

Memorandum for Cabinet bythe Hon. Prime MinisterClaim for Pensionability by theSpiritual Directors in the Education Department

The Spiritual Directors in the Education Department have been asking that they should be placed on the pensionable establishment.

2. Up to the 4th March, 1949, Spiritual Directors were employed on a part-time basis on mornings only. Subsequently, their duties were extended to full time (i.e. including afternoons) by means of an Education Department circular issued on the 5th March, 1949, on instructions of the then Minister of Education (Dr Ganado). Unfortunately this alteration was made departmentally without prior reference to the Treasury and Establishments. Seven days after the issue of this circular (12th March, 1949), the Spiritual Directors submitted a claim for pensionable status. This was not accepted by the Government.

3. In 1953, a claim for pensionability, and for an increase in their emoluments to bring them on a level with Teachers, was put in the form of a motion in the Malta Government Joint Council. This motion was considered by Official Side at a meeting held on the 4th March, 1954, when it was agreed that the claim could not be accepted and further that the matter should be submitted to the Government for a decision. Disagreement on the motion was eventually reached between the two Sides on the motion.

4. On the 9th July, 1954, the then Minister of Education, who is also the present Minister of Education, wrote "inter Alia" as follows:

"The Main and only scope for which Spiritual Directors were instituted was, and still remains, the spiritual welfare of pupils attending the Primary Schools..... Had any radical change in the policy of spiritual welfare in the Primary Schools or a change in status of the officers concerned been contemplated, it would have been impellent for the Minister (Dr Ganado) to consult Cabinet or to secure Government approval before the change could have been accepted.

Another important point to consider is that spiritual directors, unlike other posts in the Education Department, are not filled by an interview or any other form of examination

and no call for applications by public notice is issued in such cases. It has always been the practice to fill such posts on the direct recommendation of the Ecclesiastical Authorities".

5. This matter was raised during the Colonial Administration in July, 1958. It was then considered that this was not a matter for decision by an interim Government, for the reason that it would raise a delicate point as to who would have direct control over the Spiritual Directors if they were to become public officers while still remaining subject to the Ecclesiastical direction.

6. It may be pointed out that His Grace the Archbishop found no objection to pensionability being granted to Spiritual Directors.

7. The Hon. Minister of Education has since recommended that pensionability should be granted. The Finance viewpoint is that to grant pensionability today would be a somewhat premature line of action, in so far as such pensionability could not really be dissociated from the question of salary. Finance consider that, in fact, the grant of pensionability would imply accepting that Spiritual Directors are full-time employees in the accepted sense of the term, and that, no sooner is this done, than it would be difficult to justify the continued payment of an honorarium of £380. Finance also referred to possible repercussions on Chaplains in the Medical and Health Department.

8. This matter was considered by Official Side on the 1st December, 1964, and 20th January, 1965. The view of the Official Side (with the exception of the Director of Education) is that the claim for pensionability should not be accepted and that the matter should be submitted to Government for a decision. The basic reason for the Official Side viewpoint is precisely the same reason which prevented the Colonial Administration from granting pensionable status to the Spiritual Directors, namely, that it would raise a delicate point as to who would have direct control over them if they were to become public officers while still remaining subject to the Ecclesiastical Authority.

9. The matter is submitted to Cabinet for a decision as to whether the claim should, or should not, be accepted.

1st June, 1965.