

MINUTES OF PROCEEDINGS OF A BOARD MEETING HELD ON THURSDAY, 29 NOVEMBER 2018 AT 2.00 PM IN ANTRIM BOARD CENTRE

1. PRESENT Ms S O'Connor (Chair)

Rev A Adams	Mrs S Kelly
Ms Á Andrew	Mr G Lundy
Mr D Cargo	Sir Gerry Loughran
Mrs P Carville	Mr N McCausland
Mr J Craig	Dr A McMorran
Mrs M Culbert	Dr I McMorris
Mr G Doran	Mr O McMullan
Dr M Dynan	Mr R Pollock
Mr E Jardine	Miss R Rainey
Rev R Herron	

2. IN ATTENDANCE

Mr G Boyd, Ms L McCall and for part of the meeting Miss J Bill, Mrs C Duffield, Ms S Long, Dr C Mangan, Mrs P Cooney, Mrs K Scott, Mrs H Gallagher and Ms A Monaghan.

Ms A Campbell attended in her role as Board Room Apprentice.

3. APOLOGY

An apology had been received from Ms N Toman

The Chair extended the Board's sympathy to Ms Toman following a close family bereavement.

4. DECLARATIONS OF INTEREST

Members were reminded of the requirement to declare interests where appropriate during the course of the meeting.

5. MINUTES OF BOARD MEETING HELD ON 25 OCTOBER 2018

A Member said that the minute reporting on the note in committee concerning staffing matters should be further abridged. Subject to this amendment, the minutes* (EAB/11/18/3) of the meeting held on 25 October 2018 were approved on the proposal of Mrs Carville and seconded by Mr Jardine.

6. MATTERS ARISING FROM THE MINUTES

6.1 SUB-GROUP OF AUDIT AND RISK ASSURANCE COMMITTEE (6.1)

A paper setting out a common house style for Board and Committee minutes would be presented to the Board at its December meeting for consideration

6.2 TRANSFORMATION PROGRAMME MEMBERS' SUB-GROUP - MINUTES OF MEETING HELD ON 18 OCTOBER 2018 (7.3)

The Chair said that the Transformation Programme would be included as a standing item

on agenda for future meetings of the Audit and Risk Assurance Committee (ARAC). In addition, she said that the Board's request that the Transformation Programme should become a standing agenda item on Department of Education (DE) ARAC meetings had been conveyed to the Permanent Secretary at the last meeting of the Transformation Programme Board.

6.3 STANDING ORDERS (8)

The Chair said that Schedule 2 to The Education and Libraries (Northern Ireland) Order 1986 had required DE to approve Standing Orders for legacy Education and Library Boards. This provision had been repealed and had not been subsequently enacted in the Education Act (Northern Ireland) 2014. DE was not therefore required to endorse EA's Standing Orders. The Chair said that a copy of EA's Standing Orders, when amended, was issued on each occasion to DE for noting.

7. CHAIR'S BUSINESS

7.1 PERMANENT SECRETARY - MEETING HELD ON 24 OCTOBER 2018

The Board noted the informal note* (EAB/11/18/5.1) of the meeting with the Permanent Secretary held on 24 October 2018. The informal note had been shared with DE in advance of it being issued to the Board.

7.2 DISCUSSIONS IN COMMITTEE

The Chair drew attention to four matters which required the Board's consideration in committee.

On the proposal of Rev Adams, seconded by Miss Rainey, the Board agreed to discuss the following business in committee.

Miss Bill, Ms Long, Dr Mangan, Mrs Cooney, Mrs Scott, Ms Monaghan and Ms Campbell withdrew from the meeting.

7.2.1 ACTING DIRECTOR OF EDUCATION - RECRUITMENT ACTIVITY

Mrs Duffield provided a report on this matter.

Mrs Duffield withdrew from the meeting.

7.2.2 CHIEF EXECUTIVE - RECRUITMENT ACTIVITY

Mrs Gallagher provided a report on this matter.

