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Evaluation of Locally Recruited Teachers in the European Schools

**BOARD OF GOVERNORS**

Meeting on 4, 5 and 6 April 2017 – Berlin

1. **Introduction**

On 1 September 2016 the new ‘Service Regulations for Locally Recruited Teachers in the European Schools’[[1]](#footnote-1) came into force.

In addition, the document ‘Evaluation of teachers in the European school system’[[2]](#footnote-2), approved by the Board of Governors in December 2015, entered into force at the beginning of the 2016/2017 school year.

Finally, in February 2016, the Joint Teaching Committee approved the document ‘Quality Teaching in the European Schools – Booklet’[[3]](#footnote-3) that was accompanied by a MEMORANDUM[[4]](#footnote-4) supporting the circulation of the ‘Booklet’ and the implementation of the ‘Toolkit’ included in the ‘Booklet’.

In accordance with these documents, all Locally Recruited Teachers in the system of the European Schools, with the exception of the ‘ad interim teachers’, will have to be evaluated as further specified hereunder.

In December 2016, the Board of Governors was provided with a document that gave a detailed overview over the future evaluation needs and the legal requirements.

The Board of Governors agreed that a mechanism should be created ensuring a fair, equal and transparent procedure that ensures the high quality of all evaluations and it mandated a Working Group to provide concrete proposals, which address the practicalities and the legal requirements of the envisaged evaluations.

This Working Group it agreed should be composed of the Head of Unit Human Resources of the Office of the Secretary-General, the Head of Unit Baccalaureate, an inspector of the Presidency, and four additional inspectors, one Director and a Deputy Director and representatives of the EU Commission and a representative of the Locally Recruited Teachers.

The newly created Working Group met on 20 January 2017 in order to present first proposals for the meetings of the Joint Board of Inspectors and the Joint Teaching Committee in February 2017.

Further meetings are planned in the light of the discussions of the Joint Board of Inspectors and the Joint Teaching Committee.

1. **First proposals of the Working Group**

It should be recalled that according to the new Service Regulations for Locally Recruited Teachers, which are applicable to all locally recruited teachers in the system of the European Schools, a distinction has to be made between the following evaluations:

1. Evaluation at the end of the probationary period in accordance with Article 14 of the Service Regulations,
2. Evaluation before offering a contract for an indefinite period in accordance with Article 12 of the Service Regulations,
3. Evaluation every four years in the context of the merit-based step system in accordance with Article 22.3 of the Service Regulations.

The text of the relevant Articles can be found in Annex II of this document.

Taking in considerationthese legal requirements and the challenging timeframe the Working Group agreed to prioritise

* the evaluation to be carried out by the Directors **at the end of the probationary period** which finishesat the end of the 2016/17 school year

and

* the **evaluations every four years** as the Board of Governors had supported the idea to start with these evaluations as soon as possible.

1. **Evaluation at the end of the probationary period – Article 14 of the Service Regulations**

**a) Legal requirements**

According to Article 14.1 of the Service Regulations, the Locally Recruited Teachers with a ‘school year(s) contract’ have to be evaluated at the end of the schooling period of the first year of contract.

This evaluation has to be **carried out by the Director who may consult a national inspector**.

This new requirement will concern all Locally Recruited Teachers who received a two-year fixed term contract at the beginning of the 2016/2017 school year.

According to the information the Office of the Secretary-General has received this will concern approximately **224 Locally Recruited Teachers** (108 in the primary and 116 in the secondary cycle).

**b) Practical approach proposed by the Working Group**

The evaluations at the end of the probationary period can be carried out by the Directors and Deputy Directors of the Schools.

The members of the Working Group agreed that support of other teaching staff of the same school or another school is not desirable, or at least not required, in the context of these evaluations.

Moreover, it was also agreed that in general the involvement of national inspectors would not be required. Nevertheless, the Directors may identify cases where the support of a national inspector is needed.

In particular, this may be the case if

* the teaching subject/teaching area or the language of tuition cannot be covered by the Directors of the School and this requires the support of a national inspector,
* the quality of teaching is more than questionable or
* the teacher is lacking the required qualification.

