

**MINUTES OF PROCEEDINGS OF A MEETING OF THE TRANSITIONAL BOARD
HELD ON WEDNESDAY, 14 DECEMBER 2011 AT 2.00 PM IN THE BOARD ROOM**

1. PRESENT Mr M P Campbell (Chairperson)

Councillor S Clarke
Dr P Cunningham
Mr C Mackin
Mrs C M McCaul
Rev Canon J McKegney

Councillor S McRoberts
Mr R McVeigh
Professor P Murphy
Mr J Wilkinson

2. IN ATTENDANCE

Mr A P Murphy, Ms L Ayling, Mr G P Butler, Mr J Curran, Mr P Mackey, Dr C Mangan, Mr R Bullick and Mrs L McCall.

3. APOLOGIES

Apologies had been received from Councillor J Cavanagh and Councillor J McCrum.

4. APPOINTMENT OF OFFICERS

Mr Murphy drew attention to funding arrangements for the posts contained within the report. It was proposed by Dr Cunningham, seconded by Mr Mackin, and agreed that the report** (B/12/11/2) prepared by the Head of Human Resources be adopted.

5. MINUTES OF BOARD MEETINGS

5.1 MEETING HELD ON 9 NOVEMBER 2011

It was pointed out that the minute relating to the Finance Committee held on 28 October 2011 had been approved on the proposal of Mr Mackin and seconded by Mrs McCaul. Subject to this amendment, the minutes* (B/11/11/3.1) of the meeting held on 9 November 2011 were approved as an accurate record and were signed by the Chairperson and the Chief Executive on the proposal of Mrs McCaul, seconded by Rev Canon McKegney.

5.2 NOTE OF MEETING HELD ON 18 NOVEMBER 2011

The note of the meeting held on 18 November 2011 involving Board members from SELB and WELB to discuss collaborative working arrangements was noted.

5.3 NOTE OF WORKSHOP HELD ON 5 DECEMBER 2011

The note of the workshop held on 5 December 2011 to consider Voluntary Severance Business Cases was noted.

6. MATTER ARISING FROM THE MINUTES OF THE MEETING HELD ON 9 NOVEMBER 2011

AREA PLANNING – VIABILITY AUDIT (6.3)

Mr Butler indicated that the Advisory Sub-Committee for Controlled Schools had met earlier in the day and had received an update on the Viability Audit process. He explained

that the Minister had now extended the deadline to 16 January 2012 by which Boards were required to complete the viability audit. He advised that the DE communications on the Aggregated Schools' Budget for 2012/13 to 2014/15 would present significant difficulties in terms of schools being able to present amended detailed budgetary information for inclusion in the audit. He reported that the information submitted on SELB schools to DE could be presented to the Board at its January meeting.

Mr Wilkinson pointed out that a considerable number of Boards of Governors would not have had sufficient time to re-examine their budgets in light of the indicative ASB figures issued from DE. Mr Butler confirmed that the viability audit would be submitted to DE with the caveat that very few schools had been able to review their budgetary positions in the time available.

Mr Butler pointed out that Boards could expect guidance from DE on the Area Planning process in the near future.

7. CHAIRPERSON'S BUSINESS

7.1 CHAIRPERSON'S REMARKS

The Chairperson expressed the Board's thanks to Lurgan Junior High School for facilitating the choir of Dickson Primary School to sing to Members via satellite from their school premises prior to the Board meeting. The choir's Christmas carols were greatly appreciated by all Members.

The Chairperson also advised that the winners and runners-up of the annual Christmas card competition were as follows:

Nursery, Primary & Special School Category

Winner: Weronika Czerniak, Ballyoran Primary School

Runner-up: James White, Ceara School

Post-Primary School Category

Winner: Elio Vaz, Drumcree College

Runner-up: Jonnie Monaghan, City of Armagh High School

7.2 NORTHERN BANK LODGEMENT AGREEMENT

Ms Ayling advised that some schools in the Portadown area had raised concerns in relation to lengthy queuing times to lodge milk and meals monies. Consequently, they were now seeking approval to use the express lodgement arrangement as an additional option. She advised that any discrepancies in the amounts lodged by schools and that recorded by the bank would require to be borne by the schools or catering establishments.