Mrs Gallagher withdrew from the meeting. Ms Long, Dr Mangan and Mrs Scott re-entered the meeting.

7.2.3 EXPULSION COMMITTEES - APPEAL TRIBUNALS

Two Members provided reports on this matter.

7.2.4 CORRESPONDENCE FROM A PRIMARY SCHOOL

The Chair of the Education Committee provided a report on this matter.

On the proposal of Miss Rainey, seconded by Mr Craig, the Board agreed to resume the meeting.

While in committee, the Board had:

- Agreed to commence a review of processes relating to the Scheme for the

Expulsion of Pupils from Controlled Schools. Officers undertook to discuss the wider context with DE officials.

- Noted arrangements for recruitment activity in respect of the post of Acting Director of Education.
- Noted a progress report on the recruitment activity for the post of Chief Executive.
- Noted a report provided by the Chair of the Education Committee following the receipt of correspondence from a primary school which was subject to a Development Proposal.

Miss Bill, Mrs Duffield, Mrs Cooney, Ms Monaghan and Ms Campbell re-entered the meeting.

Action: *Commence review of processes relating to the Scheme for the Expulsion of Pupils from Controlled Schools. Officers to discuss the wider context with DE officials.*

7.3 COMMUNICATIONS - UPDATE

The Board noted the summary paper* (EAB/11/18/5) on proactive communications and issues raised in the media in the previous month.

Ms Monaghan drew attention to significant interest on Facebook and Twitter in the Digital Admissions post in respect of applications for pre-school and primary school for the September 2019 intake. Two Members expressed concern at the timing of the roll out of the Digital Admissions programme, its impact on school principals, and accessibility. Ms Long said that a presentation on the new service had been provided to the Finance and General Purposes Committee at its meeting on 6 November 2018. Detailed information had been provided on the benefits of the service to parents and schools. Ms Long said she was aware of concerns that had been raised by some principals particularly around pre-school settings. Officers were seeking to put in place supports for schools where concerns had been raised. She said the service was 'digital first' and not 'digital only'. She advised that, in testing the new service with parents, parents were opting for digital access. The service also enabled Newcomer families to access information more easily.

8. CHILDREN AND YOUNG PEOPLE'S SERVICES COMMITTEE - MINUTES OF MEETING HELD ON 5 NOVEMBER 2018

The Chair of the Committee extended an invitation to all Members to attend an event on 17 December 2018 to celebrate the full attendance of pupils at schools. She said that the Committee had received a report on the work and objectives of the Getting Ready to Learn Programme (Early Intervention Transformation Programme - work stream 1) which was being taken forward by EA in conjunction with a wide range of stakeholders. She pointed out that by year three of the programme (2018/19) over 600 settings would be participating which represented 77% of eligible pre-schools. She said that, further to the Committee meeting on 5 November 2018, EA and its partner agencies had been notified that the Getting Ready to Learn Programme had won the Northern Ireland Civil Service Collaboration Award. She commended officers on this achievement.

The Chair of the Committee said that the Committee had noted the Funded Youth Service Equality and Inclusion Strategy for 2018-21 which formed the basis of support for the delivery of equality and inclusion from within existing resources for Regional and Local Voluntary Youth Organisations and the statutory Youth Service. She said that the

Committee had agreed to recommend the approval of the Equality and Human Rights screening template for the Equality and Inclusion Strategy, subject to some amendments.

A Member referred to comments in the Equality and Human Rights screening template relating to ethnicity. He said that indigenous cultural ethnic minorities were not covered within the screening template and he queried how this could be addressed particularly when a legal position on the definition of ethnicity had previously been provided by the Law Lords. He queried if officers could engage with the Commissioner for Human Rights on this matter. Mr McDermott said that the screening template currently reflected Executive Office guidelines and census data. He accepted there was a wider conversation taking place around the definition of ethnicity and said that EA's screening templates could be amended to reflect best practice.

The Member said that the Courts had accepted the Law Lords definition of ethnicity. If approved by the Board, the screening template and associated policy would be operational for a period of three years. He queried how this area of interest could be incorporated into the screening template. He said that this matter had been raised previously at the Joint Consultative Forum.

