

MINUTES OF PROCEEDINGS OF A MEETING OF THE BOARD HELD ON WEDNESDAY, 12 MARCH 2008 AT 2.30 PM IN THE BOARD ROOM

1. PRESENT Mrs M E Donnell (Chairperson)

Mr P H Aiken	Mr W Mayne
Councillor P Brannigan	Councillor P P McAleer
Rev J Byrne	Mr A McCreesh
Mr M P Campbell	Councillor J McCrum
Mr B Doran	Very Rev L M McVeigh
Councillor J Feehan	Councillor R Mulligan
Mr P Gildea	Councillor M Murphy
Councillor J Hanna	Professor P Murphy
Councillor R A Harkness	Mr A G Sleator
Dr M Hollinger	Rev D Somerville
Councillor Ms C Lockhart	Mr J K Twyble
Mr C Mackin	Mrs E Wright

2. IN ATTENDANCE

Mrs H M McClenaghan, Dr C Mangan, Mrs K Ryan, Messrs R Bullick, G Butler, T Heron, P Keating, P Mackey, R McGreevy, T Murphy, Mrs L McCall and for part of the meeting Messrs G Doran and K Orr.

3. APOLOGIES

Apologies were received from Mrs S R Brownlee, Dr P Cunningham, Councillor P Gildernew, Councillor I E B Hanna, Mrs C M McCaul, Rev Canon J McKegey, Councillor S McRoberts and Councillor Dr P A Weir.

The Chairperson advised that Councillor Gildernew had suffered a bereavement in his family and extended the Board's sympathy to him.

4. APPOINTMENT OF OFFICERS

Mrs McClenaghan drew attention to funding arrangements for posts contained within the report. It was proposed by Mr Doran, seconded by Mrs Wright, and agreed that the report** (B/3/08/2) prepared by the Head of Human Resources be adopted.

5. BOARD MEETING : MINUTES OF MEETING HELD ON 13 FEBRUARY 2008

Councillor Murphy stated that he had attended the meeting although his name was not listed among those present. On the proposal of Rev Mr Somerville, seconded by Councillor Mulligan, the minutes* (B/2/08/3) of the meeting held on 13 February 2008 were approved as an accurate record, subject to the above amendment, and were signed by the Chairperson and the Chief Executive.

6. MATTERS ARISING FROM THE MINUTES

6.1 LIBRARY COMMITTEE : MEMBERSHIP (7.3)

Councillor Feehan indicated his willingness to serve on the Library Committee. The Board agreed to appoint Councillor Feehan to the Library Committee.

6.2 ASSOCIATION OF NORTHERN IRELAND EDUCATION AND LIBRARY BOARDS : MINUTES (18)

Mrs McClenaghan reported that Mr W Reilly had responded to advise that, business commitments permitting, he would address the Board on the ANIELB Annual Conference at its May meeting or, in his absence, Councillor Brannigan would speak.

6.3 SPERRINVIEW SCHOOL (19)

Mrs McClenaghan advised that she had written to Mr McCreesh in response to his query on the timetable for the capital build extension at Sperrinview School.

6.4 DEPARTMENT OF FINANCE AND PERSONNEL CONSULTATION MEETINGS : DRAFT BUDGET 2008 – 2011 (6)

Mr Aiken stated that the issue of subsidies provided by the Youth Service through its Outdoor Education Centres had been considered by the Chief Executives and the Finance Officers of SELB and WELB. The suggestion had been made that costs should be apportioned from the overall budget. He confirmed that the Chairperson and Vice-Chairperson of the Youth Committee would discuss the matter further with the Chief Executives of the two Boards.

7. CHAIRPERSON'S BUSINESS

PUBLIC APPOINTMENT : MR A G SLEATOR

The Chairperson reported that Mr Sleator had responded to Mr W Haire's letter to confirm that he would extend his term with the Board until 31 March 2009.

