

**MINUTES OF PROCEEDINGS OF A MEETING OF THE BOARD HELD ON WEDNESDAY, 11 FEBRUARY 2009 AT 2.30 PM IN THE BOARD ROOM**

**1. PRESENT** Mrs M E Donnell (Chairperson)

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

**2. IN ATTENDANCE**

Ms L Ayling, Dr C Mangan, Mr R Bullick, Mr P Mackey, Mr R McGreevy, Mrs L McCall and for part of the meeting Mrs H M McClenaghan, Mr G Butler, Mr G Doran, Mr P Keating and Mr T Murphy.

**3. APOLOGIES**

Apologies were received from Mrs S R Brownlee, Rev J Byrne, Councillor J Cavanagh, Dr P Cunningham, Councillor P P McAleer, Mr A McCreesh, Rev Canon J McKegey and Councillor Dr P A Weir.

**4. APPOINTMENT OF OFFICERS**

Mrs McClenaghan drew attention to funding arrangements for posts contained within the report. It was agreed that the report\*\* (B/2/09/2) prepared by the Head of Human Resources be adopted.

*(Mr T Murphy entered the meeting.)*

The Chairperson congratulated Mr Murphy on his appointment as Acting Chief Executive.

**5. BOARD MEETING : MINUTES OF MEETING HELD ON 14 JANUARY 2009**

On the proposal of Mr Campbell, seconded by Mrs Wright, the minutes\* (B/1/09/3) of the meeting held on 14 January 2009 were approved as an accurate record and were signed by the Chairperson and the Chief Executive.

**6. MATTERS ARISING FROM THE MINUTES**

**6.1 AUDIT COMMITTEE : MINUTES – RECONSTITUTION OF BOARDS OF GOVERNORS (6.5)**

Mrs McClenaghan stated that a letter would soon issue to those holding transferor interests seeking nominees by the end of February 2009 for transferor seats. She

pointed out that, under the Scheme of Management for Controlled Schools, Board Members would cease to be Governors when ESA was established. She advised that this matter had been drawn to DE's attention and she had been assured that an amendment would facilitate those Board Members wishing to continue as Governors to be able to do so following ESA's establishment. It was noted that Board Members who continued to serve on Boards of Governors as Board representatives after 1 January 2010 would not be able to claim attendance allowances.

Mrs McClenaghan advised that the Membership Committee would start the process of appointing transferor representatives at its April meeting and parent and teacher representatives would be elected in October and November.

Mrs Wright queried the position for those Board Members who served on outside bodies as Board representatives after 1 January 2010. Mrs McClenaghan confirmed that she would clarify this representation.

## **6.2 LIBRARY SERVICE (7.3)**

The Chairperson requested Members to indicate their availability to attend the celebratory event on 11 March 2009 in recognition of the contributions of the Public Library Service prior to its transfer to NILA on 1 April 2009.

## **7. CHAIRPERSON'S BUSINESS**

*(At the request of the Chairperson, Mrs McClenaghan withdrew from the meeting.)*

The Chairperson referred to arrangements being facilitated by Board Members to mark the retirement of the Chief Executive on 31 March 2009.

*(Mrs McClenaghan re-entered the meeting. Mr Gildea entered the meeting at 2.50 pm.)*

## **8. COMMITTEE MEMBERSHIP**

### **8.1 AUDIT COMMITTEE**

The Board noted that Councillor I E B Hanna had resigned his membership of the Audit Committee. It agreed to appoint Mr J K Twyble to this Committee.

### **8.2 ADVISORY SUB-COMMITTEE FOR CONTROLLED SCHOOLS**

The Chairperson advised that Councillor I E B Hanna had indicated that he wished to serve on the Advisory Sub-Committee for Controlled Schools. It was proposed by Councillor Harkness, seconded by Councillor Mulligan, and agreed that Councillor Hanna would serve on this Sub-Committee.

### **8.3 MEMBERSHIP COMMITTEE**

The Chairperson advised that Councillor C Casey had indicated that he wished to serve on the Membership Committee. It was proposed by Professor Murphy, seconded by Mr Mackin, and agreed that Councillor Casey would serve on this Committee.

## **9. CHAIRPERSONS' COMMITTEE**

*(Mr Butler withdrew from the meeting.)*

### **9.1 MINUTES OF MEETING HELD ON 2 FEBRUARY 2009**

Mr Keating drew attention to the recommendation in the minutes that the recruitment panel for the post of Acting Head of Planning, Development & Support Services would comprise the Chairpersons' Committee. He advised that the trawl for this post would issue to staff that afternoon following the adoption by the Board earlier in the meeting of the report on the Appointment of Officers. The Board noted that the shortlisting panel would meet on 24 February 2009 and interviews would take place on 2 March 2009.

It was agreed that the minutes\* be adopted.

*(Mr Butler re-entered the meeting.)*

### **9.2 DRAFT RESPONSE TO THE EDUCATION BILL**

The Board noted the Education Bill\* and the Explanatory and Financial Memorandum\*. Mrs McClenaghan stated that the draft Response\* had been shared with some other Boards and had been forwarded to the Education and Library Boards' Solicitors for comments.

