

## **SUMMARY**

### **Summary of Report 1/2021, relating to the Department of Education, personnel expenditure, year 2017**

*Barcelona, 4 March 2021*

The Public Audit Office for Catalonia has issued Report 1/2021, relating to the Department of Education<sup>1</sup>, personnel expenditure, financial year 2017, in accordance with its Annual Programme of Activities.

The report, which was presented by Board Member Mr Jordi Pons i Novell, was approved by the Audit Office Board at its meeting on 11 February 2021.

The work undertaken for this limited scope audit included a review of the legal and financial aspects relating to personnel expenditures by the Department, divided into two large areas: administration and services (A&S) staff and teaching staff. For each of these areas the audit carried out a review of applicable legislation, internal controls, management procedures relating to staffing (determining the number of posts, filling them, staff selection and promotion procedures) and the payroll. It also analysed budgetary execution of section 1 (personnel expenditures) of the Department's expenditure budget.

In the 2017-2018 academic year there were 2,591 teaching centres and 258 educational services units. In year 2017 recognised expenditures under the heading of personnel expenditures came to €3,162.49m, of which €222.39m corresponded to A&S staff and €2,940.10m to teaching staff. The workforce in that year totalled 80,289 (7,487 A&S personnel and 72,802 teachers).

The Conclusions section of the report includes the most significant findings and the breaches of regulations which came to light during the audit work carried out. The Department ought to undertake the necessary measures to resolve and/or ameliorate the issues mentioned. Of the fifty findings described in the report, the following can be highlighted:

#### **Finding relating to general aspects**

- The teaching staff and A&S staff at public education centres in the city of Barcelona and at territorial services for Barcelona are managed by the Barcelona Education Consortium (CEB). In year 2017, the salaries of these workers were paid by the Department, although

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<sup>1</sup> The Department of Education's name in Catalan was changed from *Departament d'Ensenyament* to *Departament d'Educació* by Decree 258/2018, of 4 December, which modified the previous decree (Decree 1/2018, of 19 May) that had created, named and delimited the powers of the departments of the Government of Catalonia.

according to regulations they should have been paid by the CEB and funded by the Catalan Government.

### **Findings relating to A&S staff**

- The lists of administrative posts at teaching centres were not subject to formal approval or publication.
- In 2017 the proportion of A&S temporary employees was very high: As at 31 December 2017, 44.66% of A&S civil service posts were occupied by staff with interim appointments, and 75.11% of A&S labour contract posts were filled with staff on temporary job contracts. 65.73% of staff on temporary job contracts had been on the payroll for five years or more. In some instances the temporary job contracts were for foreseeable manpower needs and did not correspond to temporary undertakings or urgent staffing needs. The Department should take steps to run recruitment processes to reduce temporary staffing levels for A&S personnel.
- No internal instructions applying to all territorial services existed to deal with matters such as the deadlines for presenting timetabling proposals, standard templates for proposals, managerial decisions and certificates. Neither was there a computer programme to facilitate monitoring and oversight by educational services. The audit found that timetable proposals did not always specify how teachers' non-contact hours were set.
- Teaching centres and educational services units did not have automated arrangements for monitoring hours worked, or time sheets signed by employees. It would be advisable for the Department to establish a single system for monitoring timetabled and actual hours worked by A&S staff at teaching centres and educational services, to standardise arrangements across the system and help heads and directors do their job.
- For year 2017 the Department had not established what extraordinary circumstances warranted paying bonuses for services rendered outside normal working hours.

### **Findings relating to teaching staff**

- The lists of teaching positions for the 2017-2018 academic year failed to specify teaching corps, professional categories, positions with special responsibilities, procedures for filling posts or supplementary wage items.
- In the 2017-2018 academic year there were a total of 470.50 budgeted teaching posts in public education centres and administrative units which had not been included in the published staff lists or in any other published official document. In practice these job positions ended up being discretionary appointments without any formally established requirements or plus factors for people taking up the posts. As a consequence, they failed to adequately comply with the hiring principles of equality, merit, ability and publicity laid down in legislation.

- The arrangements for appointing teaching staff were conditioned by the high numbers of staff occupying posts through provisional appointment methods, such as temporary secondments of tenured civil service staff with permanent positions, provisional appointments of tenured civil service staff awaiting their permanent posting, and interim appointments to vacant civil service positions. In some instances the duration of the temporary secondments was well in excess of the statutory two-year limit.

In the 2017-2018 academic year 28,010 interim appointments were made to cover vacant civil service positions, for an average duration of 11.37 months, and 32,549 temporary substitute appointments to these positions were made, for an average duration of 3.15 months.

The Department ought to arrange recruitment processes to reduce the high numbers of temporary staff in teaching posts.

- The Order of 5 May 1998 which regulates the procedure for appointing directors of educational services restricts applications to candidates who are teaching professionals in positions covered by the same educational service whose directorship post needs filling; vacant educational services directorship posts are not published in the Official Journal of the Government of Catalonia (DOGC); and no approved points system for merits existed. These issues represent restrictions to the hiring principles of equality, merit, ability and publicity.
- The reserve list of specialist teaching staff for vocational training courses at secondary education centres had not been set up, and temporary appointments to these job positions were being made without calls for applications and independently of the on-line appointments system used for other interim teaching staff.
- When making appointments to vacant positions at educational services and to specific secondary education teaching posts at adult education centres, the procedure for difficult-to-fill positions was being used, instead of the ordinary procedure.
- The heads of teaching centres and the directors of educational services are responsible for monitoring the hours worked by teaching staff. Each teaching centre and educational services unit had full autonomy to set up tracking and monitoring arrangements, although only a few centres had automated clock-in systems. It would be advisable for the Department to establish a single system for monitoring timetabled and actual hours worked by teaching staff, to standardise arrangements across the system and help heads of teaching centres and directors of educational services do their job.

This summary is solely for information purposes. The audit report (in Catalan and Spanish) can be consulted at [www.sindicatura.cat](http://www.sindicatura.cat).