

**MINUTES OF PROCEEDINGS OF A MEETING OF THE TRANSITIONAL BOARD  
HELD ON WEDNESDAY, 9 NOVEMBER 2011 AT 2.00 PM IN THE BOARD ROOM**

**1. PRESENT** Mr M P Campbell (Chairperson)

Councillor J Cavanagh  
Councillor S Clarke  
Dr P Cunningham  
Mr C Mackin  
Mrs C M McCaul

Councillor J McCrum  
Rev Canon J McKegey  
Councillor S McRoberts  
Mr R McVeigh

**2. IN ATTENDANCE**

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

**3. APOLOGIES**

Apologies had been received from Mrs R Brownlee, Professor P Murphy and  
Mr J Wilkinson.

*(Councillor Clarke entered the meeting at 2.07 pm.)*

**4. APPOINTMENT OF OFFICERS**

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

**5. MINUTES OF BOARD MEETING HELD ON 12 OCTOBER 2011**

On the proposal of Dr Cunningham, seconded by Mr McVeigh, the minutes\* (B/10/11/3)  
of the meeting held on 12 October 2011 were approved as an accurate record and were  
signed by the Chairperson and the Chief Executive.

**6. MATTERS ARISING FROM THE MINUTES**

**6.1 ANIELB EXECUTIVE COUNCIL - MEMBERSHIP (7.2.2)**

The Chairperson sought nominations for a fourth Board member to serve on the  
Executive Council of the Association. No further nominations were forthcoming.

Members were encouraged to attend the ANIELB conference the following  
Thursday in Stranmillis College. The programme for the day was discussed.

**6.2 VOLUNTARY SEVERANCE 2011/12 (8)**

Mr Murphy outlined the number of applications from officers who had expressed  
interest in being considered for voluntary severance. The Senior Management  
Team had considered these applications in light of business need and would present  
Business Cases to Members for consideration at the workshop on 5 December

2011. The Board meeting on 14 December 2011 would facilitate the formal mechanism for final consideration of the Business Cases. Mr Murphy reported that Mr G Boyd had visited the Board to discuss initial numbers of staff coming forward for voluntary severance and the costings.

### **6.3 AREA PLANNING – VIABILITY AUDIT (9)**

Mr Murphy reported that much work had taken place by the Boards and CCMS to agree the viability audit template. He indicated that the Chief Executives of the five Boards had met earlier in the week and had given consideration to a common letter that would be issued to all schools to inform them of the exercise. He confirmed that Boards were required to complete the viability audit template by Christmas 2011. The next stage would focus on those schools, particularly post-primary schools, which had been identified as experiencing severe stress in the viability audit. It was envisaged that this stage should be completed in six months due to the urgency of assisting those schools which were evidencing stress in remaining educationally viable. DE was currently putting together draft guidance on how this process should be taken forward by the Boards and CCMS.

### **6.4 JOINT EDUCATION COMMITTEE MINUTES (12)**

The Chairperson advised that the recommendation in respect of the Curran Report would be referred back to the Joint Education Committee for further consideration.

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

### **7.1 JOINT INFORMAL SELB / WELB MEETING**

The Chairperson reminded Members that the informal meeting would take place on 18 November 2011 at 10.00 am.

### **7.2 MEMBER AND CHAIRPERSON ANNUAL PERFORMANCE APPRAISAL PROCESS**

The Chairperson reported that he had been advised that DE intended to reintroduce the annual performance appraisal process for Board Members. The process had been suspended during the time of transitional governance arrangements due to ESA not being established on 1 January 2010. The appraisal process would mirror appraisal schemes used for other Northern Ireland public bodies and would include a process for the performance appraisal of the Chairperson.

The Chairperson indicated that he was required to respond to DE on the proposed process by the end of November. Thereafter he would commence the appraisal process with individual Board Members.

### **7.3 CHAIRPERSON'S EVENTS**

The Chairperson advised that he had attended the annual prize giving at Portadown College on 28 October 2011.

