

Appendix 12

Notification Form for completion by schools in relation to actions, claims or demands relating to the State Indemnity (excluding personal injuries and third party property damage)

This Notification Form must be completed in the first instance by the Board of Management and then submitted to the ACCS. The ACCS will then submit this Form to the Department together with its comments on same.

1. School Details

School Name and Address:

Contact Person(s):

School Roll No.:

Contact Telephone No.:

2. Person(s) to whom the application to avail of State Indemnity relates to

3. Rationale for seeking to avail of State Indemnity

(Please outline the reason(s) why you wish to avail of State Indemnity, and believe it to be appropriate)

4. Information on the relevant policy/procedures/legislation at issue

5. Details of the background to the specific issue arising

6. Relevant Dates

(a) The date the School Principal first became aware of the issue:

(b) The date the Board of Management first became aware of the issue:

7. The steps taken by the Board of Management to resolve the issue

8. Any other information which is considered to be relevant by the school to the application to avail of the State Indemnity

Declaration (to be completed by the school)

I confirm that all information provided on this form is accurate to the best of my knowledge

I acknowledge that I have enclosed all relevant documentation in relation to the application to avail of State Indemnity

I accept that failure to provide complete information in a timely manner may affect the application to avail of the State Indemnity and operation of same.

Name (Block Capitals)

Signature:

Status:

Data Protection

The Department of Education and Skills will treat all personal data you provide on this form as confidential and will use it solely for the purpose intended. The information will only be disclosed as permitted by law or for the purposes listed in the Departments registration with the Data Protection Commissioner - REF 10764/A

If the information you have provided is to be used for purposes other than outlined in the Departments registration with the DPC your permission will be sought

For completion by ACCS and onward submission to the Department

- (a) **Date application to avail of the State Indemnity was received by ACCS**

- (b) **ACCS comments on the school's application to avail of the State Indemnity**

Name
(Block
Capitals)

Signature:

Date:

Appendix 13

Procedures for processing actions, claims or demands under the State Indemnity that do not come within the ambit of the State Claims Agency

1. There are several types of cases which do not come within the ambit of the State Claims Agency and which might fall within the State Indemnity, including but not limited to, the following: –
 - Workplace relations cases e.g. employment law, grievance/disciplinary procedures/cases, harassment cases, equality cases.
 - Child protection cases
2. In order to avail of the State indemnity, the Board of Management must firstly inform the ACCS in writing of their intention to do so within **10 working days** of becoming aware of the issue arising.

The ACCS must inform the Department in writing and preferably by electronic means of the Board's intention to avail of the State Indemnity within **5 working days** of having been informed by the Board of the issue arising and of any comments by the ACCS on same.

In relation to the above guidelines it is acknowledged that it may not be possible to adhere to these timelines where legal advice is being sought by the Board of Management in accordance with Child Protection procedures. In such scenarios the Notification Form for seeking to avail of the State Indemnity must be submitted at the earliest possible opportunity.

In all cases, the Schools Financial Section (Athlone) **ccfinancial@education.gov.ie** will be the first point of contact for ACCS in relation to applications seeking to avail of the State Indemnity.

3. The application seeking to avail of the State indemnity shall in all cases include the following information:
 - a. Information on the relevant policy/procedures/legislation at issue in the case
 - b. Details of the background to the specific issue arising (including the steps taken by the Board of Management to resolve the issue)

- c. Copies of all relevant documentation in relation to the application to avail of the State Indemnity
 - d. Any other information which is considered to be relevant by the school to the application to avail of the State Indemnity.

- 4. The Board of Management of the school will be advised of the outcome of its application to avail of the State indemnity via the ACCS.

- 5. It is a condition of the indemnity that, should it be granted in any individual case;
 - (a) that the Department* must be informed prior to any costs being incurred and

 - (b) the Board of Management commits to keep the Department* informed in advance of key milestones within the process concerned and inform the Department* of significant individual items of expenditure.

*using e-mail address **ccfinancial@education.gov.ie** for Schools Financial Section in DES Offices, Athlone.