It was proposed by Professor Murphy, seconded by Dr Cunningham, and agreed that the Board would be in accordance with express lodgement arrangements.

7.3 ACCOUNTABILITY MEETING ON 13 DECEMBER 2011

The Chairperson reported that the Accountability meeting had focused on 'Shaping our Future' and the Board's financial position. The Permanent Secretary had asked him to convey to the Board that officers had defended the Board's financial position skillfully and that the Permanent Secretary had been very appreciative of the support he received from SELB officers.

7.4 CHAIRPERSON'S EVENTS

The Chairperson advised that he had represented the Board during Mr Enda Kenny's visit to Armagh on 18 November 2011 and attended the bi-centenary celebration on 23 November 2011 of The Cope Primary School, Loughgall. He advised that on 6 December 2011 the Chief Executive and he had also visited Cookstown Nursery School; Cookstown, Killyman and Newmills Primary Schools; and Cookstown High School where the impact of significant minor works at some of these schools were clearly evidenced.

8. VOLUNTARY SEVERANCE 2011/12 : BUSINESS CASES

The Chairperson stated that the Business Cases had been considered in detail by Members at the workshop on 5 December 2011. While the Business Cases did not achieve the totality of the necessary savings, he pointed out that they would impact considerably on the savings to be effected in the 2012/13 financial year.

(Mrs McCall withdrew temporarily from the meeting.)

It was proposed by Councillor Clarke, seconded by Mr Mackin, and agreed that discussion in relation to the Business Cases that had been discussed at the workshop on 5 December 2011 would be held in committee.

It was proposed by Professor Murphy, seconded by Mr Mackin, and agreed to resume the meeting.

The Chairperson reported that on the proposal of Councillor Clarke, seconded by Mr Wilkinson, the Board had agreed to approve those Business Cases which had been examined at the workshop on 5 December 2011.

(Mrs McCall re-entered the meeting.)

It was proposed by Mr Mackin, seconded by Councillor Clarke, and agreed that discussion in relation to an additional Business Case would be held in committee.

It was proposed by Councillor Clarke, seconded by Mr Mackin, and agreed to resume the meeting.

The Chairperson reported that on the proposal of Mr Wilkinson, seconded by Mrs McCaul, the Board had agreed to approve a further Business Case for the Catering Service.

9. AGGREGATED SCHOOL BUDGETS 2012/12 – 2014/15

9.1 DE LETTER DATED 24 NOVEMBER 2011 TO THE ACCOUNTING OFFICER

9.2 DE LETTER DATED 25 NOVEMBER 2011 TO CHAIRPERSONS OF BOARDS OF GOVERNORS

Ms Ayling drew attention to the financial data contained in the two DE letters. While the letters set out indicative levels of funding for the Aggregated Schools' Budget for 2012/13 to 2014/15, it did allow schools to have a more realistic picture of the challenging financial situation ahead. The Board noted that the estimated AWPU cash values over the ensuing three year period would reduce the ASB year on year by 5% in 2011/12, 1% in 2013/14 and 5% in 2014/15. It also noted that this reduction did not take account of other factors, eg inflationary increases and a

reduction and phasing out of Entitlement Framework monies. During this period, the AWPU weighting would equate to a loss of:

- primary school pupil – in cash terms: £250
- post-primary pupil (aged 8-12) – in cash terms: £396
- post-primary pupil (sixth form) – in cash terms: £513

Ms Ayling stated that the quantum of the reductions was unprecedented and was causing great consternation in schools. She referred to the Board's most significant budgetary risk, ie DE's requirement that school surplus and deficit movements should be monitored separately and that pressures arising from schools' in year deficit growth would be required to be funded from the centre budget.

Ms Ayling referred to the DE letter dated 24 November 2011 to the Accounting Officer which set out DE's position on the Board's responsibility that "No school may plan for a deficit without the consent of the Board's Chief Finance Officer, Chief Executive or the Finance and General Purposes Committee ..." The letter further stated that the Board, and the Accounting Officer, were fully accountable for any deficit incurred by SELB schools. She advised that DE had stated in the letter, and at the Accountability meeting on 13 December 2011, that it expected the Board to be both robust and extremely critical when scrutinising any proposal from a school to either incur or increase a deficit.