Dr Mangan said that the screening template had been developed in consideration with other organisations.

Mr Boyd confirmed that this area of interest could be developed further. A paper would be presented for consideration on what categories EA would use in relation to ethnicity and the rationale for that, as well as an outline of Members' views for any considered changes. A Member indicated that any changes arising from the review of the screening template would require to be implemented within EA's future policies and procedures.

Mr McDermott said that as equality matters resided with the Finance and General Purposes Committee, the paper would be presented for consideration to that Committee.

The Chair of the Board referred to her request at the Committee meeting to inform Members of potential media items. This request was merely to ensure that Members were alerted to cases in advance of them being aired in the media.

The Board noted that statements of special educational needs had been approved by the Committee.

On the proposal of Mrs Carville, seconded by Miss Rainey, the Board approved the minutes* (EAB/11/18/6) of the meeting held on 5 November 2018.

Action: *Finance and General Purposes Committee to consider a paper in due course on the content of screening templates.*

9. MEMBERSHIP AND TEACHING APPOINTMENTS COMMITTEE - MINUTES OF MEETING HELD ON 5 NOVEMBER 2018

The Chair of the Committee referred to the consideration given to principal and vice-principal appointments. She pointed out that a higher number of candidates were applying for vice-principal posts in comparison to principal posts. She said that the Committee had delegated authority to her to ratify Investing in the Teaching Workforce appointments, on its behalf, in late December. The Board noted that the appointments approved by the Chair in this way would be presented to the Committee at its meeting on 8 January 2019 for noting.

The Chair of the Committee said the Committee had agreed to continue to convene reconstitution panels, as necessary, following the conclusion of the main reconstitution process. The Committee had also noted a strategy to address and support remaining schools which did not meet thresholds for reconstitution in accordance with agreed process. She said that, as at 5 November 2018, 278 Boards of Governors had met thresholds for reconstitution with further thresholds being met subject to approvals. She reported that the Committee had also delegated authority to her, or her nominee, to note Transferor representative appointments on its behalf in December after the December Committee meeting. The Board noted that a report on Transferor representatives, noted in December by the Chair, would be presented to the Committee at its meeting on 8 January 2019 for noting.

The Chair of the Committee drew attention to the report summarising the percentage of Governors appointed to date by category. She pointed out that DE appointments were taking longer to complete as DE carried out Access NI checks prior to recommending individuals for appointment.

The Board noted the minutes* (EAB/11/18/7) of the meeting held on 5 November 2018.

10. FINANCE AND GENERAL PURPOSES COMMITTEE

10.1 MINUTES OF MEETING HELD ON 6 NOVEMBER 2018

The Chair of the Committee said that the September MEMR was reporting an overall estimated funding gap of £20.51m (excluding Earmarked and Youth) and an estimated block grant funding gap of £15.54m after estimated savings of £16.13m. The estimated funding gap had reduced by £0.55m as a result of movements in forecasts for year end outturns, pressures and savings. He drew attention to emerging pressures (estimated £1.444m), emerging easements (estimated £4.706m) and new savings (estimated £892k).

The Chair of the Committee said the Aggregated Schools' Budget was now showing an estimated pressure of £4.98m. Based on information contained in schools' financial plans, it was estimated that schools would overspend initial Common Funding Formula allocations by £32m after savings and additional income of £10.7m. Based on the schools' plans, he said the latest estimated surplus drawdown requirement was £5m after the June monitoring allocation of £8m and total deficits of an estimated £8m after contingency and stock.

The Chair of the Committee said that the viability review of Voluntary Grammar / Grant Maintained Integrated (VG / GMI) schools was progressing. This included a review of financial accounts, financial plans and Internal Audit reports. As at 6 November 2018, 48 school plans had been received from VG schools and 38 from GMI schools. He drew attention to concerns around the long term viability of a number of these schools, particularly where some schools were anticipating deficits and had no reserves for cover.