FATAL BUS ACCIDENT

The Chairperson drew attention to letters of condolence received on behalf of the members of the Association of Northern Ireland Education and Library Board and the members of the Belfast Education and Library Board as a result of the accident at Ballygawley. Mrs McClenaghan drew attention to the devastation felt by the Murray family, the families of those children also injured in the accident, the school community and the wider community. The Board agreed that a letter should be sent to the Murray family extending the Board's sincerest sympathies. Mrs McClenaghan referred to the courage of the principals in the three schools and to colleagues in the Transport Service and the Critical Incident Response Team. She also referred to the accident on 10 March 2008 involving a pupil from St Ciaran's High School, Ballygawley and stated that the pupil had been well enough to be released from hospital on the same day.

Members congratulated the Board's support services for the prompt and sensitive action taken as a result of the accidents. Discussion ensued in relation to children not wearing seat belts on buses and standing on buses, particularly on privately operated buses; the structure of buses to the rear; and the role of the Department of the Environment Road Safety Unit. Mr Murphy advised that the Board owned 198 buses, 179 of which were fully seat belted. He stated that 5 buses had no seat belts and 14 had partial seat belts. The Board intended to replace these 19 older buses in line with its capital spend programme. He stated however that the

enforcement of wearing seat belts on buses was difficult for the bus driver in that during a journey any young person could remove their seat belt. He advised that the Board would be issuing a brochure to all schools in the near future to highlight safety issues as was discussed by the Schools & Services Committee at a previous meeting. Compliance on safety issues would require co-operation from schools as well as bus drivers. Mr Murphy confirmed that the two buses involved in the accidents were stationary, were fully seat belted and the children on the buses on both occasions were wearing seat belts. He advised that the protection at the rear of Board buses had been investigated and had shown that Board buses were stronger than normal buses. The Board however would be reviewing other measures to enhance security for its buses. He stated that no child should be standing on a bus and that responsibility to adhere to this policy resided with Translink for their buses. He undertook to ascertain the particular details from Mr McCreesh and to pursue the matter.

The Board agreed that a letter should be sent to DOE Road Safety in relation to the issue of raising awareness of school buses.

DISCOVERY OF BOARD DOCUMENTS

Mrs McClenaghan referred to the letters issued to Members on 18 and 29 February 2008 providing information of the matter and the ongoing investigation being conducted by the Head of Internal Audit. She advised that a more detailed report on the investigation would be given to the Audit Committee the following day. She referred to the Minister's Statement** (B/3/8/5.3) to the Assembly outlining the circumstances of the discovery of the documents and the actions taken by the Board and the PSNI to investigate the matter. Mrs McClenaghan also referred to Hansard's record of the discussion which followed the Minister's Statement at the Assembly and to a misrepresentation of a statement issued by an MLA. She wished to assure the Board of the correct details as this matter had been published in the media. She advised that the MLA had stated that e-mail correspondence involving a staff member in a separate case had gone missing and had not been made available when requested. The MLA had further stated that an IT expert had been asked to recover the alleged correspondence. Mrs McClenaghan confirmed that the case had gone to Industrial Tribunal and that indeed an IT expert had been asked to recover the correspondence but he had been unable to confirm that an e-mail had existed. There was therefore no foundation to the allegation that the e-mail had gone missing. She advised that she would write to the Minister detailing the correct circumstances of this case.

Councillor Murphy expressed regret that those discovering the documents had not handed them to Mrs McClenaghan and thus prevented the negative publicity in the media.

Mrs McClenaghan pointed out that the Board's Whistleblowing Policy was available on the Board's website for Board members and members of the public should they not feel able to approach Board officers directly about any matter requiring investigation. Details of contact names within DE, DEL and DCAL were provided with this Policy.

ANNUAL REPORT AND ACCOUNTS 2006/07

The Chairperson stated that copies of the Report were available for any interested Member. The Board noted that the Report had been signed by the Comptroller

and Auditor General on 31 January 2008 and had been laid at the offices of the NI Assembly on 22 February 2008.

8. BOARD MEMBERSHIP ON OUTSIDE BODIES

8.1 THE GOVERNING BODIES OF THE SOUTHERN REGIONAL COLLEGE AND THE SOUTH WEST COLLEGE

Mrs McClenaghan reported that the Minister had appointed Councillor S McRoberts and Mrs E Wright to the Governing Body of the Southern Regional College and Councillor Dr P A Weir to the Governing Body of the South West College.

