



An Roinn Oideachais
agus Oige
Department of Education
and Youth

Guidance Note on the award of Contracts of Indefinite Duration (CIDs) for Primary School Teachers

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1 INTRODUCTION

This Information Note should be read in conjunction with Circular 20/2026 titled “Revision of the process set out in Circular 0023/2015 which set out the Implementation of the Recommendations of the Expert Group on Fixed-Term and Part-Time Employment in Primary and Second Level Education in Ireland”.

Please note this document is for information purposes only. While the examples set out below do not cover all possible scenarios, this document will be updated accordingly as further queries emerge. Individual cases may be complex and will be dealt with on a case-by-case basis.

Further enquiries in relation to the awarding of CIDs should be addressed to the employer (school/ETB) or the relevant management body in the first instance. Further enquiries may be addressed to teachersna@education.gov.ie.

This document sets out information on the CID process under the following headings:

- Qualification Criteria for a CID.
- Application Process for a CID.
- CID Entitlements and worked examples.
- CID Appeals Process.
- Information on Teacher Recruitment.

2 QUALIFICATION PROCESS FOR A CID

In assessing whether a teacher qualifies for a CID, several factors need to be considered including assessing whether or not the teacher satisfies the eligibility criteria set out in the relevant Department Circulars on CIDs.

2.1 Registration with Teaching Council and appropriate qualifications

A teacher currently registered with the Teaching Council and holding qualifications appropriate to the sector they are employed in, then their CID application can be considered under Circular 20/2026.

If the individual is not a qualified teacher, then any CID entitlement will be based on the Protection of Employees (Fixed Term Work) Act 2003 and not on these Circulars.

[Further information on relevant registration and qualification criteria is available on the Teaching Council Website at https://www.teachingcouncil.ie/.](https://www.teachingcouncil.ie/)

2.2 Successful completion of 1 year continuous service and re-appointment after new interview process.

In order to qualify for a CID, a teacher must have been employed by the employer under a written contract in a post for a duration of one year, at the end of which the contract is terminated.

A new interview process must have been conducted before the end of that school year for appointment of the teacher to a viable post in the following school year. Accordingly, a CID contract cannot issue to a teacher until the position has been advertised and interviews held.

Once a teacher has been interviewed twice for the same post or teaching the same subjects, then a third or subsequent interview shall not be required for the continuation of employment either in a fixed term contract or for the awarding of a CID once a viable contract continues to be available.

Employers are reminded that it is a condition under Department Circulars that an employee must be informed in writing as to why they are being employed on a second or further fixed-term contract rather than on a CID.

Employers are also reminded of their obligations that they must not fill/advertise a teaching post without first ensuring that the post is not required to meet obligations to existing teachers in respect of eligibility for a CID i.e. where a teacher has successfully completed a year of continuous employment with the employer, has been interviewed for the post at the end that year and has held fixed term contracts without objective grounds or other commitments such as redeployment panels.

2.3 Continuous Service

How is continuous service determined?

In determining whether service is continuous, certain periods where the teacher was not at work will be regarded as lay-offs and accordingly will not break continuity of service with

the same employer. The following periods will be regarded as lay-offs for this purpose and as such are regarded as continuous service:

- School holiday closure periods (i.e., October mid-term break, Christmas holiday, February mid-term break, Easter holiday and Summer holiday) provided that the teacher was employed by the same employer immediately prior to and immediately following the school holiday closure period.
- Any period of up to 2 weeks at the beginning of the school year provided that the teacher was re-employed by the same employer immediately prior to the summer holiday and was re-employed by the same employer following the lay-off period concerned.
- Any period of up to 2 weeks at the end of the school year provided that the teacher was employed by the same employer immediately prior to the lay-off period concerned and was re-employed by the same employer at the beginning of the following school year.
- Incidental days (such as unforeseen closures including weather alerts, use of school for voting, EPV days, exceptional circumstances).

In addition, continuity of service will not be broken due to timetabling arrangements. For example, if the teacher was employed as a substitute for 4 days a week for every week that the school was open, this is regarded as a year of continuous service – the fact that the timetabling meant that they did not work for 1 day of every week does not break service.

Privately paid Service is Ineligible:

Where a teacher is currently employed in a teaching post that is privately paid (i.e., not in an Oireachtas-funded teaching post), the teacher is not entitled to a CID funded by the Oireachtas. The teacher may separately have an entitlement under the Protection of Employees (Fixed Term Work) Act 2003 for a CID funded by the school.