The Chair of the Committee said that EA continued to manage significant financial risk. The estimated RAG (red, amber, green) rating now showed that 62% of the overall estimated savings of £16.135m were rated amber and above. This included £7m in respect of schools deciding to implement stock counts for the first time. Taking account of the estimated adjustment for LMS Capital, the overall estimated funding gap would reduce to an estimated £16.3m. He said that, based on the information available, EA was

highly unlikely to live within its present recurrent budget without access to additional resources and assuming that all assumptions would hold.

The Chair of the Committee said that the Committee had noted progress against the action plan developed by the Schools' Surpluses and Deficits' Working Group. Six remaining actions needed to be considered as part of wider structural issues and transformation. He said the Committee had noted the NI Audit Office's Report on the Financial Health of Schools, including EA's response to the recommendations contained within the NIAO Report which would be forwarded to DE for consideration. It had also noted a paper setting out progress against the actions identified in DE's Internal Audit Review of School Spend. He said EA was responsible for six of the ten actions identified in the Review of School Spend and had been named as joint responsible officer with DE in two actions. He drew attention to the Committee's recommendation that the Working Group on Schools' Surpluses and Deficits should be re-established in order to revisit the action plan and to reflect on the NIAO Report on the Financial Health of Schools.

The Chair of the Committee said that a report on financial training to Governors would be provided to the Committee in the near future. He referred to the presentation given on the Digital Admissions programme which had set out arrangements for online application for admissions to pre-school and primary school for the September 2019 intake. He also said the Committee had noted arrangements to recruit to fourth and fifth tiers within Facilities Management and Pupil Services & Procurement. It had noted the update on developments within the Public Sector Shared Services Programme and a report summarising activities within the Human Resources Directorate within the past six months. He referred to recommendations relating to tenders and land and property transactions.

A Member commended work to introduce a competition in schools to raise pupils' awareness of environmental issues created by plastics.

A Member referred to the bi-annual report summarising activity within the Human Resources Directorate and queried whether the Gender Action Plan was still under consideration in the context of the Equality Action Plan. Mr McDermott advised that the Gender Action Plan was at development stage and would come back to the Finance and General Purposes Committee in the near future for consideration and approval.

On the proposal of Dr McMorris, seconded by Mrs Carville, the Board approved the minutes* (EAB/11/18/8.1) of the meeting held on 6 November 2018.

Mr McMullan left the meeting temporarily at 3.31 pm.

In response to a Member's query, Miss Bill provided an update on potential additional allocations arising from the latest monitoring round. She drew attention to the overall estimated Block Grant funding gap which depended on deliverability of the savings plan, movements on estimates around schools' financial plans, and any emerging Maintenance pressures prior to year end. An overview was provided of the initial resource position at the start of 2018/19. The Member said that EA needed to devise a communications strategy with schools around the receipt of additional allocations received in year. Mr Boyd said that the financial context and the approach to school plans would receive consideration particularly in light of the approaching 2019/20 financial year.

A Member referred to funding secured by DE for transformation projects in 2018/19 and 2019/20 and the allocation provided to EA in 2018/19 (£150k) to resource its transformation projects. He received clarity on arrangements for spend by DE and EA in the current financial year.

The Chair requested Members to indicate their interest in serving on the Schools' Surpluses and Deficits' Working Group to the Board Support Manager.

***Action:** Members to self-nominate on to the Schools' Surpluses and Deficits' Working Group.*

10.2 TENDERS - GOODS AND SERVICES (ABOVE THRESHOLD)

On the proposal of Dr McMorris, seconded by Mr Craig, the Board agreed to approve tenders 70380 and CAT-18-004, as set out in the tender report* (EAB/11/18/8.2).

Mr McMullan re-entered the meeting at 3.38 pm.

Ms Long said that a benchmarking exercise had recently been undertaken in respect of chilled and frozen foods. Assurance had been received through this exercise that EA was receiving value for money in this area.