## **8. COMMUNICATIONS REPORT**

Mr Bullick outlined the role of the Information Office in the Board which included dealings and responses to media coverage, support for schools, assistance with Assembly questions and communicating with senior officers to promote Board services in the press.

He advised that in all cases the Information Office engaged responsibly, positively and proactively with the media, whether this engagement was with the BBC Education Correspondent, the 3 daily newspapers, the 2 Sunday newspapers or the 27 weekly newspapers in the Board's area. The Board believed in transparency and accountability and recognised the need to build positive relationships with the media in order to promote the Board's good reputation at all times. He explained the process with regard to a right of reply to the editor and explained that this approach was used by the Board except in instances where the issue was considered to be sensitive and could impinge on the Board's statutory duty to protect the confidentiality of its children and young people.

Mr Mackin stated that the Board had a duty to explain its actions. He queried whether any common media policy existed across the five Boards. Mr Bullick advised that a Communications Team had previously been established by ESAIT, comprising officers of the five Boards, with the view to developing a consistent approach to media strategy in the process of converging towards ESA. However, as ESA did not come into being in January 2010 this process did not move forward. Mr Bullick confirmed that the Board's philosophy was to engage constructively and proactively with the media, to speak to the editor or journalist involved and to persuade the media to deal with issues as a responsible stakeholder.

Councillor Cavanagh referred to proactive media coverage in relation to programmes such as Neighbourhood Renewal. Mr Bullick confirmed that the Board collaborated with other partners to promote media coverage in this regard.

## **9. CHILDREN AND YOUNG PEOPLE'S SERVICES : FORMAL STATEMENTS**

### **9.1 PROPOSED FORMAL STATEMENTS**

It was proposed by Councillor Cavanagh, seconded by Councillor Clarke, and agreed that Statements of Special Educational Needs\*\* should be made on pupils with code reference numbers SEN 2011 / 287 to SEN 2011 / 327 inclusive.

### **9.2 AMENDED FORMAL STATEMENTS**

It was proposed by Councillor Cavanagh, seconded by Councillor Clarke, and agreed that Amended Statements of Special Educational Needs\*\* should be made on pupils with code reference numbers SEN 2011 / 664A to SEN 2011 / 697A inclusive.

### **9.3 RESOURCING FOR PUPILS WHO LIVE IN OTHER ELBs BUT ATTENDING SELB SCHOOLS**

It was proposed by Councillor Cavanagh, seconded by Councillor Clarke, and agreed that resourcing be made available for the pupil with a Statement of Special Educational Needs\*\* (code reference number SEN 2011 / 23 0B) attending a SELB school.

*(Mr McVeigh left the meeting at 3.15 pm.)*

## **10. AUDIT COMMITTEE : MINUTES OF MEETING HELD ON 17 OCTOBER 2011**

Ms Ayling advised that attention had been given to the Corporate Risk Register and, in particular, to revisions to Risk 5 (Ineffective governance and accountability framework within SELB) and Risk 9 (Failure to make effective and efficient use of available

resources while remaining within budget) where the actions taken to manage both risks had still resulted in a high residual risk rating. She stated that the risk movement in Risk 5 related to governance and irregularity qualifications impacting on the Board's Annual Accounts. The score rating in Risk 9 resulted from the Board being unable to make a balanced budget at the end of the financial year without receipt of additional funding. She highlighted that the ability of the Board to generate savings through this year's voluntary severance programme was minimal on account of the remaining timeframe.

Ms Ayling referred to Mr Wilkinson's comments with regard to the 2010/11 Accounts, namely the qualifications in the 2009/10 Accounts with regard to honoraria payments and pension liability figures would carry forward into the 2010/11 Accounts. In addition, a further qualification had arisen in 2010/11 in respect of the mechanism for formal approval for expenditure of payment of incremental progression. She explained that the final draft of the Annual Report and Accounts for 2010/11 would be considered by the Finance Committee at its meeting on 25 November 2011. Approval was therefore being requested for delegated authority to be given to the Chairperson and Chief Executive to sign the Accounts after the Finance Committee meeting prior to their submission to the Northern Ireland Audit Office. It was proposed by Mr Mackin, seconded by Mrs McCaul, and agreed that the Chairperson and Chief Executive would be authorised to sign the Annual Report and Accounts for 2010/11 on the Board's behalf following the Finance Committee.