9.3 BOARD LETTER TO SCHOOLS DATED 1 DECEMBER 2011

Ms Ayling referred to the Board's letter to schools dated 1 December 2011 which acknowledged the challenges to be faced by schools as a result of a significantly greater reduction in the ASB funding than previous estimates used. The aim of the letter, and the subsequent letter issued from the LMS Section, was to support schools in making timely cost reduction decisions which could impact on their spend in the next financial year. Schools were being asked to plan for an additional meeting of their Boards of Governors to consider their financial position in light of the indicative ASB allocations and were urged not to delay any stages of the redundancy process.

Mr Mackin stated that the Board's letter had provided clarity to schools on the manner in which the additional £40m had been incorporated into efficiency savings and had helped principals to refocus on the need to make timely cost reduction decisions.

Dr Cunningham queried the financial arrangements for Special Schools. Ms Ayling said that the DE letter related to LMS in the context of DE's Draft Budget. Special Schools were afforded a degree of protection within the DE Draft Budget; however, no specific updated comment had been communicated with regard to funding for Special Schools over the ensuing three year period.

Mr Wilkinson referred to concerns of Boards of Governors to manage the challenges, both financially and through the redundancy process. He emphasised that schools needed timely advice and guidance to handle the budget requirements imposed by the ASB allocations. Difficulties with regard to balancing redundancies in respect of teaching and non-teaching staff were highlighted. Mr Wilkinson considered that current DE policies, designed to engender change in the current economic climate, would require further policy revisions, eg the level of support given to small schools. The current opportunity to review and revise

the Education system was creating severe hardships in schools and support was essential to inform Principals and Governors as to best practice and a way forward.

Professor Murphy expressed concern that the approach being taken by DE to tackle over provision and inefficiencies would be damaging to the education of young people. While he acknowledged that the current system required to be addressed, he stated that severely reducing the number of teaching staff in a school was detrimental to teaching and learning in the short term and was morally wrong.

Mr Murphy said that the challenging financial environment was being seen in the context of area planning. The real challenge lay in managing the transition.

Mrs McCaul said that communication with schools was essential on the planned withdrawal of the Entitlement Framework funding, further efficiencies and sharing of resources. Ms Ayling advised that Governors could avail of DE seminars in January / February 2012. In addition, training provided by Board officers to Governors was already scheduled in January and would be refocused to reflect the schools' current financial context. Mrs McCaul requested Ms Ayling to ensure that Boards of Governors would be made aware of the content of the Board's financial training and the DE seminars.

(Dr Cunningham left the meeting at 3.30 pm.)

10. CHILDREN AND YOUNG PEOPLE'S SERVICES : FORMAL STATEMENTS

10.1 PROPOSED FORMAL STATEMENTS

It was proposed by Mr Mackin, seconded by Mrs McCaul, and agreed that Statements of Special Educational Needs** should be made on pupils with code reference numbers SEN 2011 / 328 to SEN 2011 / 384 inclusive. It was noted that 28.5% of pupils requiring additional support had shared classroom assistance.

10.2 AMENDED FORMAL STATEMENTS

It was proposed by Mr Mackin, seconded by Mrs McCaul, and agreed that Amended Statements of Special Educational Needs** should be made on pupils with code reference numbers SEN 2011 / 698A to SEN 2011 / 733A inclusive.

10.3 RESOURCING FOR PUPILS WHO LIVE IN OTHER ELBs BUT ATTENDING SELB SCHOOLS

It was proposed by Mr Mackin, seconded by Mrs McCaul, and agreed that resourcing be made available for the pupils with Statements of Special Educational Needs** (code reference numbers SEN 2011 / 24 0B to SEN 2011 / 27 0B) attending SELB schools.

10.4 STATEMENTS TO BE CEASED

It was proposed by Mr Mackin, seconded by Mrs McCaul, and agreed that Statements of Special Educational Needs** should cease to be made on the pupils with code reference number SEN 2011 / 18C to SEN 2011 / 41C.

