



**Northern Ireland  
Assembly**

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**COMMITTEE  
FOR EDUCATION**

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**OFFICIAL REPORT**  
(Hansard)

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**Convergence Delivery Plan**

10 March 2010

**NORTHERN IRELAND ASSEMBLY**

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FOR EDUCATION**

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**Members present for all or part of the proceedings:**

Mr Mervyn Storey (Chairperson)  
Mr Dominic Bradley (Deputy Chairperson)  
Mrs Mary Bradley  
Mr Jonathan Craig  
Mr Trevor Lunn  
Mr John McCallister  
Mr Basil McCrea  
Miss Michelle McIlveen  
Mr John O'Dowd  
Mrs Michelle O'Neill  
Mr Alistair Ross

**Witnesses:**

Mr John McGrath            )           Department of Education  
Mr Eugene Rooney         )

**The Chairperson (Mr Storey):**

Following last week's initial discussion of the convergence delivery plan, I requested that officials return to the Committee to expand on their answers to some of the questions that members asked at our previous meeting and to provide an opportunity to scrutinise the plan in

more detail.

We welcome John McGrath to the meeting. Like the previous meeting, the session will be recorded by Hansard. Eugene Rooney is also present. John, we understand that you must be away by 4.00 pm. You will, therefore, be pleased to know that the doors are unlocked and you will be able to get out.

**Mr John McGrath (Department of Education):**

That is fine, Chairman. Much appreciated.

**The Chairperson:**

Do you want to make any initial comments?

**Mr McGrath:**

I am happy to do so, Chairman, if you feel that that is the best use of time.

Allow me to outline the context, which, essentially, has been set by the speech that the Minister gave at the conference of the Association of Northern Ireland Education and Library Boards (ANIELB), her subsequent statement to the Assembly on 1 December 2009, and her judgement at that stage it was unlikely that the education and skills authority (ESA) would come into being on 1 January 2010.

The Minister considered the implications of a delay beyond January. In the context of the ESA's key role to raise standards and streamline administration, she formed the judgement that necessary progress on those fronts could not be delayed any longer due to the delay in legislation.

She had concerns on three fronts: first, the need to effect savings that are required under the budget settlement for 2007; secondly, the need to reduce variability of service delivery and promote equality; and, thirdly, the need urgently and uniformly to progress her key policies.

The original 2007 budget predicated savings in administration of £8 million in 2009-2010, rising to £13 million in 2010-11, and to £21 million in 2011-12. Those sums have already been netted off. They were predicated on the ESA coming into being and on necessary management action being taken to reduce senior-management costs. Therefore, although the legislative timetable for the ESA has slipped, the requirement for efficiency savings has not.

In 2009-2010, no measures were effected to reduce management costs by £8 million. Therefore, the Minister is anxious and, indeed, determined to ensure that the entire £13 million reduction in management costs is realised in 2010-11. That must be considered in the context of the overall budget picture that the Minister is looking at now, whereby, on top of the £52 million reduction as a result of Minister Wilson's proposals, she could have to cover another £30 million-odd savings.

Therefore, there could be a £1 million squeeze in the education system in 2010-11. That means that not only must the £13 million reduction management cost be realised, but other savings may have to be realised through a further squeeze in management costs or a requirement

for further efficiency savings. All our organisations will have to reduce their share of management costs, no matter what.

The Minister is concerned about variability in service delivery, particularly across the five boards. In her view, such variability in and by individual organisations, however well intentioned, is no longer acceptable and is contrary to the principles of fairness and equality. Finally, the Minister has a set of policies in place designed to drive forward her key objective of raising standards for all. It is vital that those policies are driven forward in a uniform and consistent matter. Central is 'Every School a Good School' and the entitlement framework. The Minister is keen that early and continued momentum is generated to drive those policies forward; hence the need, as she flagged up before Christmas, for transitional arrangements on governance, management and accountability.

The reconstitution of the five boards is far progressed, and we hope to see more progress on that in the next week or two. A key component of the process is the convergence delivery plan, which is the vehicle by which the Minister will achieve her objectives and maintain business

continuity. When she reached an acceptable plan, the Minister asked Gavin Boyd and me to brief the education sector organisations and trade union representatives on the general rationale for the plan, which we duly did. The plan was issued to the Committee several weeks ago, and we had a brief conversation about that last week.

