

## **Report of the Joint Consultative Forum (JCF) Meeting held on Thursday, 18 October 2007 at 10.00 a.m. in Lisburn Civic Centre, Lisburn**

### **1. Present**

A list of those present and apologies received is attached as Appendix 1.

### **2. Welcome and Introduction**

- 2.1** John Curran, Joint Chair, welcomed participants and speakers. He explained that unfortunately the Minister was unable to address the Forum as she had to attend a special meeting of the Assembly to discuss budgetary issues. He said the Minister had been very keen to speak to the Forum and it was hoped to invite her to a further meeting. John also explained that Irene Knox, Chief Executive Designate of the N I Library Authority had been asked to attend a special Department of Culture Arts and Leisure (DCAL) Committee meeting and said that Irene would address the Forum in the afternoon and he apologised for the changes to the agenda.

John reported that since the last Forum meeting Tansy Hutchinson, JCF Joint Chair, had moved to a senior policy post at an NGO in Brussels dealing with racial equality issues. He paid tribute to Tansy for the huge contribution she had made to the Forum and he wished her every success in her new post. He said that he was indebted to Dr Paschal McKeown, Mencap, for taking up the role of Acting Joint Chair in Tansy's absence.

- 2.2** Paschal McKeown, Acting Joint Chair, said that she felt the JCF was an example of good practice and that the programme for today's meeting illustrated how valuable the JCF was for informing and involving the voluntary and community sector, particularly during this time of change. She felt that education had a key role to play in children's development and in promoting respect for diversity and difference. Paschal said it was unfortunate that the Minister was unable to attend to see the engagement that was taking place and how people were learning from each other about the new ways to take equality forward. She said that there were a number of excellent speakers for today's meeting and she thanked each of them for agreeing to take part in the Forum.

### **3. RPA - Update**

(Slides used are available by email from [patricia.murray@scelb.org.uk](mailto:patricia.murray@scelb.org.uk))

- 3.1** Chris Stewart, Head of the RPA Division, DE provided an overview on the current state of play and timetable for the RPA, the reason for the phased two-Bill approach, the next steps and the equality dimension.

Chris stressed that in going for a phased two-Bill approach this did not reflect any policy change and pointed out that it was intended to implement the full range of RPA policy for the entire education sector. He then took members through the current timetable.

Chris explained that the First Bill transferred the appointing role of school governors from the Department to the ESA and said that all sectors would be treated equally. He also explained that under the first Bill the Education and Skills Authority (ESA) became the employing authority for Controlled and Catholic maintained schools (86%) and that the Voluntary Grammar, Grant Maintained, Integrated and Irish Medium schools (14%) would transfer in the second Bill. He emphasised that there would be no advantages or disadvantages accruing to this delay it merely meant that they would retain their existing functions for a further year.

Chris referred to the ownership of the controlled schools and said that ownership would not transfer to the ESA but would be under a different arrangement which had not yet been decided. He pointed out however, that there was a statutory duty on the ESA to treat all schools on the same basis regardless of ownership or type.

He said that when the first piece of legislation was finalised the draft Bill would be forwarded to the Education Committee for consideration. He said that it was not intended to publish the draft

Bill for public consultation, however, the Education Committee may wish to do so. Following this it would be submitted to the Executive and the intention was to reach Committee stage before the summer recess and Royal Assent in time for implementation by 1 April 2009 or earlier.

Chris highlighted that equality was a key dimension in this ongoing process and said that screening of the first Bill would take place later that month and that the second Bill which contained decisions on the location of the ESA headquarters, staffing etc. would also be subject to equality screening and, if necessary, impact assessment.

In conclusion Chris said that much had been achieved, however, there was still a considerable amount of work to be done and he assured Forum members that equality was and would remain a key factor in the RPA process.

