

MINUTES OF THE SECOND MEETING OF THE STEERING GROUP OF THE JOINT CONSULTATIVE FORUM HELD ON THURSDAY, 11 MAY 2005 IN STAFF COMMISSION OFFICES

Present:-

Community & Voluntary Sector

Ms T Hutchinson NICEM (Joint Chair)
Ms M McCafferty Lesbian Line
Dr D McConnell Age Concern

Public Authorities

Mr J Curran E&LBs (Joint Chair)
Ms H Leith CCMS
Ms D Vaughn S C – (Secretary)

Equality Authorities

Edel Teague N I Human Rights Commission

1. Apologies

- 1.1 Apologies were received from Ms M Field, Mr D Simpson, Mr D Guilfoyle, Mr T Wright, Ms H Ferguson, Mr M Graves, Mr N Richardson, Mrs S Lawlor, Mrs A Bennett, Mr T Heron, Ms P Haren and Mr J Knox (sub. Ms M McCafferty).

2. Minutes of the Steering Group Meeting held on 26 January 2005

The minutes of the first meeting of the Steering Group were agreed as an accurate record.

3. Matters Arising

For the information of members the Secretary circulated a progress report on agenda items.

3.1 Cuts in Public Expenditure

- 3.1.1 The Secretary explained to members that following the Special Meeting of the Joint Consultative Forum held on 22 March 2005 the Boards' Equality Representatives had met to consider the equality implications of the Boards' financial schemes which were being processed. She said that arising out of that meeting it had been agreed that a briefing paper would be prepared on a five Board basis. Part I would provide background information in respect of the Department funded part of the budget (90% of the Boards' total grant funding); the spending on schools and on central services in support of schools; and would summarise the current position in regard to the 2005/06 financial year. Part II would provide the findings of the screening exercise.

- 3.1.2 It was noted that the Boards would endeavour to issue the Briefing Paper for consultation within the next two weeks.

- 3.1.3 The Secretary asked that, in accordance with past practice, consultation meetings be organised in co-operation and/or partnership with the community/voluntary and trade union sectors.

3.1.4 Helen Leith asked if CCMS could be part of the Boards' consultation meetings in order that information gained could be used to inform its EQIAs.

3.1.5 Following detailed discussion on the cuts in public expenditure the following issues were raised by the community and voluntary sectors:-

- If the Department of Education had undertaken screening at the strategic level on the overarching policy, namely allocation of funds;
- It was noted that David McConnell had met with the Equality Commission regarding the cuts and was considering making a 'Schedule 10' approach to the Equality Commission (Age Concern);
- NICEM was concerned with regard to the changes to the funding of EAL provision. Under the Common Funding Formula (CFF) the money for EAL provision no longer went to the Boards but was attached to the individual pupil and went directly to the school. NICEM was concerned that there appeared to be no way of ensuring that the school spent the money for EAL support on that pupil;
- NICEM stated that until recently it had been unaware that the Boards had been heavily subsidising the EAL provision and emphasised that NICEM believed that:
 - funding for EAL should remain with the Boards for the time being;
 - if EAL provision was not made available there was the potential for legal action under the EU Race Directive, Human Rights Act and Section 75 of the Northern Ireland Act;
 - that parents and pupils should be informed of the arrangements for EAL support from September onward.

It was noted that legal action could only be taken under the Human Rights Act if a child had been directly denied education.

- NICEM stated that it had requested a meeting with the Department of Education to explore the possibility of bringing a review group together made up of representatives from NICEM, the Department of Education, Education and Library Boards and the Trade Unions.
- Age Concern had written to the Department of Education, David Cargo (Chief Executive of Belfast Education and Library Board) and the Equality Commission to raise the issue of the Belfast Board's decision in relation to its school crossing patrols and whether this decision contravened Section 75 in regard to the consultation process.

3.1.6 Following discussion the Secretary was asked to seek clarification from the Department of Education on the screening undertaken at the strategic level on the over-arching policy, namely the allocation of funds.

3.1.7 It was agreed that this item be placed on the agenda for the next meeting of the Joint Consultative Forum.

Action: Boards to issue the Briefing Paper for consultation within the next two weeks. The Secretary to seek clarification from the Department of Education on the screening undertaken at strategic level on the overarching policy, the allocation of funds to the Boards.
Tansy agreed to raise the issue of dates for consultation meetings at the Equality Coalition meeting scheduled to take place that afternoon.

3.2 Implementation of the 'Education Communities' Equality Schemes

3.2.1 The Secretary reported that the overview of the Education Authorities' Equality Schemes has been amended to take account of the issues raised by the Ulster Teachers' Union and was now available on the Staff Commission's website.

3.2.2 It was noted that the Education Authorities would be asked to provide an update on their Annual Progress Report to the Equality Commission at the next Forum meeting scheduled for 26 May 2005.