These particular cases should be reported to the Office of the Secretary-General by the end of March 2017 in order to ensure the involvement of national inspectors as requested by the school(s).

In the meantime, the Office of the Secretary-General will develop an evaluation template, aligned with document 2015-09-D-3: *Quality teaching in the European Schools-Booklet*, which in particular will address the pedagogical-didactical competence and potential needs for further qualification of the teacher concerned.

**In cases where the formal qualification requirements** have not been met, this should be clearly stated in the evaluation report.

Moreover, the Director in conjunction with the relevant inspector and the teacher should agree on concrete qualification measures to be taken.

Finally, it should be clarified that the awarding of a permanent contract will only be considered where the necessary qualification has been acquired.

1. **Evaluation every four years – Article 22.3 of the Service Regulations**

**a) Legal requirements**

According to Article 22.3 of the Service Regulations each Locally Recruited Teacher with a permanent contract shall be subject to an evaluation at a minimum every four years.

This evaluation has to be carried out by the Director and a national inspector and will concern all Locally Recruited Teachers (with a permanent contract) no matter when they have been recruited.

The first evaluation of these teachers has to be carried out within the next four years. As Article 22.3 of the Service Regulations refers to a ‘maximum period of four years’, the process could begin in the 2017/2018 school year, but must be completed before the end of the 2019/2020 school year at the latest.

The total number of **Locally Recruited Teachers** to be evaluated in this context by the end of the 2019/20 school year will be approximately **700.**

**b) Practical approach proposed by the Working Group**

The evaluations needs in this context are huge.

Therefore, the Board of Governors supported the proposal to start with these evaluations as soon as possible and not only as of the 2019/20 school year.

Given the numbers concerned, the members of the Working Group agreed that these evaluations should begin in the 2017/18 school year.

In this context, it should be recalled that teachers who have been recruited before 1 September 2011 are still entitled to the higher salary scales provided in Annex II of the Service Regulations for Locally Recruited Teachers. This means that these teachers – although supposed to be evaluated every four years - are not directly concerned by the merit-based step system, as their salary is higher than the salary in the final step provided in Annex I of the Service Regulations for Locally Recruited Teachers.

On the other hand, teachers recruited as from 1 September 2011 onwards who have already received a permanent contract are very much concerned by the evaluation in the context of the merit-based step system no matter how many hours or periods they teach.

This concerns mainly teachers recruited in the school years 2011/12, 2012/13 and 2014/15 who will in case of a positive evaluation receive their second step at the end of the 2019/20 school year. Teachers recruited as of the 2015/16 school year do not have a permanent contract yet.

The total number of teachers with a permanent contract recruited as of 1 September 2011 **should amount to around 210 teachers**.

The Working Group proposes to tackle these evaluations with priority by creating for each school an ‘inspection team’ composed of several national inspectors as referred to in Article 4 No. 11 of the Service Regulations[[5]](#footnote-5). The composition of these ‘inspection teams’ (number of inspectors, their expertise and knowledge of languages etc.) will depend on the concrete evaluation needs of the particular school.

Based on the identified needs of the particular school ‘external inspector/s’ can be invited by the national inspectors nominated as the members of the ‘inspection team’.

Expertise and language knowledge of the ‘external inspector/s’ must correspond to the needs of the school. In all cases, these ‘external inspectors’ would have to work under the responsibility of national inspectors. These ‘external inspectors’ should only be entitled to a reimbursement of their mission costs as national inspectors.

This approach could create synergies and promote harmonisation within the evaluation process and could reduce the travel costs linked to the evaluation.

In order to gain first-hand experience as soon as possible, the members of the Working Group are proposing to pilot the use of such ‘inspection teams’ in one or two schools by the end of May 2017 and to report back to the Joint Board of Inspectors and the Joint Teaching Committee in October 2017.

A concrete description of such a pilot will be established if the Joint Board of Inspectors and the Joint Teaching Committee will support this approach.

1. **Evaluation before offering a contract for an indefinite period – Article 12.3 of the Service Regulations**

**a) Legal requirements**

According to Article 12.3 of the Service Regulations, a contract for an indefinite period shall only be awarded after an evaluation carried out by the Director and a national inspector.