In the discussion session which followed a number of questions and concerns were raised:-  
These were:-

- In response to a question as to whether special schools would receive the same opportunities for resources as other schools, Chris explained that special schools would be addressed in the same way as other schools and pointed out that there would be no change to LMS arrangements under the RPA.
- Serious concerns were expressed that consultees had not seen any evidence of equality screening or impact assessments on work carried out to date;  
Chris explained that the equality screening would be issued within the coming weeks for public consultation. He also explained that a screening proposal was going forward in the first Bill in relation to the structural changes i.e., the establishment of ESA, the transfer of functions and staff to ESA and the dissolution of existing organisations and this would also be issued within the next two weeks.
- In response to a question regarding whether the Alternative Education Policy (AEP) and the Youth Justice Agency would come under the remit of ESA, it was noted that ESA would have responsibility for the provision of the AEP but would not have a remit for the Youth Justice Agency.
- Clarity was sought as to whether the policy and legislation applied to the Youth Estate.  
Chris indicated that no firm conclusion had been reached in regard to this issue and undertook to have the issue raised in debate.
- Concerns were expressed that there was no intention to publicly consult on the first Bill.  
Chris explained that this was due to the tight timeframe. He indicated that there would be lengthy consideration by the Committee and he expected that the Committee would wish to hear views from the public, however the Bill would not be subject to public consultation as such.
- In response to a question on whether the ownership of the school estate would mean a move away from state education Chris explained that two possible components were being considered. One was the setting up of a Charitable Trust which would take ownership of all controlled schools and the second was that Boards of Governors would take ownership of their own schools.
- Concerns were expressed that that this would have an impact on minority groups such as the Lesbian, Gay, Bisexual and Trans (LGBT) sector. Chris said that in taking all this forward there was a need to ensure the promotion of equality of opportunity and diversity in the make-up of Boards of Governors and the Charitable Trust.
- In response to concerns raised as to how minority groupings could influence the curriculum and how this would be handled if it was handed over to Boards of Governors Chris pointed out the need for Boards of Governors to be properly supported and trained and, as far as possible, reflective of the local community.
- Serious concerns were expressed if it was the intention that the ownership of schools was to be moved outside public ownership. Chris confirmed that schools would remain under

public ownership and that if it was decided to set up a Charitable Trust this would be set up by the Department of Education.

#### **4. Education and Skills Authority Implementation Team (ESAIT)**

(Slides used are available by email from [patricia.murray@scelb.org.uk](mailto:patricia.murray@scelb.org.uk))

**4.1** Gavin Boyd, Chief Executive Designate, Education and Skills Authority, provided an overview of the programme of change in education in Northern Ireland, the establishment of ESA and its priorities, the administrative changes, the benefits of these changes and the key challenges. In providing a snapshot of the huge programme of change currently underway he highlighted the following:-

- Revised Curriculum
- Entitlement Framework
- New Transfer Arrangements
- Major Infrastructure investment
- Bain Review/Sustainable Schools
- RPA

Gavin drew attention to the Minister's statement in July 2007 in which she set out her commitment to implement, by 1 April 2009 at the latest, the changes originally envisaged and said that the emphasis had been placed on raising standards, achieving equality and reducing bureaucracy. He also highlighted that Ministerial focus was on the child and on helping all children realise their full potential.

Gavin explained that as Chief Executive Designate there were two main elements to his job namely improving education success for children and streamlining administration. He emphasised that the most important task for ESA was to improve education outcomes for young people and said that this would be achieved by:

- Raising standards;
- Access to courses;
- Supporting schools and teachers;
- Responding to local need; and
- Improving the quality of the schools' estate.

Gavin highlighted ESA's new responsibilities in relation to strategic and area planning; procurement and delivery of the entire schools' estate and Children's Services. He also highlighted the administrative changes in moving from 11 organisations to one, streamlining administration and shifting the balance of resources to frontline services. He pointed out that for the vast majority of staff currently employed the Review of Public Administration would have no impact, the impact would be on staff currently employed at the administrative core.

Gavin, in concluding his presentation, highlighted the benefits these changes would bring and the key challenges to be addressed in improving the education outcomes for all children.

In the discussion session which followed a number of questions and concerns were raised. These were:-

- In response to a question as to what improvements would be made in terms of skills and qualifications for children with learning difficulties and/or disabilities Gavin highlighted that the Department of Education was currently engaged in work on the area of additional special needs and said that it was anticipated that this work would be issued for consultation in January 2008. He referred to the Minister's commitment to support all children and said that the baseline would be better outcomes for all children particularly those with special needs.