Mrs McClenaghan drew attention to Article 2 (3) relating to the arrangements for the controlled school estate and stated that the Board would have further opportunity to comment on the ownership arrangements for the controlled sector at its next meeting.

Mrs McClenaghan advised that Governors appointed before 1 January 2010 as transferor representatives would retain that title; however subsequent Governors appointed as transferor representatives would be known as 'Foundation Governors'. It was agreed that a comment should be incorporated into the response on the variation in titles for the same group of people.

Consideration was given to Article 15 (b) relating to the Youth Service. Mr Aiken stated that the Youth Service was an integral part of educational services. He drew attention to the separation of youth and educational services and expressed concern that ESA's duty was "to secure the provision of adequate facilities for youth services and activities carried out in connection with those services." He queried whether this Article could facilitate the future outsourcing of youth services. Concern was also expressed in relation to the interpretation of Article 15 (2) (a) and (b) which could impact on the role of the Youth Service in any future review of ESA's responsibilities.

Professor Murphy referred to Article 2 (2) (a) requiring ESA to "contribute towards the spiritual, moral, cultural, social, intellectual and physical development of children and young persons ...". He stated that education was more than the sum of all those individual components and he considered that a more appropriate and all-encompassing term would be the 'personal' or 'educational' development of children and young persons.

While reference was made within Articles 44 and 45 to safeguarding and promoting the welfare of children, Professor Murphy stated the Bill did not recognise the contributions made by nursery education to the development of

children. Mrs McClenaghan pointed out that nursery education was not a statutory obligation but undertook to incorporate Professor Murphy's comment on the value of nursery education in the Response.

Subject to some minor amendments and the additions proposed by Members, it was agreed that the Response be adopted.

**10. POST-PRIMARY SCHOOLS' ADMISSIONS FOR 2010/11 SCHOOL YEAR : GUIDANCE TO PRIMARY SCHOOL PRINCIPALS, POST-PRIMARY SCHOOLS' BOARDS OF GOVERNORS AND PRINCIPALS AND ELBs / ESA**

Mrs McClenaghan stated that she understood that various groups were being established to examine the post-primary transfer arrangements for their sector. She therefore considered that meetings with principals should not be convened until the end of March. It was noted that the Transfer Officers of the five Boards were considering the guidance and that responses would be progressed through the Schools and Services Committee in the first instance before final consideration by the Board.

*(Very Rev Fr McVeigh left the meeting at 3.20 pm.)*

**11. RECONSTITUTION OF BOARDS OF GOVERNORS : TRANSFEROR INTERESTS**

Mrs McClenaghan presented the paper\*\* setting out the recommendations for the redistribution of transferor seats in respect of the former Ardmore, Eglisish and Granville Primary Schools and the recommendations relating to the transferor seats for Benburb, Carrick, Tullymacarette and Walker Memorial Primary Schools.

It was proposed by Mr Twyble, seconded by Councillor Mulligan, and agreed to adopt the recommendations contained in the paper.

*(Councillor Harkness left the meeting at 3.40 pm.)*

**12. JOINT YOUTH COMMITTEE : MINUTES**

Mr Aiken proposed the adoption of the minutes\* (Y/1/09/10) of the meeting held on 21 January 2009. He referred to the interim arrangements being advised by DE for the criminal record checking of staff in youth groups; the upcoming Stakeholder Forum in Armagh City Hotel on 28 February 2009; the new registration and grant-aid procedures for voluntary youth groups; and the information provided to the Committee on the youth provision within the Strabane and Omagh areas. Mr Aiken also drew attention to the continuing pressure on the budget to meet the ongoing pay settlement costs for part-time youth workers and urged the importance of emphasising this matter to DE.

As no member was present to second the minutes who had been in attendance at the Joint Committee meeting, it was noted that the minutes would be adopted at the March Board meeting.

*(To facilitate the attendance of the Chairperson of the Library Committee items of business were taken in the following order.)*

### **13. LIBRARY COMMITTEE : MINUTES**

Mr Aiken drew attention to the proposed arrangements for the representation of the Education and Library Service (ELS) on the Library and Information Service Council after 1 April 2009 and advised that the ANIELB would be invited to nominate one person to the Executive Committee to represent the ELS. He also referred to the presentation given by Ms I Knox on the Education Library Service; the short story competition and the arrangements for judging entries; the North / South Library conference being held in Belfast from 28 April to 1 May 2009; and the Service update which highlighted that the revised opening hours for the Dungannon and Newry Branch Libraries were operational from 12 January 2009. He thanked Councillor McRoberts, in her capacity as Deputy Mayor of Armagh City and District Council, for the celebratory event being hosted by the Council on 24 March 2009 to acknowledge the contributions of the Public Library Service within the Board prior to its transfer to NILA on 1 April 2009.

It was proposed by Mr Aiken, seconded by Mr Twyble, and agreed that the minutes\* (L/1/09/14) of the meeting held on 20 January 2009 be adopted.

