

**Case No CEDUC-22-2982**

3 August 2023

Mr Tony Sultana  
Principal Permanent Secretary  
Office of the Prime Minister  
Auberge de Castille  
Valletta

Dear Mr Sultana

Thank you for your letter of the 2<sup>nd</sup> June 2023 in connection with the case in caption, to wit the complaint by Messrs [omissis] and this Office's Final Opinion of the 2<sup>nd</sup> February 2023.

The whole purpose of the exercise conducted by this Office was directed towards establishing whether or not an injustice was or is being suffered by the complainants because of the combination of two decisions attributable to the Administration: the decision (in 2008) requiring a full teaching (pedagogical) degree for a permanent teachers' warrant (which at law is not required for post-secondary level teaching), and the current practice (which must be followed by the private sector) of having a 'combined' call for teachers for both secondary and post-secondary levels and requiring a permanent teaching warrant for both.

This Office's finding was in the affirmative (see para. 11 of the Final Opinion). This finding is in no way contested in your letter aforementioned.

The argument advanced in your letter about possible redundancies of post-secondary teachers is, with all due respect, somewhat spurious. The first of the two recommendations in para. 12 of the Final Opinion is clearly intended to be applicable *ex nunc*, and therefore without affecting calls and appointments already made. Surely it should be possible for MEYR to anticipate and calculate its future needs for the next five years in its limited post-secondary sector, and to make provision for the appropriate re-deployment of the teachers in the event of redundancies. This is not rocket science. It is also clear that individual post-



secondary educators teaching in certain schools, but not in others, should not be made to carry the burdens of shifts in trends, a situation which is endemic in the educational sector.

Be that as it may, this Office fails to see the necessary link between the first and second recommendations made – the second recommendation's acceptance is in no way conditional upon the acceptance of the first. The second recommendation is only intended to compensate the two complainants for an injustice created, albeit arguably unintentionally, by the Administration. Shifting the burden onto the church school in question or requiring the complainants to undertake unnecessary courses only serves to highlight the unjust situation into which the complainants have been thrust. The complainants are being made to carry a disproportionate burden for a situation not of their making. Moreover, church schools' sixth forms provide a valid service to the community and the current situation is already causing them to lose valid elements as sixth form teachers opt to move to greener pastures at the Junior College and MCAST.

Finally, as already pointed out in the Final Opinion, it is not possible for persons teaching certain subjects at post-secondary level to obtain a full pedagogical qualification in that subject (e.g., philosophy, psychology, sociology, Latin) because no such courses are available.

Yours sincerely



Vincent A De Gaetano  
Commissioner for Education

Copy:           The Hon. Prime Minister  
                  The Ombudsman  
                  Permanent Secretary, MEYR