3.3 What Role Does "Informal" Accredited Education have to play within our Education System?

3.3.1 The Secretary reported that a meeting had been arranged with the Association of Northern Ireland Colleges and the Women's Support Network to take place on 24 May 2005.

3.3.2 It was noted that Mrs B Kells, CCEA, was looking at the issue of extending accreditation for young people.

3.3.3 The Secretary undertook to follow up on this issue with CCEA and report back to the Steering Group.

3.4 Reviewing Religious Education

3.4.1 The Secretary read an email from Norman Richardson, Inter faith Forum, in which he said he was anxious to support the views of the Belfast Jewish Community and NICEM as contained in the last minutes of the Steering Group and felt it was crucial if progress was to be made towards a fair and inclusive society in Northern Ireland that the narrowness of the present Churches control of religious education must be strongly challenged and a very different syllabus set in place with the full participation of a much wider range of interest groups. He had also asked if there had been any progress in the Department of Education's proposed EQIA on this issue.

3.4.2 Tansy referred to the Department's earlier review of religious education which involved the four main churches. She referred to the fact that the interpretation of the legislation that the review was undertaken predated the Human Rights Act and was now outdated. She said that NICEM had refused to take part in the consultation as it felt the Department was in breach of Section 75 and the Race Directive and had put this view in writing to the Department.

3.4.3 The Secretary reported that the Department had listed this EQIA to be conducted this year 2005/06 and had indicated that it would be conducted in an inclusive way.

3.4.4 The Secretary provided the following feedback on the issues raised with CCEA:-

Issue:

Holidays and customs should be part of the lesson plan 'for example Channukah, Dewali and Ramadan can be referred to at the same time as Christmas. (Is there any change to the curriculum through citizenship?)

Response:

In the primary curriculum CCEA refers to other festivals such as Dewali and Ramadan alongside Christmas. Also religious diversity is considered within the Citizenship Curriculum at Key Stage 3 under the concepts of Diversity and Inclusion, Equality and Justice, Human Rights and Social Responsibility and Democracy and Active Participation.

Issue:

An exam for Jewish R E has been developed in England. If parents and children decide to take this path, the school should be able to support this and make sure that it is offered as an option.

Response:

The new accreditation date for examinations is 07/08 and CCEA will look at this at this time.

Issue:

Many exams dates are set for Jewish holidays. It is not always possible to change dates. I would like to request that these children be given an alternative date when they will be able to re sit the exam.

Response:

This is not possible for CCEA to do as the timetable for examinations is set by the Joint Council in England. The dates also conflict with other holidays e.g., Roman Catholic.

3.4.5 Helen reported that CCMS had set up a working group to look at how to deal with issues of diversity and inclusion within a Roman Catholic ethos and said that it would be issuing some guidance on this. She also reported that CCMS would be setting up a mechanism to screen this policy area.

Following discussion in which it was emphasised by the community and voluntary sector representatives that schools should provide religious education not religious instruction and that the statutory curriculum must be non discriminatory and provided in such a way that it respected the religious ethos of the school. The Secretary was asked to inform the Department that the Steering Group was anxious to see this EQIA commence as soon as possible and had requested that views expressed to date at Steering Group and Forum meetings be considered as part of the EQIA process.

With regard to the information received from CCEA it was agreed that the Secretary would contact CCEA with a view to exploring the possibility of the examination developed in England for Jewish Religious Education be made available for students in Northern Ireland.

<p>Action: The Secretary to write to the Department highlighting the views expressed by the Steering Group. The Secretary to contact CCEA to explore the possibility of the examination developed in England for Jewish Religious Education being made available for students in Northern Ireland.</p>

3.4.6 The Secretary referred to a further issue raised by the Belfast Jewish Community regarding children who do not eat pork and whether schools provided a good alternative to pork. She reported that the majority of schools provided two completely different meal options on their lunch menu. Special dietary requirements on ethnic or medical grounds can be accommodated but they needed to be drawn to the attention of the Principal/school. Generally the schools rely on parents to provide information on their children's special dietary needs.

3.4.7 The Secretary suggested that it might be possible to prepare an information leaflet in a number of different languages to inform parents from ethnic minorities about the school meals service and how special dietary requirements on ethnic and medical grounds can be accommodated and that this information could be included in the information packs provided to people coming to live in Northern Ireland.

Action: The Secretary undertook to investigate the practicalities of providing such information and to see if it could be introduced initially as a pilot exercise.

3.5 Count Me In - Exploring Cultural Diversity Amongst Children & Young People

3.5.1 The Secretary reported that she had contacted the Department of Education to ascertain how recommendations 12 and 13 of the report were being addressed. She said that the Department of Education had provided the following response:-

This research was commissioned by the Youth Council for Northern Ireland. The Department is awaiting contact from the Youth Council to discuss the report and its recommendations.