The existing organisations remain fully apprised, with full responsibility for their statutory and fiduciary duties, which are in no way diminished. The plan sets out the mechanisms that will enable a range of services to move towards a regionally managed model. The boards will be fully involved through the mechanism of regional committees that will serve as project management boards. The model for each service will be signed off by each project management board and will then go back to the relevant education and library board for formal endorsement. Phase 1 of the overall programme will be overseen by an overarching programme management board chaired by Seán Hogan and involving the chairpersons of the five ELBs. Directors designate will work with the regional committees to deliver proposals that reflect the initial brief drawn up for each service area.

The Minister is keen to ensure momentum on policy delivery. Therefore, we will put in place policy oversight boards that will initially focus on 'Every School a Good School', the entitlement framework and the implementation of the Irish-medium review. The oversight boards will be added to or reduced in light of circumstances and progress. As the regional committees develop their work, we anticipate scope for the education and library boards to reduce their committee work and to move, perhaps, to a bimonthly cycle of meetings.

Next year, the entire education sector faces a major challenge in delivering on the overall resource savings required and on the management reductions. It is becoming clear that the resource picture will get worse before it gets better.

**The Chairperson:**

Where are we on the budget allocation for the education and library boards? On, I think, 6 March 2009, an announcement on budget allocations was made via a press release. Do you have any idea when the budget allocations will be made?

**Mr McGrath:**

A great deal of work is going on in the Department to enable the Minister to reach her final conclusions. However, rolling that out will be triggered by the Executive's decisions to sign off on the budget, which will be done later this month. The Minister cannot and should not be doing anything in advance of the Executive confirming the numbers. You are right that the timetable is later than it would be in a normal year; however, as we rehearsed last week, that is beyond our power. We have a great deal of work to do as we move from overall numbers through to the individual figures for the schools that are running our new formula. That work will be compressed and will create a great deal of pressure over the next four to six weeks, particularly for Catherine Daly and her staff.

**The Chairperson:**

Is there a legislative requirement for a cut-off point by which the budget determination has to be made? The end of the financial year is 31 March.

**Mr McGrath:**

I am not sure. There is a legislative requirement to have received resource allocation plans from boards; that is another pressure on the timescale. To some extent, those will have to be signed off by 31 March. Legislatively and formally, the Minister cannot announce decisions until the Executive confirm her budget and those of all the other Ministers. After the Executive reach final decisions, she will indicate the disposition of the education budget for 2010-11. It is very tight, but it is beyond our gift.

**Mr Eugene Rooney (Department of Education):**

Approval can be given to spend a certain level of the budget, pending the total amounts available being set. As long as boards have the authority to start spending from next financial year, they can spend a certain amount. As Mr McGrath explained, there is an issue about getting in place all of the decisions by 31 March.

**The Chairperson:**

Last week, John, you basically called the convergence plan a starter plan. The plan refers to:

“the expected outputs and indications of timescales for implementation.”

However, there is no timescale. Jungle drums are beating about who wants to leave. There is talk of people leaving by 31 March, which indicates that somebody will have to make a decision about whether that is achievable.

There may be people who believe that there is a timescale, even though the convergence plan does not contain one. The plan refers to the structure to get people voluntary severance. I still believe that the interim boards are not constituted properly and that the Department, worryingly, is stretching the legislation, specifically paragraph 10(2) of schedule 2 to the Education and Libraries (Northern Ireland) Order 1986, to purposes for which it was never intended. That was more of a safety net than a specific provision to give general exemption. Is the Department content that it can legally do that?

The new reconstituted education and library boards will not be up and running until April or May. We just do not know — so much seems to be in the air. You say that the boards are fully in place, but I contend that they are not because there is an element of the legal requirements of

boards — councillors — who are not part of those interim arrangements. Who will take the decision to get people out by 31 March?

**Mr McGrath:**

I will work my way through those points. There was quite a lot in what you said.

**The Chairperson:**

I mentioned several issues because, in a sense, they are all interrelated.

**Mr McGrath:**

The reconstitution process is being progressed as quickly as we can. It has not gone as smoothly as we would have liked; there have been some hiccups in relation to forms not being filled in. A huge amount of time has been spent by Mr Rooney and other colleagues, with assistance from Commissioner for Public Appointments. Despite that, we are not as far on as we would have liked. We hope that we will have moved to reconstitute the boards before too long. Legal advice that we received indicates that the current boards are legally constituted and can discharge their

functions. However, we would like to see them reconstituted.

