recruited teachers recruited after 31 August 2016[[6]](#footnote-6)**

With effect from **1 July 2017**, the following salary rates shall be applicable:

1. Locally recruited teachers shall be paid **€244.84** to **€285.78** per month for **one period** a week in the secondary school and **€152.31** to **€177.78** per month for **one hour** a week in the primary and nursery schools, as set out in the table below.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Cycles** | **Step 1** | **Step 2** | **Step 3** | **Step 4** | **Step 5** | **Step 6** |
| **Secondary** | **€ 244.84** | **€ 252.53** | **€ 260.46** | **€ 268.64** | **€ 277.08** | **€ 285.78** |
| **Nursery** **and****Primary** | **€ 152.31** | **€ 157.09** | **€ 162.02** | **€ 167.11** | **€ 172.36** | **€ 177.78** |

1. Ad interim teacher shall be paid **€55.43** for **one period** in secondary classes and **€34.50** for **one hour** in primary and nursery classes.
2. Locally recruited educational adviser shall be paid **€ 21,99[[7]](#footnote-7) €** for **one hour**.
3. **Locally recruited Assistant Deputy Director nursery and primary cycle shall be paid € 26,39[[8]](#footnote-8) for one hour.**
4. **Locally recruited Assistant Deputy Director secondary cycle shall be paid € 29,10[[9]](#footnote-9) for one hour.**
1. **COM**: Reservation. [↑](#footnote-ref-1)
2. The occupational category ‘Principal Educational Adviser’ will be replaced gradually over the coming years. [↑](#footnote-ref-2)
3. Function will gradually disappear. [↑](#footnote-ref-3)
4. Function will gradually disappear. [↑](#footnote-ref-4)
5. **COM:** For locally recruited teachers the procedure should follow the proposal as inserted in the document presented to the BoG (5 + a possibility of 4 years). [↑](#footnote-ref-5)
6. The amounts of remuneration appearing in this Annex are those applicable as of 1 July 2017, as approved by the Board of Governors by written procedure 2018/06. They do not reflect the different weightings used pursuant to Article 35.4 of these Service Regulations. [↑](#footnote-ref-6)
7. 34,50 € x 25,5 / 40 = 21,99 € per hour. [↑](#footnote-ref-7)
8. 34,50 € x 25,5 / 40 x 1,20 = 26,39 € per hour. [↑](#footnote-ref-8)
9. 55,43 € x 21,0 / 40 = 29,10 € per hour. [↑](#footnote-ref-9)