It was proposed by Councillor Clarke, seconded by Mrs McCaul, and agreed that the minutes\* (A/10/11/8) of the meeting held on 17 October 2011 be adopted.

## **11. FINANCE COMMITTEE : MINUTES OF MEETING HELD ON 28 OCTOBER 2011**

Mr Mackin reported that schools in the category of Recovery Not Demonstrated (Deficit) had been asked to complete a questionnaire to gauge a better understanding of their deficit budgetary position. He stated that 12 schools in this category had been re-categorised as a result of revisions to their three year plans and now met DE's target.

Mr Mackin drew attention to the out-workings of the honoraria approval process. Ms Ayling confirmed that a working group, comprising SELB and WELB officers, was giving attention to the guidance which would be issued shortly to schools in respect of honoraria payments for teaching staff. She further advised that DE approval was awaited in respect of the pay remit process for 2011/12 prior to any further payments being made.

Mr Mackin outlined the savings secured in the transport budget as a result of the Board's negotiations with Translink for the five Boards. He also drew attention to the Board's pressures. The Board noted the £2.3m pressure currently estimated at centre in respect of the schools' in year deficit growth. Mr Mackin advised that an additional £900k had been received from the October monitoring round for Maintenance.

It was proposed by Professor Murphy, seconded by Mr Mackin, and agreed that the minutes\* (F/10/11/9) of the meeting held on 28 October 2011 be adopted.

Copies of the published Accounts for 2009/10 were made available for Members.

## **12. DEVELOPMENT, PLANNING AND SUPPORT SERVICES**

### **12.1 DEVELOPMENT PROPOSALS AS TO PRIMARY (INCLUDING NURSERY) AND SECONDARY EDUCATION**

#### **12.1.1 DEVELOPMENT PROPOSAL NO 267 : ESTABLISHMENT OF A NEW GRANT AIDED IRISH MEDIUM PRIMARY SCHOOL IN COOKSTOWN**

Mr Butler presented the draft Proposal\* (B/11/11/10.1.1) setting out the establishment of a new grant-aided Irish Medium primary school in Cookstown from 1 September 2012 or as soon as possible thereafter.

Mr Butler advised that this proposal had been presented to the Board in 2009. At that time no responses had been received and the Board had subsequently submitted the proposal to DE. He reported that two letters had now been received in response to the current Proposal setting out concerns of over-provision in the area.

In submitting a response to DE, the Board agreed to advocate its support with regard to the strategy for developing Irish Medium education. However, it was concerned that further provision in the Cookstown area would impact on the viability of other schools, particularly in light of a decreasing primary school population in that area.

#### **12.1.2 DEVELOPMENT PROPOSAL NO 268 : ESTABLISHMENT OF A NEW GRANT AIDED IRISH MEDIUM PRIMARY SCHOOL IN KILKEEL**

Mr Butler presented the draft Proposal\* (B/11/11/10.1.2) setting out the establishment of a new grant-aided Irish Medium primary school in Kilkeel from 1 September 2012 or as soon as possible thereafter.

Mr Butler reported that three letters had been received in response to the Proposal setting out concerns of over-provision in the area.

In submitting a response to DE, the Board agreed to advocate its support with regard to the strategy for developing Irish Medium education. However, it was concerned that further provision in the Kilkeel area would impact on the viability of other schools, particularly in light of a decreasing primary school population in that area.

#### **12.1.3 DEVELOPMENT PROPOSAL NO 264 ; ESTABLISHMENT OF A SINGLE FULL-TIME NURSERY UNIT AT ST FRANCIS OF ASSISI PRIMARY SCHOOL, KEADY**

The Chairperson reported that DE, in a letter dated 31 October 2011, had advised that the Minister had decided not to approve this proposal. The Minister had concluded that sufficient pre-school places already existed in the area and, if approved, the new unit had the potential to displace good quality pre-school provision already in existence. Furthermore, DE had acknowledged the current budget restrictions and the importance of maximising the impact of available pre-school resources to avoid unnecessary over-provision or duplication.

