

**Case No UT 0030**

21 August 2020

The Hon Prime Minister  
Office of the Prime Minister  
Auberge de Castille  
Castille Place  
Valletta

The Hon Prime Minister

I am, in terms of Article 22 of the Ombudsman Act, drawing your attention to a case of non-compliance by officials of the Ministry for Education and Employment with the advice given by the Office of the Parliamentary Ombudsman in connection with the redress which the Office deems, after rigorous investigation, to be due to a group of employees.

For ease of comprehension, I am providing you with the salient facts and the most pertinent items of correspondence, which are being attached.

**Summary**

The three complainants manage specialised Schools known as [omissis]. They claim that their duties are similar in all effects to those of a Head of School, but they are listed as 'Centre Co-Ordinators' and are consequently being deprived of the pay, allowances and infrastructural support which are the entitlement of Grade 5 Heads of Schools, whilst the population of their schools vary between 500 and 1300 students.

The Commissioner wrote to the Permanent Secretary on 30 September 2019, intimating to him that he was not at all happy with the attitude displayed by MEDE in regard to complainants who, he felt, were not being given their due as a result of an unorthodox label given to them (Centre Co-Ordinators rather than Heads of School), and that this, in view of their responsibilities, working conditions and human resources, constituted discrimination resulting in injustice.

To substantiate, the Commissioner pointed out that Colleges consisted of Schools managed by Heads and directed by a Principal, and that these special schools formed part of Colleges without being called schools; he pointed out, moreover, that the 'Centre-Co-Ordinators' received, like Heads of Schools, their annual bonus after

endorsement by the Principal, and that this further sustained their argument and exacerbated the anomalous condition of the complainants.

The only reply from MEDE after the date of this letter came on 2 October 2019 through a message sent by MEDE's Liaison Office which asked the Commissioner to bear with the Ministry/Department with regard to replies to this and seven other cases. No reason was given for this accumulation. Although MEDE were sent several reminders, with the Commissioner's patience being severely tested, no further reply to date was received.

The Commissioner issued his Final Opinion on 6 January 2020 wherein he recommended that the complainants were to be placed in Grade 5, assuming the title 'Heads of School', that the special schools be given an administrative infrastructure exactly like that of all other schools, and that their salary be adjusted from the date of his letter.

To date, MEDE has refused to comply with the Commissioner's recommendation, and, since more than enough time has elapsed, the Commissioner has decided to bring the matter to your attention, in the hope that it be resolved by you, Honourable Prime Minister, thus avoiding the hassle produced by resorting to ulterior steps, as contemplated by Article 22 of the Ombudsman Act.

Yours sincerely

A C Mifsud  
Ombudsman

Charles Caruana Carabez  
Commissioner for Education