8.2 THE COURT OF THE UNIVERSITY OF ULSTER

The Board noted a letter* (B/3/08/6.2) from the University of Ulster advising that the Board had not been included as one of the fifty nominating bodies to appoint representatives to the Court. The Chairperson thanked Professor Murphy for his previous service as the Board's representative on the Court.

9. REVIEW OF PUBLIC ADMINISTRATION : REQUEST FOR SPEAKING RIGHTS FROM THE NORTHERN IRELAND PUBLIC SERVICE ALLIANCE

The Chairperson reported that Ms A Millar was unable to attend the meeting and had requested speaking rights to address the Board at its April meeting. She confirmed that this request would be facilitated.

10. DE RECURRENT FINANCIAL SCHEME 2008/09

Mr Heron advised that a draft Scheme had been presented to the Finance Committee at its meeting on 29 February 2008. However since that date some significant changes had occurred, namely the cleaners' job evaluation appeal had been successful resulting in an arrears cost to the Board of £3,264k up to 2007/08 and the receipt of £3,572k from DE to meet the Classroom Assistants' buy-out of terms and conditions. He pointed out that the forecasted year end surplus carry over figure for Delegated Schools was £3,450k as set out in the paper** (B/3/08/8). The Centre deficit amounted to £3,577k as a result of the costs from the cleaners' job evaluation appeal which meant that the current overall DE position at year end was a deficit of £127k. He pointed out that a five Board bid would be submitted to DE for the unexpected outcome of the cleaners' independent appeal.

The Board noted the table in the paper detailing the unallocated EYF position totalling £12,455k.

Mr Heron referred to the two options for the 2008/09 Budget in the paper: the first option being for the 2008/09 allocation to be top sliced by £3,577k to recover the 2007/08 centre deficit. The initial budget would be planned on this reduced allocation with the main impact on the Maintenance budget. He pointed out that if EYF monies were allocated in year the Board could give consideration to assisting the Maintenance budget. The second option in the paper would be to assume that the centre deficit would be covered by EYF allocation and to plan the initial budget without having regard to the centre deficit. However DE had stated that Boards should not anticipate EYF and he considered it unlikely that DE would accept Option B as the Board's Scheme.

The Board noted the Aggregated Schools' Budget for 2008/09 and that 93% of the costs arising from the cleaners' independent appeal would fall to schools.

Mr Heron referred to pressures on the budget for the incoming year, as set out in the paper. He drew attention to the Board's decision at its February meeting to make provision for the enhancement of pensions for teachers at the four schools who had been affected by the new arrangements within the Teachers' Premature Retirement Scheme. He also referred to contingency funding for job evaluation costs which amounted to £850k. This figure however would require to be reduced by £579k within the Scheme so as to meet the overall DE allocation of £88,011k. It was noted that Option A would facilitate £3,011k for Maintenance.

Members expressed concern that DE had not yet provided the Board with its base EYF figure for 2008/09 in order to inform the Board's planning.

It was proposed by Mr Sleator, seconded by Professor Murphy, and unanimously agreed that the Board would submit Option A as its Scheme to DE. This option was on the understanding that urgent cases be made to DE for access to the Board's restricted centre EYF allocation, amounting to £3,432k, and the additional funding required as a result of the outcome of the cleaners' appeal. It was noted that the Scheme was required to be submitted to DE by Friday, 14 March 2008.

11. RPA AFFECTED EMPLOYERS : DRAFT CODES OF PRACTICE FOR LOCATION, EQUALITY AND CAPACITY BUILDING

The Board noted the letter* (B/3/08/9) from OFMDFM enclosing the draft Codes of Practice for Location, Equality and Capacity. Comments were required to be submitted to the RPA Central Unit by 13 March 2008.

12. AREA-BASED PLANNING : MINISTER'S SPEECH

The Board noted the Minister's speech* (B/3/08/10) dated 4 March 2008 on Area-Based Planning. Mrs McClenaghan reported that, since this statement was issued, she had been advised that Mr P McAleavey had been appointed as chairperson to one of the five area groups and would therefore serve on the central group. In addition, the area groups and the central group would also include within their membership Transferors' representatives. She referred to the senior figure which was required from the Board to serve on the central group and suggested that Mr G Butler be the Board's nominee. She advised that Mr W Haire had stated that each Board official would represent the controlled sector only which, she pointed out, was in conflict with the statutory requirements placed on the Board.