3.5.2 She said that the Youth Council had confirmed that its Youth Service Liaison Forum would be considering the report at its June meeting and said that David Guilfoyle would report progress made at the next Steering Group meeting.

3.6 Shout Report

3.6.1 The Secretary reported that the Department of Education had provided the following information with regard to the appointment of a taskforce.

A meeting of Departmental officials was held on 9th May 2005 to discuss the appointment of a taskforce (recommendation 19 of the report). Matters are progressing and further discussions are likely to take place in the short term.

4. Other Relevant Matters

4.1 Department of Education's Equality Scheme - Revised Policy Screening Timetable

4.1.1 The Secretary reported that following the last Joint Consultative Forum meeting she had written to the Department inviting them to make a presentation at the next meeting of the Forum on their Revised Policy Screening Timetable.

4.1.2 The groups present (CoSO, Age Concern, NICEM, Human Rights Commission) raised concerns that the Department did not appear to have issued a 'hard copy' of its consultation document to all Section 75 groups. They asked the Secretary to request

the Department to issue a copy to all members of the Joint Consultation Forum in advance of the meeting on 26 May 2005.

4.1.3 Following discussion on the Department's consultation document the Secretary was asked to invite the Department to provide a presentation on its document to the next Joint Consultative Forum meeting and also to address the following points:-

- (i) background to the review and the methodology adopted;
- (ii) process of consultation: what is its plan for effective consultation;
- (iii) three specific policy areas:-
 - English as an Additional Language
 - alternative education provision (sometimes referred to as Education other than at School, EOTAS);
 - how the Department is addressing the Northern Ireland Strategy 'Promoting Social Inclusion of Older People'.

Following further discussion the following points were raised:-

- that the representatives from the Department should be senior personnel with the authority to agree to an extension of the consultation closing date if appropriate;
- that the Department should be asked, as part of its data gathering on its revised Policy Screening and timetable consultation document, to take account of issues raised at Joint Consultative Forum and Steering Group meetings in relation to EAL; homophobic bullying and the growing number of young people leaving mainstream education;
- that the Department should contact young people outside mainstream education who are the most marginalised group in society to obtain their views.

it was noted that clarification may need to be sought from the Equality Commission as to what is a policy.

4.2 Schools' Bullying Policies

4.2.1 The Secretary referred to an email which she had received from James Knox, CoSO asking how many schools in Northern Ireland specifically include and mention homophobia within their bullying policies.

4.2.2 Following discussion in which it was noted that it was the Board of Governors in schools who had responsibility for bullying policies, the Secretary, as a first step, undertook to check if model policies exist and if equality categories were specified within such policies. She also undertook to clarify, with the Department, if its Circular required the equality categories to be specified and how it was being monitored.

Action: The Secretary to:-

- › check if model policies exist and if the equality categories were specified within such policies.
- › clarify with the Department if its Circular 2003/13 required the equality categories to be specified and how it was being monitored.

Services 'bought in' by Boards

4.2.3 The Secretary reported that James had also raised the issue of Boards providing resources to 'buy in' a service and if that service was provided in a discriminatory way would the Boards' spend contravene Section 75.

4.2.4 Following discussion the Secretary undertook to clarify the position with the Boards.

Action: The Secretary to clarify the position with the Boards.

4.3 EAL Provision

4.3.1 Tansy referred to the provision of EAL support and said that she was concerned that schools were not informing parents whether EAL support would continue in September and she asked that Boards inform parents and pupils of the arrangements for EAL support from September onward.

Action: The Secretary to ask Boards to ensure parents and pupils are informed of the arrangements for EAL support from September onwards.

4.4 New Board Members - Awareness of Section 75 Duties

4.4.1 Tansy referred to the appointment of new Board members which was currently underway and she suggested that as part of their induction training that an information pack on Section 75 duties and the work of the Joint Consultative Forum be prepared to be included as part of their training packs.

4.4.2 The Secretary undertook to raise Tansy's suggestion with the Boards.

Action: The Secretary to contact the Boards regarding the possibility of including information on the Boards' Section 75 duties and the Joint Consultative Forum in training packs for new Board members

4.5 Progress Report

4.5.1 Members agreed that the Progress Report on agenda items was useful and should be continued for Steering Group meetings.

4.5.2 It was agreed that the Secretary would provide a report from the Steering Group at the Joint Consultative Forum meeting scheduled for 26 May 2005.

5. Date of Next Meeting

5.1 It was noted that the next meeting of the Steering Group was scheduled to take place on Thursday, 29 September 2005 at 2.00 p.m. at the offices of the Ulster Teachers' Union, 94 Malone Road, Belfast.