Where a teacher is currently employed in an Oireachtas-funded teaching post and was previously employed by the school in a privately paid teaching post, periods of privately paid teaching service do not count towards the service threshold for entitlement to a CID funded by the Oireachtas under Circular 20/2026.

Does the teacher have in excess of 1 year's continuous teaching service in an Oireachtas- funded teaching post with the same employer?

In assessing entitlement to a CID, one of the criteria to be fulfilled is that the teacher must have in excess of 1 year of continuous teaching service under a written contract of employment with the same employer which was paid for out of monies provided by the Oireachtas.

Please note that time on placement as a student teacher does not count as teaching service.

In assessing entitlement to a CID which may arise at the end of year 1, a teacher may be entitled to a CID if:

- They have completed their first year of service under a written contract of employment and have been re-appointed to a viable post following a new interview process.
- There are no objective grounds noted in the contract precluding a CID.

2.4 Viable Posts

How is a year 2 viable service determined?

A post is considered to be viable if it is for a reasonable period, comes from the school allocation, does not relate to temporary cover and where there are no objective grounds. It should be noted that a reasonable period is considered to be at least a full school year.

2.5 Objective Grounds

Review of Objective Grounds - where the criteria set out above have been fulfilled, then the nature of the teacher's contract in Year 2 (or year for which the CID is claimed if that is later than Year 2) must be considered.

- (A) A teacher **IS** entitled to a CID where they have fulfilled the criteria as set out above and have a viable post in year 2 (or year for which the CID is claimed if that is later than year 2). A post is considered viable where the teacher's employment derives from the following:
- (i) Covering for a teacher on career break or secondment

- (ii) A vacant permanent post
- (iii) Special Education Teacher hours/post
- (iv) Principal Release Day Cluster Post
- (v) SET post with use of Principal Release days i.e., combined post.
- (vi) SET with use of Principal Release days and Language Support hours for Irish.
- (vii) Supply panel post
- (viii) Múinteoir Tacaíochta Teanga
- (ix) Home School Community Liaison Post
- (x) English as an Additional Language posts
- (xi) Projected enrolment
- (xii) Ordinary enrolment

Examples of where a teacher IS entitled to a CID based on the nature of the year 2 hours:

Nature of contract in <u>Year 2</u> (or year for which the CID is claimed if that is later than Year 2)	Is the teacher entitled to a CID if all other conditions are fulfilled?
Contract for “own hours” for the full year.	YES
Replacing a teacher absent on career break.	YES
Replacing a teacher absent on secondment.	YES
Filling a Special Education Teacher post contract.	YES
Filling a Principal Release Day Cluster Post contract / Supply panel post contract.	YES
Filling a Múinteoir Tacaíochta Teanga post contract.	YES
Filling a SET hours post combined with Principal Release days	YES

Example:

Where a teacher holds a mix of contracts in Year 2 and one of the contracts would on its own entitle a teacher to a CID, then the teacher will be entitled to a CID (provided all of the other criteria for award of a CID are fulfilled).

If a primary school teacher is covering a job-share at the beginning of Year 2 and teacher is subsequently changed to cover a career break, secondment or other viable post, then they may claim a CID provided the teacher is appointed to the vacant viable post for a reasonable period (at least one school year).

In this instance there is no requirement for a teacher to make an appeal, another application can be made with the updated change in contract.

- (B) A teacher is **NOT** entitled to a CID in a given year if objective grounds exist for refusing it. There are three main objective grounds:
- (i) That the entirety of the teacher’s contract is solely for the purpose of covering the leave of absence of another teacher, including an absence which arises from a job share arrangement or an inter-school job sharing arrangement.

- (ii) That the post is not viable for a reasonable period (at least a full school year).
- (iii) That the position is a substitute position i.e., solely for the purpose of replacing a teacher absent on sick leave, maternity leave, parental leave, carer's leave etc.

Examples of where a teacher IS NOT entitled to a CID based on the nature of the year 2 hours:

Nature of contract in <u>Year 2</u> (or year for which the CID is claimed if that is later than Year 2)	Is the teacher entitled to a CID if all other conditions are fulfilled
Solely replacing a teacher absent on job share.	NO
A post that is viable for less than one full year.	NO
Solely a substitute position i.e., replacing a teacher absent on sick leave, maternity leave, parental leave, carer's leave etc.	NO

3 CID APPLICATION PROCESS

The CID application process is as set out in Circular 20/2026.

Questions relating to the CID application process:

Can a teacher apply for a CID at any time of the year?