Mrs McClenaghan stated that the terms of reference for the group were still being determined by DE and that the central group was required to present a report to the Minister by October 2008. She advised that the groups were being established to give advice to DE. They would have no link with the Board except that of the Board's nominee who would represent the controlled sector.

Mr Aiken stated that he recognised the importance of area-based planning and the need to devote appropriate time to the group by the Board's nominee. He queried the amount of time which Mr Butler would be required to spend on these duties in light of his new role within the Library Service. Mr Mayne also expressed concern in relation to the out-

workings of the Library Service. Mrs McClenaghan advised that back-up services would be provided for Mr Butler. She advised that a proposal had been put to DE that the Board would provide a secretariat for this service. The assumption was that the secretary to the group would report to the Board's representative for day to day management and would be accessible to Mr McAleavey, the area chairperson. It was agreed that Mr Butler would serve on the central group as the Board's representative.

Mr Twyble welcomed the assurance that a Transferors' representative would serve on the area group. Mrs McClenaghan stated that she was awaiting notification of this matter in writing which should provide confirmation on the membership and the remit of the group. The Board agreed that, should the letter not give such an assurance, Mrs McClenaghan would write to the Minister on the Board's behalf to appeal the membership.

Rev Mr Somerville drew attention to the eroding of responsibility of Transferors' representatives who served on Boards of Governors of primary and post-primary schools under the new arrangements. He stated that he had asked DE in a personal capacity to conduct an Equality Impact Assessment (EQIA) on this matter. Mr Campbell pointed out that the Board had given unanimous support for the right of Transferors to be represented at primary and post-primary level and queried current action in this matter. Mr Twyble stated that legal proceedings were being instigated. A request had been submitted by the Transferors' Representative Council for an EQIA to be undertaken and that request was being heard by the Minister.

Mrs McClenaghan drew attention to the Board's response to Policy Paper No 5 and stated that the Chief Executives of the five Boards had requested Mr Haire to provide an update on the Policy Papers. She undertook to present that update to the Board when received. She stated that Members should endeavour to influence proposals for ESA at this time. She referred to connections with MLAs and stated that the membership of the Board of ESA was expected to be larger than originally intended and might include elected representatives. She undertook to enquire from Mr Haire as to the details of the current thinking for a Board of ESA.

Some Members drew attention to other representatives to serve on the central group and considered that the Scottish educational system was more closely connected to Northern Ireland's educational system. It was proposed by Mr Sleator, seconded by Mr Mayne, and agreed that the Board would write to the Minister to request that a representative from Scotland would serve on the central group.

(During discussion of this item Mr McCreesh left the meeting at 3.52 pm and Mr Doran left at 3.57 pm.)

13. CHAIRPERSONS' COMMITTEE : MINUTES

It was proposed by Mr Sleator, seconded by Mr Campbell, and agreed that the minutes* (C/2/08/11) of the meeting held on 13 February 2008 be adopted.

(Councillor Harkness and Very Rev Fr McVeigh left the meeting at 4.20 pm.)

14. JOINT YOUTH COMMITTEE

14.1 MINUTES OF 20 FEBRUARY 2008

Mr Aiken referred to the very successful meeting of the five Boards' Youth Service, the NI Youth Forum, YouthNet and the Youth Council NI with the

Assembly Education Committee to discuss key issues affecting the Youth Service. He stated that the Assembly Education Committee had requested further information on budgets and the interface between the Youth Service and Local Government. Mr Aiken pointed out that the majority of members in the Joint Youth Committee had agreed that youth interests should remain with ESA as opposed to any other connection.

Mr Aiken stated that the apology submitted by Very Rev Fr McVeigh for being unable to attend the meeting had not been recorded in the minutes. It was proposed by Mr Aiken, seconded by Mr Twyble, and agreed that, subject to the above amendment, the minutes* (Y/2/08/12) of the meeting held on 20 February 2008 be adopted.