In general, a contract for an indefinite period can be offered after two consecutive contracts of a period of two years each.

This means that for the teachers who have been employed as of the beginning of the 2016/2017 school year this evaluation will have to be foreseen in the **second half of the 2019/2020 school year**.

If these teachers stay in the system of the European Schools, this will concern according to the information the Office of the Secretary-General has received, approximately **224 Locally Recruited Teachers** (108 in the primary and 116 in the secondary cycle).

In addition, cases have to be addressed, where Locally Recruited Teachers who received their first contracts for one school year before 1 September 2016 and who still do not have a permanent contract. These teachers will also need to be evaluated before a contract for an indefinite period could be awarded.

For these teachers the following policy has been established[[6]](#footnote-6):

* Teachers who received their **second fixed term contract** at the beginning of the 2015/2016 school year have received a contract for an indefinite period as of 1 September 2016 provided they have received a positive evaluation by their Director at the end of the 2015/2016 school year.
* Teachers who received their **first fixed term contract** at the beginning of the 2015/2016 school year have received a two-year fixed term contract at the beginning of the 2016/2017 school year.

The second category of teachers will have to be evaluated in the **second half of the 2017/2018 school year** before receiving a permanent contract.

According to the information the Office of the Secretary-General has received, this will concern approximately **166 Locally Recruited Teachers** (92 in the primary and 74 in the secondary cycle).

**b) Practical approach**

The evaluation before offering a permanent contract is the most important evaluation.

Also this evaluation will involve the Director and a national inspector.

As these evaluations have to be carried out for the first time in the **second half of the 2017/18 school year**, the Working Group agreed to tackle these evaluations in the light of the outcome of the pilot projects illustrated above.

Nevertheless, in order to specify these evaluation needs in spring 2018 a ‘data collection’ with respect to the teachers concerned will be established by the end of the 2017/18 school year (see model for the template in Annex I).

The conditions under which this ‘data collection’ can be developed to a ‘database’ will have to be discussed in detail in the next meetings of the Working Group in close dialogue with the IT Administration Group which deals with questions linked to the master data management.

1. **Next step**

The members of the Joint Board of Inspectors and the Joint Teaching Committee are asked to express their view in particular concerning

* the prioritisation of the evaluations and
* the proposed ‘inspection teams’ and a pilot project in May 2017.

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

The Joint Board of Inspectors took note of the first report and expressed a favourable opinion on the ‘team inspections’ pilot project in order ultimately to achieve harmonisation and to avoid an excessively heavy workload for the Inspectors and the Directors. The recruitment of external evaluators seemed difficult to implement in practice because of the current conditions.

Adaptations would be made to the document and work should continue shortly, so that the working group would be able to present a final report for the next meetings in October 2017.

The document would be sent forward to the Joint Teaching Committee and to the Budgetary Committee for their opinions and to the Board of Governors for approval.

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

The Joint Teaching Committee took note of the preliminary report and expressed a favourable opinion concerning the ‘team evaluation’ pilot project, which would ultimately lead to harmonisation. It might be difficult to find external evaluators given the conditions. Minor amendments were requested and work would be continued in order to come back with a final proposal in October. The report would be sent forward to the Budgetary Committee for its opinion and to Board of Governors for approval.

1. **Opinion of the Budgetary Committee**

The Budgetary Committee expressed a favourable opinion on the priorities established for the evaluations and the ‘team inspections’ as proposed and also on the launch of a pilot project in May and September 2017, and invited the Board of Governors to endorse the Working Group’s proposals.

1. **Proposal to the Board of Governors**

The Board of Governors is invited to support

* the prioritisation of the evaluations and
* the proposed ‘inspection teams’ and a pilot project in May and September 2017.