Yes, in excess of one year's teaching service is taken to mean from the start of the viable contract of employment. A teacher may therefore become eligible for a CID during the course of the school year provided they meet the required criteria. The CID, when awarded, will apply from the relevant qualifying date.

Can a teacher who holds a part-time CID apply for the hours of that CID to be increased up to and including full-time hours?

Where a teacher has a part-time CID and the Board of Management/ETB has employed this teacher for additional hours (i.e., a part-time fixed term contract in addition to a previously acquired CID in the school/ETB), and the hours concerned

continue to be viable and available within the school/ETB's allocation; these hours must be held for a period of continuous employment in excess of one year.

How is seniority determined among teachers where CID's were granted on the same day or among teachers when one viable post is available, and a number of teachers have two or more continuous years of service in the school?

Information on seniority of teachers is set out in Chapter 5 of [Circular 0044/2019 Recruitment/Promotion and Leadership for Registered Teachers in Recognised Primary Schools](#)

Can a teacher holding a CID seek a reduction in hours?

As a teacher employed on a CID is equivalent in status to a permanent teacher, a CID post holder can only reduce their contracted hours inside the terms and conditions of existing work sharing schemes, i.e. job-sharing.

4 CID ENTITLEMENTS AND WORKED EXAMPLES

4.1 Contracts with Objective Grounds

Point at which Objective Grounds are Relevant:

Where a teacher enters their second or further year of employment on a fixed-term contract with the same employer, his/her eligibility for a CID must be considered by reference to the source of the contract in that second or later year.

It should be noted that any objective grounds to the awarding of a CID must be set out in the first year contract. The source of the contract in the year prior to the CID being considered is irrelevant. Worked examples are set out as follows.

Example 1 – Job sharing CID granted

Teacher's Employment:

Year	Nature of Contract
Year 1	Job share cover
Year 2	Special needs hours

The teacher is being considered for a CID at the start of Year 2. The teacher in this case is not excluded from entitlement to a CID due to the fact that their Year 1 contract was for job share cover. No objective grounds for refusing a CID exist in Year 2. Therefore, the teacher in this example should be awarded a CID at the start of Year 2 once the other criteria for award of a CID as set out in the relevant Circular are fulfilled.

Example 2 – Job sharing, CID not granted

Teacher's Employment:

Year	Nature of Contract
Year 1	Career Break cover
Year 2	Job share cover

The teacher is being considered for a CID at the start of Year 2. The teacher in this case is excluded from entitlement to a CID due to the fact that objective grounds exist in Year 2 i.e., the Year 2 contract is for job share cover.

Example 3 – Job sharing, CID granted

Teacher's Employment:

Year	Nature of Contract
Year 1	Maternity Leave cover
Year 2	Job share cover
Year 3	Job share cover
Year 4	Job share cover
Year 5	Career Break cover

The teacher is being considered for a CID at the start of Year 5. Prior to the start of Year 5, the teacher is excluded from entitlement to a CID due to the fact that objective grounds exist in Year 2, Year 3 and Year 4 i.e., the Year 2, Year 3 and Year 4 contracts are for job

share cover. The teacher in this case is not excluded from entitlement to a CID in Year 5 due to the fact that their Year 4 contract was for job share cover. No objective grounds for refusing a CID exist in Year 5. Therefore, the teacher in this example should be awarded a CID at the start of Year 5 once the other criteria for award of a CID as set out in the relevant Circular are fulfilled.

Example 4 – Insufficient continuous service, CID not granted

Year	Contract	Contract dates
Year 1	Viable contract	November – June
Year 2	Viable contract	September - June

The teacher is being considered for a CID at the start of Year 2. The teacher in this case is excluded from entitlement to a CID due to the fact that sufficient continuous service has not yet been reached. In this instance the teacher is advised to reapply closer to the start date of the initial contract which in this case is November.

4.2 CID Hours Entitlement

Where a teacher has been found to be entitled to a CID, the next issue for consideration is what the hours of that CID are.

When a CID is being awarded, the CID will be those hours for which the teacher was engaged on a fixed term contract for the full school year prior to the issuing of the CID. This can include hours where the teacher was employed to cover the leave of absence of another teacher, provided the teacher worked those hours for at least the **full year**.

Example 1 – Primary

Teacher's Employment:

Year	Nature of Contract	Number of Hours	Dates these Hours were worked
Year 1	Job-share	Full post	1 Sep – 31 Aug
Year 2	SET hours	10 hours	1 Sep – 31 Aug

The teacher has been found to be entitled to a CID from the beginning of Year 2. The CID will be for a full post as he/she was employed for a full post for the entirety of Year 1.