## **12.2 PROPERTY SERVICES**

### **12.2.1 ORCHARD COUNTY PRIMARY SCHOOL : NURSERY UNIT**

Mr Butler advised that the Minister had issued a press release earlier that day advising that Development Proposal 257 regarding the establishment of a nursery unit at Orchard County Primary School had not been approved.

### **12.2.2 BOARD HEADQUARTERS**

Mr Butler advised that some minor work was taking place to the exterior of no 5 Charlemont Place.

### **12.2.3 LURGAN COLLEGE**

Mr Butler stated that Board approval was being sought to remove the restrictive covenant on the existing lease at Lurgan College. It was pointed out that the restrictive covenant applied to the leasehold for Lurgan College and restricted any building work to the original building and land. During the economic appraisal for major works at Lurgan College, the Board had sought agreement from the current descendant in title for the removal of the restrictive covenant. The descendant in title had agreed to remove the restrictive covenant and a fee of £2000 had been agreed between their agent and the District Valuer. DE approval had been received for this course of action.

To enable future building works, it was proposed by Dr Cunningham, seconded by Councillor McRoberts, and agreed that the Board should remove the restrictive covenant at Lurgan College at the agreed sum of £2,000.

### **12.2.4 NEWRY TRANSPORT DEPOT**

Mr Butler stated that Board approval was being sought for a 5 year lease for premises at Tandragee Road, Newry to accommodate Newry Transport Depot. The Property Sub-Committee in October 2009 had agreed to leasing the property at Tandragee Road which was deemed to be more suitable for the requirements of the Transport Depot. He advised that the lease for the existing premises at Greenbank Industrial Estate would expire in January 2012. DE approval to the leasing of the premises at Tandragee Road had been received.

It was proposed by Mr Mackin, seconded by Councillor McRoberts, and agreed that the Board should enter into a 5 year lease for the premises at Tandragee Road, Newry.

## **12.3 SINGLE TENDER ACTION**

The Board noted the areas in the report\*\* (B/11/11/10.3) requiring single tender action as approved by the Accounting Officer.

Mr Butler advised that blanket single tender action approval was being sought in connection with payments made to AccessNI on a continual basis, as set out in the paper. It was proposed by Councillor Cavanagh, seconded by Councillor Clarke, and agreed to set aside Standing Order 22 in order to facilitate this proprietary expenditure to AccessNI.

## 12.4 TENDER REPORT

The Board noted the tender report\*\* (B/11/11/10.4) detailing tenders which had been opened and those which had been accepted. The Board noted that resources had been set aside to meet the requirements in the tender report.

## 13. COMMITTEE FOR THE APPOINTMENT OF PERIPATETIC TEACHERS : MINUTES

The minutes\* (PT10/11/11.1 and 11.2) of the meetings held on 5 and 14 October 2011 were noted.

## 14. MEMBERSHIP COMMITTEE

The Board agreed to appoint the following person to represent the Board on the Board of Governors of the following school:

*Controlled Primary School*

Ballyoran

Mrs J McGeown, 4 The Beeches, Portadown, Craigavon

Richmount

Deferred

## 15. REDUNDANCIES

It was proposed by Councillor McCrum, seconded by Dr Cunningham, and agreed that discussion in relation to redundancies and the administration of honoraria payments would be held in committee.

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

It was noted that it had been proposed by Mr Mackin, seconded by Mrs McCaul, and agreed to effect the redundancies and the honoraria payments detailed in the report.

The meeting ended at 3.42 pm.

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**CHAIRPERSON**

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**CHIEF EXECUTIVE**

\_\_\_\_\_  
**DATE**

\* Paper circulated

\*\* Paper tabled

10 November 2011 LMcC