- A question was raised as to whether Irish Medium schools would be given the same consideration as other schools in respect of access to quality services as this was currently not the case, for example, they did not have Speech Therapists. Gavin explained that the Executive was reviewing Irish Medium schools and said that it would be his job to ensure the policy, whatever the outcome, was delivered. He added that a single education support system had been designed and that there could not be different levels of service to special needs children.
- Concern was expressed that the 'Shout' Report had found that 65% of LGBT young people did not reach their full potential and had dropped out of school and the question was raised as to whether the revised curriculum would address the complete lack of information about LGBT young people and good citizenship. Gavin referred to the revised curriculum and said that a considerable amount of good work had been carried out in this area and that some excellent material had been produced which was available to schools. He said that there was a need for sensitivity and pointed out that there was a clear responsibility on Boards of Governors to judge what was appropriate for their school and pupils.
- Concern was expressed that this could provide Boards of Governors with an 'opt out' clause.
- Clarity was sought as to how ESA would ensure that LGBT young people had adequate access to education across Northern Ireland. Gavin explained that the essential difference between ESA and some of the existing organisations was that ESA would have a responsibility and duty to challenge Boards of Governors and school leadership on their performance. He added that there was a very clear tripartite relationship with the Department of Education, the Inspectorate and ESA.
- In response to a question as to whether there would be continuing professional development for teachers and how ESA would ensure that Principals and Boards of Governors were accountable, Gavin highlighted that £40m was spent on training and development and curricular support for teachers and pointed out that training and development was essential for teachers and indeed all staff. He said that there were models of good practice and ESA was looking at restructuring funding to schools to enable schools to have their own programmes. He referred to the accountability aspect and said that clusters of schools would have a designated officer within ESA who would have a supportive working relationship with the school and would monitor the school's performance.
- Concern was expressed as to how the savings would be achieved in order to shift the balance of resources to frontline services. Gavin emphasised that ESA's primary purpose was to help support better educational outcomes for young people with a shift in the balance of expenditure from back office to frontline services in order to support teachers and children in the classroom. The savings to be gained in the reduction of the number of posts at senior and middle management would go some way to achieve this.
- In response to a question as to how ESA was proposing to procure the new schools' estate, Gavin stated that it was important for Government policy to invest in capital infrastructure and pointed out that sometime ago the out-going Minister had announced that £340m would be spent on capital investment and said that this had not included any Private Finance Initiatives.
- It was emphasised that whilst there was a range of fora in existence e.g., Equality Steering Group, Central Joint Forum, the Unions were concerned that, whilst work was ongoing, there was no evidence of outcomes nor did it appear that an assessment had been done to consider how the policies being developed would impact on service delivery, parents and children. It was stressed that the screening and EQIAs of the RPA proposals needed to be published in order that consultees could comment on what was possible to deliver.

## 5. Northern Ireland Library Authority

(Slides used are available by email from [patricia,murray@scelb.org.uk](mailto:patricia,murray@scelb.org.uk))

- 5.1 Irene Knox, Chief Executive Designate, Northern Ireland Library Authority explained the background to the Department of Culture Arts and Leisure's (DCAL) consultation document 'Delivering Tomorrow's Libraries' which set out the vision for the Northern Ireland Library

Authority. She outlined the key principles and current position of the new Library Authority and explained what she saw were the short and medium term priorities.

Irene said that the N I Library Authority was not there to do things for people but rather its function was to help people do things for themselves and she shared DCAL's vision as set out in its consultation document which was:-

- Lifelong learning both formal and informal
- Access to digital skills and services
- Addressing social exclusion and inequality
- Building communities and fostering good relations; and
- Promoting creativity.

Irene stressed that it was important to ensure that the right structure was put in place as the new Library Authority would be unique in the UK with 111 static service points, 31 mobile libraries and approximately 750 full-time library staff with a budget of £30m.