11. JOINT EDUCATION COMMITTEE : MINUTES OF MEETING HELD ON 16 NOVEMBER 2011

Mrs McCaul drew attention to the Board's response to the consultation on the Draft NI Children & Young People's Plan 2011-14 detailing the Board's support generally to the

document but highlighting some areas of concern. She referred to ETI surveys which were being conducted on the Visual Impairment Service and the Specific Literacy Difficulties (SpLD) Service and to minutes and annual reports of the Extended Schools' Project Management Board. She highlighted the recommendation with regard to the proposed change to the processing of post-primary applications for year 9 and upwards which would align the Board's arrangements with that followed by the other four Boards. It was noted, however, that the new arrangements would not impact on applications in respect of the transfer at 14+.

Dr Mangan advised that two meetings of the joint Teachers' Consultative Committees had taken place since June 2011. At these meetings, the teacher union representatives had expressed concern at the level of Board Member representation. It was noted that Dr Cunningham had already been appointed to serve as an additional SELB member on the Special & Secondary Teachers' Consultative Committee. Nominations were therefore being sought for a second SELB member to serve on the Nursery & Primary Teachers' Consultative Committee. It was agreed that this matter of representation would be considered further by the Board, at its January meeting. Dr Mangan and Mr Mackey undertook to liaise with the Board Members serving on the Teachers' Consultative Committees with regard to the dates of future meetings.

It was proposed by Mrs McCaul, seconded by Mr Campbell, and agreed that the minutes* (EC/11/11/9) of the meeting held on 16 November 2011 be adopted.

12. FINANCE COMMITTEE : MINUTES OF MEETING HELD ON 25 NOVEMBER 2011

Professor Murphy advised that the final version of the Annual Report and Accounts for 2010/11 had been approved by the Finance Committee, subsequent to delegated authority being given to the Committee by the Board at its October meeting. Ms Ayling reported that the Accounts had been submitted to the NIAO; however, NIAO had asked that the Chairperson and Chief Executive should delay signing the Accounts until a final check had been carried out. The Accounts therefore were still not certified.

The Board noted the projected pressure of £7.65m in the schools' delegated budget which consisted of £3.8m schools' surplus access need, £3.3m schools' in year deficit growth and £550k energy pressures. Professor Murphy pointed out that capital spend was on target. He further pointed out that, during consideration of the Autumn revisions of the schools' financial plans, 23 schools still remained within the 'recovery not demonstrated – deficit' category.

It was proposed by Professor Murphy, seconded by Mr Mackin, and agreed that the minutes* (F/11/11/9) of the meeting held on 25 November 2011 be adopted.

13. DEVELOPMENT, PLANNING AND SUPPORT SERVICES

13.1 DEVELOPMENT PROPOSALS AS TO PRIMARY (INCLUDING NURSERY) AND SECONDARY EDUCATION

13.1.1 DEVELOPMENT PROPOSAL NO 257 : ESTABLISHMENT OF A SINGLE FULL-TIME NURSERY UNIT AT ORCHARD COUNTY PRIMARY SCHOOL, PORTADOWN

The Chairperson reported that the Board had now received DE's letter dated 9 November 2011 advising that the Minister did not approve the

establishment of a full-time nursery unit at Orchard County Primary School. The decision had been taken on the basis that the Minister had concluded that there was already sufficient pre-school places in the area and if approved the new unit had the potential to displace good quality pre-school provision already in existence.

Mr Butler advised that DE, after seeking legal advice, had agreed to formally review the decision for Orchard County Primary School. He said that the Minister was soon to meet representatives of the school and was endeavouring to ensure that an early decision would be given to the review.

13.1.2 DEVELOPMENT PROPOSAL NO 268 : ESTABLISHMENT OF AN ADDITIONAL NURSERY UNIT AT PRIMATE DIXON PRIMARY SCHOOL

Mr Butler presented the draft Proposal* (B/12/11/11.1.2) setting out the establishment of an additional nursery unit at Primate Dixon Primary School to increase the enrolment to 52 full-time places from 1 September 2012 or as soon as possible thereafter.

Mr Butler reported that PEAG had given consideration to the additional nursery unit at the school and had been concerned that the proposal could present issues that would cause displacement. Two letters from pre-school providers in the area had also been received setting out concerns of over-provision in the area and ultimately potential job losses within the pre-school provision.