14.2 MINUTES OF 10 MARCH 2008

The Board noted that, due to a network error, the minutes of the Committee held on 10 March 2008 could not be presented. It was noted that these minutes would be presented to the Board at its April meeting.

14.3 RPA : RESPONSE TO EQIA SCREENING OF POLICY PAPER 9 – YOUTH WORK

Mr Aiken advised that the RPA Committee of the WELB had prepared the Response** which had been considered by the Joint Youth Committee at its meeting on 10 March 2008. The Committee had endorsed the Response and had agreed that it should be presented to both Boards for adoption. It was proposed by Mr Aiken, seconded by Councillor Brannigan, and agreed to adopt the response as a joint WELB / SELB response.

14.4 BUDGET PROPOSALS 2008/09

Mr Aiken presented the paper** setting out the budget proposals for the Youth Service in SELB and WELB for 2008/09. It was noted that SELB's recurrent allocation had increased by £166k (4.24%) and the capital budget had been reduced by £107K (12.13%). Mr Doran referred to the Board's inescapable commitments which were detailed in the paper, amounting to £279k, and the optional commitments, amounting to £68k. Taking the increased allocation of £166k into account, this left a deficit of £181k to be found to maintain services. The Board noted the table outlining areas where savings in the amount of £181k could be achieved in 2008/09. Mr Doran drew attention to the significant impact on services to young people in the following two years as a result of the Comprehensive Spending Review.

It was proposed by Mr Aiken, seconded by Councillor Brannigan, and agreed that the recommendations as set out in the paper be adopted. Mr Aiken recorded his appreciation to the officers for their work in preparing the budget for 2009/09.

15. JOINT EDUCATION COMMITTEE : MINUTES

Mr Campbell advised that the ETI report on the arrangements for the implementation of the Revised Curriculum would be discussed by the Committee at its April meeting. He expressed concern that budgetary information had still not been provided by DE for the Extended Schools' Programme. He drew attention to the Investing for Health presentation, the PEAG minutes of 10 January 2008 and the minutes of the School

Improvement Strategy Group of 29 January 2008 which referenced DE's concerns in relation to specific targets for Literacy and Numeracy which were not being reported in the format required within School Development Plans. Mr Campbell pointed out that the Heads of CASS were meeting with DE officials to discuss this matter. He reported that the Sub-Committee's response to the consultation document "Every School a Good School" was not finalised and sought the Board's approval to submit the draft response to DE by the deadline of 31 March 2008 with the proviso that Board comments on the response could be submitted at a later stage. Mr Mackey advised that a number of meetings had taken place with principals to discuss the consultation document, one of which had taken place that morning. Mr Gildea stated that the document had much merit and considered that the timescale for the consultation period had been inadequate to facilitate engagement with Governors.

(Rev Mr Somerville left the meeting at 4.40 pm and Councillor Ms Lockhart left at 4.42 pm.)

It was proposed by Mr Campbell, seconded by Mr Mayne, and agreed that the minutes* (E/2/08/13) of the meeting held on 28 February 2008 be adopted and that the draft response to the consultation document "Every School a Good School" be submitted to DE before 31 March 2008 on the condition that any comments could be forwarded by the Board at a later date.

16. JOINT CHILDREN AND YOUNG PEOPLE'S SERVICES COMMITTEE : MINUTES

Dr Hollinger referred to the role of the Critical Incident Response Team following the bus accident on 27 February 2008. She referred to seminars which had been held with principals in SELB and WELB on the provision of appropriate interventions for children with statements of special educational needs. Dr Hollinger outlined discussion which had taken place as a result of the presentation given on Mental Health Promotion and the development of an EOTAS provision at Tamnamore Primary School following its closure on 31 August 2008.

Mr Campbell referred to the proposal to hold two meetings of the Joint Committees at College locations in the incoming year and expressed a wish that officers could facilitate such arrangements.

It was proposed by Dr Hollinger, seconded by Councillor Brannigan, and agreed that the minutes* (CYPS/2/08/14) of the meeting held on 28 February 2008 be adopted.