Irene reported that the Minister, at the DCAL Committee meeting that morning, had announced his decision to defer the establishment of the Library Authority until 1 April 2009 and said that subject to the necessary legislation the Library Authority Board would operate in shadow mode from October 2008. She said that this would allow the Authority to prepare for the full transfer of powers and ensure full involvement by the Board in the preparation of the Authority's first corporate plan. Irene then outlined the Library Authority's short and medium term priorities and said that from November 2007 the Library Authority's temporary headquarter premises would be located in Lisburn.

## **6. Section 75 Effectiveness Review**

(Slides used are available by email from [patricia.murray@scelb.org.uk](mailto:patricia.murray@scelb.org.uk))

### **6.1 Grainia Long, Director of Policy and Research, Equality Commission provided an overview of the Section 75 Effectiveness Review. She outlined for members:-**

- the three review phases;
- the issues emerging from the review;
- how public authorities can achieve outcomes and measure the impact they are making;
- effective policy appraisal;
- the Equality Commission's powers and duties;
- institutional and cultural change;
- the role of the voluntary and community sectors; and
- the next steps.

Grainia stated that an analysis of the consultation and responses had been conducted and that the final report would be submitted to the Commissioners for their approval, after which an action plan and recommendations would be issued to public authorities.

In the discussion session the following questions and points were raised:-

- In response to a question regarding the possible designation of the 'Charitable Trust' Grainia indicated that the designation and establishment of new organisations was a critical issue and pointed out that if the Charitable Trust provided a service there may well be an argument for it to be designated.
- Clarity was sought as to the possible designation of schools. Grainia explained that the Equality Commission had commissioned the National Foundation for Educational Research Centre (NFER) at Queens University to conduct research into the possible designation of schools and how schools could better promote equality of opportunity and good relations. She said that NFER had brought back some ideas on a formal role for schools which the

Commission was looking at and said that she would be discussing the issue with Gavin Boyd.

- In response to a question as to whether there was a role for the Equality Commission in ensuring that Irish Medium Schools received equality in service provision Grainia explained that the policy for the provision of services rested with DE but said that any disparity of provision across the sectors would be a cause for concern. Grainia offered to discuss the matter further after the meeting.

## **7. Disability Duties – Action Plan**

**7.1** Deirdre Vaugh, Senior Principal Officer – Equality, Staff Commission, provided a brief outline of the commitments made by the Boards/Staff Commission in their Interim Action Plans for the promotion of:-

- positive attitudes towards people with disabilities; and
- to encourage the participation by disabled people in public life.

She outlined the progress made in this regard and explained that as a result of a consultation event organised in partnership with Disability Action and Mencap it was agreed that the five Boards, CCMS and the Staff Commission would conduct an information gathering exercise on the experience of children and young people with disabilities of the education system. Deirdre then invited Helen Leith to outline the research project.

**7.2** Helen Leith, Equality Officer, Council for Catholic Maintained Schools (CCMS), briefly outlined the research project, the methodology to be used to collect information through schools and disability groups from children and young people with disabilities, the challenges and the proposed timetable. She indicated that there were two major challenges:-

1. How to identify the children in the schools system with disabilities.
2. How to collect information on the nature of the child's disability - greater challenge anticipated with children with a learning disability.

Helen explained that the Forum meeting provided an excellent opportunity to appraise Forum members of the research project and encourage members' support.

In the discussion session the following points and offers of support emerged:-

- Clarity was sought as to how anonymous the questionnaire would be if a child/young person required assistance to complete it. Helen indicated that this would be a matter for discussion with the schools and the Disability organisations.
- The Children's Law Centre offered its support to the project in providing a link with parents of children and young people with disabilities who may wish their children/young person to be involved in the project;
- Disability Action offered the use of its newsletter to highlight the research project.

## **8. Closing Remarks**

**8.1** In closing the meeting the Joint Chairs thanked all of the speakers for the very useful and informative contributions they had made to the meeting. They also thanked the participants for their interesting and valuable input in response to the speakers' presentations and said that the meeting had demonstrated the importance of speakers and participants sharing their experience. The value of having equality as an item on the Forum agenda particularly at this crucial time of massive change was emphasised. The Joint Chairs thanked Deirdre Vaugh and Patricia Murray from the Staff Commission for their time and effort in organising this important event.