Mr Butler stated that the Board was obliged to publish the Proposal. In its comments to DE, the Board could highlight the issues raised with regard to over provision in the area. However, he advised that cognisance should also be taken of the traveller community in that area. Mrs McCaul drew attention to a school's admissions criteria which took account of social deprivation.

The Board agreed to publish the Proposal and to submit comments to DE in respect of potential displacement of existing pre-school provision and, at the same time, draw attention to issues involving the traveller community in the area.

13.2 PROPERTY SERVICES

13.2.1 NEWRY TRANSPORT DEPOT

Mr Butler said that approval had been given by the Board, at its November meeting, to enter into a 5 year lease for premises at Tandragee Road, Newry to accommodate Newry Transport Depot. However, he advised that the company facilitating the lease had entered into liquidation. Mr Butler stated that he had discussed the option of buying the premises with DE, subject to the VLA agreeing a price, and had submitted a bid to potentially purchase the facility. He reported that a third party had also expressed interest in purchasing and subsequently leasing the premises. Approval was requested to facilitate the best possible arrangements for the premises at Tandragee Road, Newry to accommodate Newry Transport Depot in consultation with DE and the VLA.

It was proposed by Mr Wilkinson, seconded by Mr McVeigh, and agreed that the Board should proceed to facilitate an arrangement in respect of the premises at Tandragee Road, Newry as outlined by Mr Butler.

13.2.2 TRANSPORT DEPOTS

Mr Butler referred to the arrangements already agreed by the Board in relation to streamlining Transport Depots. Approval was requested therefore for the Board to lease premises on a five year basis, with the option to extend the lease for a further 5 years, at 1 Ballyrea Business Park, Cookstown, in consultation with DE, to accommodate Cookstown Transport Depot.

It was proposed by Mrs McCaul, seconded by Mr Wilkinson, and agreed that the Board should enter into a 5 year lease, with the option to extend for a further 5 year period, in relation to the premises at 1 Ballyrea Business Park, Cookstown.

13.3 SINGLE TENDER ACTION

The Board noted the areas in the report** (B/12/11/11.3) requiring single tender action as approved by the Accounting Officer.

It was proposed by Mr Mackin, seconded by Professor Murphy, and agreed to set aside Standing Order 22 in order to facilitate this proprietary expenditure.

13.4 TENDER REPORT

The Board noted the tender report** (B/12/11/11.4) detailing tenders which had been opened, tenders which had been accepted and contract documents which had been signed by the Chairperson and Chief Executive. The Board's approval was sought to extend contract no T50568 (Supply, Delivery, Installation & Commissioning of Interactive Whiteboard Systems) to 31 March 2012. On the proposal of Councillor Clarke, seconded by Councillor McRoberts, the Board agreed to extend the term of T50568 to 31 March 2012.

The Board noted that resources had been set aside to meet the requirements in the tender report.

14. TEACHING APPOINTMENTS COMMITTEE : MINUTES

The minutes* (TAC/11/11/12) of the meeting held on 7 November 2011 were noted.

15. MEMBERSHIP COMMITTEE

On the proposal of Councillor Clarke, seconded by Mr Wilkinson, it was agreed to appoint Mrs D Kennedy, 'Dijon', 34 Glaskestown Road, Banbridge, BT32 3UD to represent the Board on the Board of Governors of Richmount Primary School.

16. REDUNDANCIES

It was proposed by Mr Mackin, seconded by Councillor Clarke, and agreed that discussion in relation to redundancies would be held in committee.

It was proposed by Councillor Clarke, seconded by Mrs McCaul, and agreed to resume the meeting.

The Chairperson reported that it had been proposed by Councillor McRoberts, seconded by Mr Mackin, and agreed to effect the redundancies detailed in the report.

17. SEASONAL WISHES

The Chairperson extended to Members, staff and their families a happy Christmas and a peaceful and rewarding New Year.

The meeting ended at 4.05 pm.

CHAIRPERSON

* Paper circulated

CHIEF EXECUTIVE

** Paper tabled

DATE

15 December 2011 LMcC