



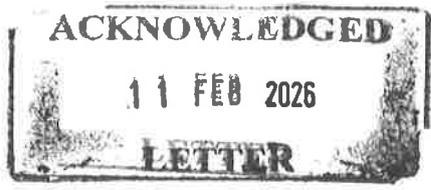
GOVERNMENT OF MALTA
OFFICE OF THE PRINCIPAL PERMANENT SECRETARY
OFFICE OF THE PRIME MINISTER

CEDUC-24-4967



6 February 2026

Chief Justice Emeritus Vincent A De Gaetano
Commissioner for Education



Dear Sir

I refer to your letter dated 1 December 2025, sent to the Prime Minister in terms of article 22(4) of the Ombudsman Act, and to the final opinion dated 22 October 2025, regarding the case quoted in reference.

The recommendation made in the Final Opinion has been given careful consideration. However, valid reasons exist which justify why this recommendation cannot be accepted.

The complainant's duties are administrative rather than educational. She manages a centre that provides courses which are not part of compulsory education. This distinction results in duties of significantly lower responsibility than those heading centres providing compulsory education. The following instances are examples of the difference in the level of duties and responsibilities:

- Students are adults who attend these lessons voluntarily. In such circumstances, no situations arise where the Centre Administrator must deal with parents' issues, amongst other matters
- The teachers falling under the responsibility of the Centre Administrator are all part-timers. Therefore, they do not entail the same amount of work one would expect from a Head of School
- The Centre Administrator does not work on the timetable or replacement of lessons, as in the case in compulsory schools



- In the life-long learning setting, no major issues regarding inclusiveness are present, such as liaising with the Statementing Board and Learning Support Educators
- The curriculum is provided by the Life-Long Learning Directorate. It is not the Centre Administrator's responsibility to draw up the curriculum or manage it
- The Administrator is not responsible for the maintenance of the Centre.

You must appreciate that the responsibilities listed above, which is by no means an exhaustive list, form a crucial part of the duties of Head of School/Education Officer who are salary scale 5. As the complainant does not perform any of these duties, it would be unfair to all Heads of School and Education Officers, to place her on the same level as Head of School/Education Officer. It would also create a dangerous precedent.

The post held by the complainant was not omitted from the sectoral agreement inadvertently. This post did not feature in the agreement as it is considered an administrative post. So much so that once the complainant retires, the post will be advertised as a managerial post, and the selected candidate will be included in the sectoral agreement pertaining to the managerial stream.

Nonetheless, the Ministry responsible for Education did not want to shortchange the complainant. Given that prior to holding this post, the complainant was a Teacher in scale 8, she was assimilated as Officer in Grade 6 (Education Class) in 2022. This assimilation allowed the complainant to benefit from allowances pertaining to the Education Class. In her case, she benefits from the allowances applicable to a Deputy Head, including:

- Responsibility Allowance (€937 per annum)
- Class Allowance (€5,838 in year 2023; €6,838 in year 2024; €7,338 in year 2025)
- Works Resources Allowance (€725 per annum)

These allowances, in aggregate, amounted to €7500 in 2023, €8500 in 2024, and €9000 in 2025. The arrears were paid in a lump sum in pay 1 of 2025 and subsequently continued to be paid with each pay.

The complainant is also in receipt of the following allowances:

- 20+ Allowance for long service (upon accumulation of 20 years of service), with effect from 10 June 2023



- first aider allowance, with effect from 6 March 2025, following certification (€1,000 per annum)
- qualification allowance, as from February 2017 (€380 per annum).

The 20+ Allowance was remunerated in a lump sum in pay 3 of 2025 (€3,431) and subsequently continued to be paid with each pay (€2,000 per annum).

.../3

In the circumstances, it is considered that the complainant is being fairly compensated for her duties. On the flip side, assimilating her in salary scale 5 would be unfair to the Heads of School and Education Officers executing the responsibilities of the posts they hold.

Yours sincerely

Tony Sultana
Principal Permanent Secretary

cc: The Honourable Prime Minister
Permanent Secretary (MEYR)