### **14. JOINT EDUCATION COMMITTEE : MINUTES**

Mr Campbell referred to the Committee's concerns in relation to proposals by schools to have an unregulated system in place of the transfer test. He drew attention to the lack of guidance being provided by DE and to the impact of such an unregulated system on children, parents and teachers.

Mr Campbell stated that the Committee was very appreciative of the work of the Music Service and the opportunities provided for the young people in the SELB area. He drew attention to the presentation given by the Heads of the Music Service within SELB and WELB which highlighted recent national and international developments, current local delivery and aspirations for the future. He paid tribute to Waringstown Primary School which had reached the UK final of the BBC School Choir of the Year competition which would be held on 7 March 2009 in Manchester. It was agreed that the Chairperson would write to the Principal of Waringstown Primary School to offer the Board's congratulations on reaching the final and to wish the choir every success.

*(Mr Aiken left the meeting at 3.55 pm.)*

Mr Campbell also referred to the minutes of the meetings of the Extended Schools' Project Management Board held on 24 October 2008, the PEAG meetings held on 6 November 2008 and 4 December 2008 and the Expulsion Committee held on 11 December 2008.

It was proposed by Mr Campbell, seconded by Mr Twyble, and agreed that the minutes\* (E/1/09/11) of the meeting held on 22 January 2009 be adopted.

### **15. JOINT CHILDREN AND YOUNG PEOPLE'S SERVICES COMMITTEE : MINUTES**

Dr Hollinger referred to the arrangements for the rotation of the office of chairperson between SELB and WELB up until December 2009; the statistics provided in relation to the schools which still required one Governor member trained in child protection issues; the current inspection of the Educational Psychology Service; the update given on the training sessions provided to schools on the document "Supporting Pupils with

Medication Needs”; and the presentation given on the work of the SEN Early Years Working Group.

It was proposed by Dr Hollinger, seconded by Councillor Murphy, and agreed that the minutes\* (CYPS/1/09/12) of the meeting held on 22 January 2009 be adopted.

#### **15. FINANCE COMMITTEE : MINUTES**

Mr Sleator drew attention to the analysis provided on the school responses to the consultation on potential changes to the LMS Common Funding Formula and stated that any changes to the factors making up the schools’ allocation, eg Foundation Stage and Primary Principals’ Release time, could be highlighted to schools when they received notification of their allocation. He referred to the transfer of responsibility to the Board from DE of all costs associated with the early provision of pensions to teachers. He drew attention to the sentence: “On this basis, all that would be available to a teacher would be the basic compulsory redundancy payment of 30 weeks” and wished to add “with possible enhancement and depending on funding to the Board.” As no budget would transfer to the Board to facilitate the early provision of pensions to teachers, he highlighted the difficulties for schools in obtaining voluntary redundancies and in identifying compulsory redundancies to enable schools to live within their three year budget plans. He confirmed that the Teachers’ Negotiating Council had agreed a common update to schools and this had been placed on the Board’s website.

Mr Sleator also referred to the position of the pay remits in respect of the eight negotiating bodies; the additional allocation of £250k received for Maintenance and the update provided on the recurrent financial position as at 31 December 2009. The forecast had identified a DE underspend of £731k at year end excluding earmarked initiatives although this projection did not allow for costs for the pay and grading issues related to ASEOs, Music and Domestic Assistants. Ms Ayling advised that the forecast figures had included costs for job evaluation for cleaners. As a result of actual calculations in the processing of the arrears payments to cleaners, the forecast had now been revised in favour of the Board. However, the reduction in that forecast had been offset by costs for job evaluation for other categories of staff which were now progressing towards payment. While the make-up of the job evaluation costs had changed the overall underspend figure of £731k would remain.

Subject to the additional sentence being added into the minutes, it was proposed by Mr Sleator, seconded by Mrs Wright, and agreed that the minutes\* (F/1/09/13) of the meeting held on 30 January 2009 be adopted.

#### **16. SCHOOLS AND SERVICES COMMITTEE : MINUTES**

It was proposed by Professor Murphy, seconded by Mr Mackin, and agreed that the minutes\* (SS/1/09/15) of the meeting held on 15 January 2009 be adopted. Mr Gildea drew attention to the Development Proposal to establish an Irish Medium Nursery Unit at Christian Brothers’ Primary School, Armagh. He welcomed the Proposal which would bring Irish Medium education into the statutory sector.

#### **17. TEACHING APPOINTMENTS’ COMMITTEE : MINUTES**

The minutes\* (TAC/1/09/16) of the meeting held on 30 January 2009 were noted.

**18. TEACHERS' STAFFING COMMITTEE : MINUTES**

The minutes\* (TSC/1/09/17) of the meeting held on 14 January 2009 were noted.

**19. ASSOCIATION OF NORTHERN IRELAND EDUCATION AND LIBRARY  
BOARDS : MINUTES**

The minutes\* (B/2/09/18) of a meeting held on 3 December 2008 were noted.

The meeting ended at 4.10 pm.

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**CHAIRPERSON**

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**CHIEF EXECUTIVE**

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**DATE**

\* Paper circulated  
12 February 2009

\*\* Paper tabled  
LMcC