**Annex I**

**Template:**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Nationality** | **Name** | **Language of tuition** | **Cycle** | **Subject taught/Teaching area** | **Subject**  **Taught/Teaching area** | **Subject taught** | **Amount of Hours/Periods** | **School** | **Evaluating Inspector** |
| German |  | German | S | MATH | PHY | CHEM |  | BXL IV |  |
| US |  | English | S | L 1 | L 2 | L 3 |  | LUX I |  |
| CZ |  |  |  | Social skills | Learning to learn |  |  | BXL III |  |
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**Annex II**

**Extract from the Service Regulations for Locally Recruited Teachers in the European Schools (doc. 2016-05-D-11-en-1)**

**Article 7**

**Recruitment procedure**

1. A Director who has to recruit a teacher locally shall be required to publish a job offer on the website of the School, the European Schools and in national or international media at least two weeks before the selection of the candidates.

The job offer shall contain the following information:

* the nature of the duties,
* the approximate number of weekly hours/weekly periods,
* the requirements to perform the duties in accordance in particular with Article 10of these Service Regulations,
* the place of work,
* where applicable, the intention to constitute a reserve list for future recruitment and
* the method of application.

2. The Director may derogate from the provisions of paragraph 1 in cases where a vacancy can be filled by a locally recruited teacher already employed at a European School or placed on a reserve list linked to an earlier recruitment procedure carried out in line with these provisions or where this is mandatory to ensure the continuity of the service.

3. During the selection procedure the Director must treat all candidates equally.

4. A Director may not make any distinction on the basis of personal factors when they have no connection with the post or the nature of the undertaking. Thus, the employer may, in particular, not make a distinction on the basis of age, sex, marital status, medical history, race, colour, national or ethnic ancestry or origin, political or philosophical convictions, sexual orientation or a disability.

5. All information concerning the candidate shall be treated confidentially.

6. The Director shall consult a national inspector in order to validate the qualifications and the relevant supporting documents (i.e. diploma, certificates or attestations of previous post(s) held).

7. Candidates whose applications have notbeen successful shall be informed in writing by the Director within 20 working days after the finalisation of the recruitment procedure.

**Article 12**

**School year(s) teaching contracts**

1.A fixed term school year(s) teaching contract lasts until the end of the second school year, following the school year for which the school year teacher was recruited and may only be prolonged once for two further school years.

2. To cover school year teaching needs with the same locally recruited teacher beyond a fourth year, only contracts for an indefinite period may be concluded**.**

3. A contract for an indefinite period shall only be concluded

* after an evaluation carried out by the Director and an national inspector and
* on condition that the results of the evaluation carried out in conformity with Article 22 are positive.

**Article 14**

**Probationary period**

1. For school year(s) teaching contracts the probationary period ends at the end of the schooling period of the first year of contract. During this period each of the two parties may without giving reasons terminate the contract in writing subject to two weeks’ notice.

At the end of the probationary period the Director, who may consult a national inspector, and carries out an evaluation. The contract must be terminated at the end of the probationary period in case the evaluation states that the performance is not satisfying.

2. For ad interim teaching contracts the parties may agree on a proportionally shorter probationary and notice periods to be fixed in the individual contract. The evaluation at the end of the probationary period is carried out by the Director who may consult a national inspector.

**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 12.3 shall be carried out before a contract for an indefinite period is concluded. The evaluation should be duly 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. 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.

**Annex III**

**Financial sheet**

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| --- | --- | --- | --- | --- |
| **Schools visited** | **Number of Inspectors in the Team** | **Estimated Travel Costs** | **Daily Allowance** | **TOTAL** |
| 1st Evaluation Mission | 6 | € 3.000 | € 5.688 | € 8.688 |
| 2nd Evaluation Mission | 8 | € 4.000 | € 7.584 | € 11.584 |
| **TOTAL** | **14** | **€ 7.000** | **€ 13.272** | **€ 20.272** |

1. 2016-05-D-11-en-1. [↑](#footnote-ref-1)
2. 2015-09-D-40-en1. [↑](#footnote-ref-2)
3. 2015-09-D-3-en-2. [↑](#footnote-ref-3)
4. 2016-09-M-2. [↑](#footnote-ref-4)
5. SR, Ref.:2016-05-D-11-en-1 A4, No11: “National Inspector: an inspector who is appointed by the Board of Governors pursuant to Article 16 of the Statute of the European Schools. [↑](#footnote-ref-5)
6. For the details see MEMO 2016-06-M-1. [↑](#footnote-ref-6)