A Member asked EA to communicate with schools to provide reassurance around the value of a central procurement service. Another Member drew attention to procurement requirements as set out in the Scheme of Local Management of Schools. Ms Long said that a recent review of Term Service Contracts (TSCs) for Maintenance had demonstrated that TSCs delivered good value for money at centre. She undertook to convey the benefits of central procurement to schools.

***Action:** Inform schools of the value of central procurement.*

11. SHARED EDUCATION COMMITTEE - MINUTES OF MEETING HELD ON 8 NOVEMBER 2018

The Chair of the Committee said that the Committee had received a very positive presentation on the shared education experiences of Lisnagelvin and St John's Primary Schools. She said the Committee had considered the evaluation report produced by the Education and Training Inspectorate on the DSC Shared Education Signature Project. She said that EA would continue to work in areas relating to professional learning development, support for partnerships and the move to mainstreaming shared education. A further paper on mainstreaming would be presented to the Committee at a future meeting. She referred to the importance of the pupil pathway in shared education. For shared education to have greatest impact on pupils and society, it was considered that there needed to be a coherent pupil pathway from pre-school to the end of post-primary education.

The Chair of the Committee referred to significant interest in the Peace IV CASE (Collaborating and Sharing in Education) project. The Committee had noted that interim pupil and school targets had been met. She said that EA, in consultation with Léargas and DE, had agreed to extend the project to June 2022. The original completion date had been planned for December 2021.

The Chair of the Committee said that the Committee, in noting that the Strule Shared Education Campus was expected to be completed by 2022 or 2023, had agreed to issue a

letter to DE expressing concern with regard to the ongoing delay and to request information on costs associated with the delay.

A Member drew attention to challenges for schools working in partnerships in respect of transport costs.

On the proposal of Rev Adams, seconded by Mr Craig, the Board approved the minutes* (EAB/11/18/9) of the meeting held on 8 November 2018.

12. EDUCATION COMMITTEE - MINUTES OF MEETING HELD ON 8 NOVEMBER 2018

The Chair of the Committee said that the Committee had agreed to invite representatives from the General Teaching Council for NI to attend a future meeting of the Committee to provide an update on progress in developing the new school leadership competencies framework. He also drew attention to the positive evaluation report provided on Governor Training in 2017/18 and the CCMS paper which set out the role of its Education Officers in supporting schools. He said it was anticipated that representatives from CCMS would be in attendance at the Committee's January meeting. This was part of the strategy to engage with education partners and to collaborate on supports to schools.

The Chair of the Committee said that the Committee had noted the approach to align the Irish medium bursary scheme with the Learning Leaders' Strategy. In addition, the Committee had agreed a recommendation concerning arrangements to allocate £45k for Irish medium bursaries. The Committee had noted the Memorandum of Understanding (MoU) drawn up for the seven controlled post primary schools within the Dickson Plan and had agreed to recommend that, at its next stage of review, the MoU should recognise the outward facing role and responsibilities of the Dickson Plan schools. He also referred to consideration given to Development Proposals, the RAG (red, amber, green) report detailing progress against the 2018/19 Area Planning annual action plan, and the first draft of the 2019/20 Area Planning annual action plan.

A Member drew attention to challenges to meet training requirements for Governors particularly in light of the number of new Governors appointed following reconstitution.

On the proposal of Rev Herron, seconded by Mr Lundy, the Board approved the minutes* (EAB/11/18/10) of the meeting held on 8 November 2018.

Mrs Culbert left the meeting at 3.51 pm.

13. RECONSTITUTION PROCESS FOR BOARD MEMBERS - 2019

The Chair said that she would follow up a response from the Permanent Secretary on the reconstitution process for political appointees and non-political appointees to the EA Board.

Action: *Follow up response from the Permanent Secretary on the reconstitution process for political appointees and non-political appointees to the EA Board.*

14. DATE OF NEXT MEETING

The next meeting of the Board would be held on 13 December 2018.

The meeting ended at 3.52 pm.

Chair

Chief Executive

Date

*Paper issued with agenda ** Papertabled