## Attendance List

Paschal McKeown	Acting Joint Chair, Mencap
John Curran	Joint Chair, Education and Skills Authority Implementation Team
Deirdre Vaughn	Secretary, Staff Commission for Education and Library Boards
Patricia Murray	Assistant Secretary, Staff Commission for Education and Library Boards
Alf Armstrong	North Eastern Education and Library Board
Mirjam Bader	Rainbow Project
Joanne Bargewell	An Munia Tober
Louise Brennan	An Munia Tober
Gavin Boyd	Education and Skills Authority Implementation Team
Patricia Bray	Disability Action
Suzanne Briggs	Staff Commission for Education and Library Boards
Philip Brown	Staff Commission for Education and Library Boards
Mark Browne	Education and Skills Authority Implementation Team
Florence Brunt	Staff Commission member and WELB member
Mary Cahillane	Irish National Teachers' Organisation
Richard Cory-Wright	Equality Commission for Northern Ireland
Raymond Craig	Oakleaf Rural Community Network
Rosaleen Dempsey	RNIB
Alastair Donaghy	Association of Teachers and Lecturers
Sandra Douglas	Association of Teachers and Lecturers
Rev Ian Ellis	Church of Ireland Board of Education NI
Mary Field	Youthnet
Aidan Fitzpatrick	Equality Commission for Northern Ireland
Jude Ford	Ulster Teachers' Union
Bumper Graham	NIPSA
Rev Selwoode Graham	Staff Commission and NEELB member
Mike Graves	Ulster Teachers' Union
Alison Hall	Education and Skills Authority Implementation Team
Irene Knox	Northern Ireland Library Authority
Clare Lavery	RNID
Helen Leith	Council for Catholic Maintained Schools
Grainia Long	Equality Commission for Northern Ireland
Lorna McAlpine	NI Council for Integrated Education
Patrick McAuley	Education and Skills Authority Implementation Team
Grainne McClean	Staff Commission for Education and Library Boards
Rev. Colin McClure	First Larne Presbyterian Church
Eugene McDermott	Western Education and Library Board
Linda McGowan	Belfast Education and Library Board
Patricia McKeown	UNISON
Stan McIvor	Western Education and Library Boards
Bishop Donal McKeown	NI Commission for Catholic Education
David Mann	RNIB
Jennifer Moore	Lisburn Access Group
Ruth Noonan	Rainbow Project
Seán Ó Muireagain	Comhairle Na Gaelscolaíochta
Irene Orr	Lisburn Access Group
Denis Palmer	Youthnet
Thomas Quigley	RNIB

Rosemary Rainey	Women's Forum NI and BELB member
Philip Robinson	Staff Commission for Education and Library Boards
Seamus Searson	NASUWT
Kieran Shields	Southern Education and Library Board
Paddy Skates	Women's Forum for N I
Hilary Sloan	Staff Commission and BELB member
Kathryn Stevenson	Children's Law Centre
Chris Stewart	Department of Education
Dan Sweeny	Equality Commission for Northern Ireland
Brian Symington	RNID
Mary Walker	Northern Ireland Library Authority
Stephen Walker	RNIB
Councillor William Ward	Staff Commission member
Brian Wilson	Save the Children
Mary Wright	Afasic Northern Ireland

### **Apologies**

Bernard Cullen	Staff Commission for Education and Library Boards Chair and Member of Public Service Commission
Bernie Byrne	Carers, Northern Ireland
Eamon Coy	GMB
Patricia Haren	Women's Support Network
Lilly Kerr	UNISON
Bernadette McAliskey	STEP
Barney McNeany	NICCY
Patricia Mellon	Belfast Education and Library Board
Helen Osborne	Western Education and Library Board
Beth Porter	South Eastern Education and Library Board
Caroline Stewart	Education and Library Boards' Solicitors
Rebecca Dudley	Northern Ireland Human Rights Commission