Example 2 – Primary

Teacher's Employment:

Year	Nature of Contract	Number of Hours	Dates these Hours were worked
Year 1	SET	10 hours	1 Sep – 31 Aug
Year 2	SET	15 hours	1 Sep – 31 Aug

The teacher has been found to be entitled to a CID from the beginning of Year 2. The CID will be for 10 hours as he/she was employed for 10 hours for the entirety of Year 1. The teacher will receive a fixed term contract for the additional five hours. The teacher may be entitled to have these fixed term hours added to their CID in Year 3, depending on other factors.

Example 3 – Primary

Teacher's Employment:

Year	Nature of Contract	Number of Hours	Dates these Hours were worked
Year 1	SET	15 hours	1 Sep – 31 Aug
Year 2	Secondment Cover	Full post	1 Sep – 31 Aug

The teacher has been found to be entitled to a CID from the beginning of Year 2. The CID will be for 15 hours as they were employed for 15 hours for the entirety of Year 1. The teacher is therefore employed in Year 2 on a CID of 15 hours plus a fixed term contract to bring them up to a full post. The teacher may be entitled to have these fixed term hours added to their CID in Year 3, depending on other factors.

5 CID ADJUDICATION APPEALS PROCESS

A teacher who is a fixed term teacher and is comprehended by Circular 20/2026 **AND** has 1 or more years successive teaching service **AND** has been refused a CID by their employer

OR

has been awarded a CID but is unhappy with the terms of the CID, may take an appeal under [Circular 0030/2018 Adjudication Process – Contracts of Indefinite Duration](#) (primary and post-primary).

An appeal must be lodged **within 4 working weeks** of the date that a teacher is notified of the decision to refuse a CID. All documentation relating to the appeal should be returned to this address: Adjudication of Fixed Term Work Issues, Block 2, Floor 2, Department of Education, Marlborough Street, Dublin 1. Alternatively, documentation may be emailed to esr@education.gov.ie.

5.1 Documentation required for a CID Appeal

To facilitate the smooth processing of an appeal the following information will be required:

1. From the teacher:

- Completed FT1 Application Form which is included in [Circular 0030/2018](#). This should include full details relating to the employment. The appeal should give a brief background of the circumstances of the teacher's case including details of when employment commenced and a description of the duties or position to which the teacher was assigned.
- The appeal should also set out the reasons why the appeal is being taken and the grounds upon which the teacher believes they are entitled to be awarded a CID. If the appeal is in relation to the terms of the CID awarded, the appeal should set out clearly why the terms are unsatisfactory and what the teacher believes they are entitled to.
- Copies of employment contracts/ statements of service should be submitted to support the appeal.
- The decision letter from the school to refuse or award of the CID.
- Any other relevant information to support the appeal.

From the employer (school/ETB):

The employer will also be required to complete an FT2 & FT 3 form as part of the adjudication process. This form is also included in [Circular 0030/2018](#).

- This should include full details relating to the employment including details of the employment.
- The appeal should also set out when and the reasons why the CID was refused including whether there were any objective grounds set out justifying the refusal of a CID.
- Any other relevant information in relation to the appeal.

6 TEACHER RECRUITMENT

6.1 Information to be provided when taking up a fixed term position

What information should be issued to a teacher who is taking up a fixed term position/permanent position?

A contract of employment should be issued to a teacher upon commencement of the school year. This contract should include the full name of the employee and the employer. It should be signed and dated by both parties. It should also include a written statement of the employee's core terms of employment.

6.2 Sequences of Recruitment

What is the sequence of recruitment for Teachers on short term employment (Less than 24 weeks)

- a) Where a vacancy arises, the employer must first seek to employ an appropriately qualified teacher who is not retired
- b) Where all efforts to secure an appropriately qualified teacher who is not retired fail, the employer may employ a retired appropriately qualified teacher.
- c) If it is not possible to recruit a teacher under (a) or (b) above, the employer may employ a registered teacher who is not appropriately qualified on a short-term bases,

giving preference to one who is not retired.

- d) If no registered teacher can be found, the employer may employ an unregistered person, in a short-term capacity, in accordance with the limited exceptions provided under the Education Act, 1998 (Unregistered persons).

What is the sequence of recruitment for Teachers on long term employment (More than 24 weeks)

Employers should not fill a teaching post without first ensuring that the post is not required to meet obligations to existing teachers in respect of eligibility for a CID.

All vacancies of 24 weeks or more should be advertised on at least one of the websites approved by the management bodies and should be notified to all fixed term teaching staff in the school/ETB including those on leave of absence.