(Councillor McCrum left the meeting at 4.50 pm.)

17. FINANCE COMMITTEE : MINUTES

Mr Sleator advised that some matters in the minutes had been overtaken in light of the paper presented earlier in the meeting on the DE Recurrent Financial Scheme 2008/09. He advised that clarification on the restriction of capital EYF had still not been received from DE; the increase in the AWPU weighting for primary school pupils had been increased to 1.04 in 2008/09; and that an additional £600k had been received from DE to cover pressures within the minor works budget. Mr Sleator referred to the recommendation relating to submitting a bid to DE, on a five Board basis if possible, to provide assistance to schools as a result of rising oil prices. He also referred to the recommendations relating to extending Maintenance contracts until 31 March 2009 and to

discussion which had arisen as a result of the DE letter on the 2007/08 Accounts Direction, the capital expenditure report and the recurrent expenditure report.

Councillor Hanna referred to opportunities to obtain grant funding for energy efficiency schemes such as wind turbines. Mr Murphy drew attention to the Board's record to avail of grants; he undertook to speak to the Board's Energy and Conservation Officer on this matter.

Mr Mayne referred to the underspend in the capital budget for the Library Service and stated that he had raised the issue of receiving a capital report on the Library Service at the previous Library Committee. Mrs Ryan advised that the underspend amounted to approximately £36k which had arisen as a result of confirmation being received late in the year in connection with a bid for a replacement boiler at Dungannon Library. Mr Heron advised that the capital allocation for the Library Service normally amounted to approximately £100k each year; spend for which was reported to the Finance Committee on a monthly basis. He stated that the Finance Committee comprised the chairpersons of the main Committees including the Library Committee.

It was proposed by Mr Sleator, seconded by Mrs Wright, and agreed that the minutes* (F/2/08/15) of the meeting held on 29 February 2008 be adopted.

(Professor Murphy left the meeting at 5.00 pm.)

18. LIBRARY COMMITTEE : MINUTES

Mr Aiken referred to the letter which Mrs Ryan had issued to DE highlighting the role of libraries in supporting literacy and reading during the National Year of Reading. He stated that the Committee had queried why DE was not supporting this scheme. He also referred to discussion on the Library Service Budget for 2008/09 and in particular that projected expenditure and savings would not require reductions in opening hours of branch libraries. He advised that information on opening hours would be presented to the Committee at its April meeting.

Councillor Hanna referred to the development of a Council community centre in Gilford and requested the Library Committee to give consideration to combining a library service within that community centre. Mr Aiken welcomed Councillor Hanna's suggestion.

As this was the last Board meeting that Mrs Ryan would be attending prior to her retirement Mr Aiken paid tribute to her for her commitment to the Library Service. He invited all members to join the Library Committee on 18 March 2008 to mark Mrs Ryan's retirement. Various members also expressed appreciation to Mrs Ryan for her contributions to the Library Service.

It was proposed by Mr Aiken, seconded by Mr Mayne, and agreed that the minutes* (L/2/08/16) of the meeting held on 19 February 2008 be adopted.

19. COMMITTEE FOR THE APPOINTMENT OF PERIPATETIC TEACHERS : MINUTES

The minutes* (PT/2/08/17) of the meeting held on 12 February 2008 were noted.

20. TEACHERS' STAFFING COMMITTEE : MINUTES

The minutes* (TSC/2/08/18.1 and 18.2) of the meetings held on 6 and 21 February 2008 were noted. It was noted that Mr Aiken's apology for being unable to attend the meeting on 21 February 2008 had not been recorded.

21. TEACHING APPOINTMENTS COMMITTEE : MINUTES

The minutes* (TAC/2/08/19) of the meeting held on 1 February 2008 were noted. Mr Sleator advised that the minutes had not recorded discussion which had taken place in relation to a principal or vice-principal being employed in a temporary capacity and acquiring employment rights. It was noted that the Committee would correct the minutes at its next meeting.

The meeting ended at 5.15 pm.

CHAIRPERSON

* Paper circulated
18 March 2008

CHIEF EXECUTIVE

** Paper tabled
LMcC

DATE