Voluntary severance and people leaving is the end of a process through which we will have identified a better model to identify which posts can go if individuals want to go and their employers agree to let them. That has to be done properly and with due diligence. The end point is people leaving. Since taxpayers' money is involved and steps have to be taken, it is accepted that no one will leave under voluntary severance before 31 March 2010 for the reasons that the Chairperson adduced.

**The Chairperson:**

Who will take the decision on voluntary severance?

**Mr McGrath:**

Voluntary severance is the end of the process. We are embarking on a round of meetings with the boards to brief them on the process. A brief will be drawn up on the future requirements of any given service, including transport, youth and special needs. A director designate will be

responsible for drawing up proposals and for bringing them to the relevant regional committee or project management board for iteration and dialogue that will, hopefully, reach agreement on what the model for the future will be. That model will be taken back to each education and library board for formal sign-off.

When all of those steps have been reached, the model will identify the posts in the system that are no longer needed. It will then be up to individual employers to finalise and sign off applications for voluntary severance. They will sign off that they are agreeable to an individual's leaving, and that will go to the Department for formal sign-off. Severance is the end of the process, but it has to fit the context of convergence, the reduction of senior management costs and the move to more efficient and streamlined administration.

Decisions on people leaving will not be taken in the next week or two; they will be made in the next few months. Very few decisions are being sought now. Putting the mechanisms and the convergence plan in place and getting those working are the initial steps.

**The Chairperson:**

Last week, Dominic asked for a breakdown of how the savings will be made. Have you been able to do that or is that work still in progress?

**Mr McGrath:**

That is still in progress, although a fair amount of work has been done. We estimate that if the ESA process had gone ahead to time, 300-odd posts could have gone next year. Under the convergence plan, it is suggested that a couple of hundred posts might go. That is a difference of 100 posts. We can probably come back with the detail for which Dominic asked in the next day or so.

**Miss McIlveen:**

I apologise that I could not stay until the end of last week's meeting, but I had to go back to my constituency.

**Mr McGrath:**

We were ready to stay until teatime last week.

**Mr Storey:**

We will just stay today, then. Will that do? *[Laughter.]*

**Mr McCallister:**

It is a different week.

**Miss McIlveen:**

I apologise for that anyway. Is legislative change required to implement any part of the convergence plan?

**Mr McGrath:**

No. Depending on what lens you look through, it may not be explicit in the plan. The existing

boards and other organisations will remain in place, as will their responsibilities, duties and accountabilities.

**Miss McIlveen:**

Will the roles of the chief executives remain the same?

**Mr McGrath:**

Yes. As long as the organisations continue to exist, they need to have chief executives and accounting officers.

**Miss McIlveen:**

Even given the fact that they will have less support and fewer resources, their roles will remain the same?

**Mr McGrath:**

Our problem, Michelle, is that the budget settlement means that even if we did not have a convergence plan, we would have to make those management savings. That is a given.

The Minister firmly believes that it is easier to do that in a co-ordinated way across the region than for each organisation to do it itself, perhaps resulting in a mixed economy of management structures and delivery. I do not think that that would be the way to take that amount of money out. However, even if we were doing nothing, the budget settlement requires £13 million to be taken out through management savings. The question is how that should be managed while discharging the same responsibilities. That is why we are trying to create a broader array of regionally managed front-line services.

**Miss McIlveen:**

That must create uncertainty among staff and reduce morale. What interaction and communication has there been with staff? I know that you have spoken to trade unions.

**Mr McGrath:**

We have spoken to trade unions, and I accept that there is uncertainty among staff. Without criticising them, at times staff do not understand the political pressure that we are under. We explain that the legislation is not as far on as we would like it to be, but that is part of the legislative process and is beyond our control. We have met the senior organisations, and will do so again. We were at the Southern Education and Library Board yesterday, when the point that you have made was put to us about staff. We will have to move to a much more active communication strategy to explain to people what is happening now — that the ESA has not yet been established, but that there is a process that will be streamlining administration. That could have implications for people's jobs or how they do their job. We will try to remove as much uncertainty as possible.

That is very difficult when we will be taking £100 million from services and taking significant management. It creates uncertainty. There is pressure on the Department's staffing budget totalling around £2 million, and that is also causing uncertainty among staff, because we cannot tell them with certainty at this stage what it means. We have to say that there could be implications for their work or possibly for their jobs.

**Miss McIlveen:**

What difficulty do you face with the appointment of councillors?

**Mr McGrath:**

The Minister was keen that, this time around, the arrangements across the piece for appointments to education boards reflected the principles adopted in general for public appointments, in that there was involvement of assessors from the office of the Commissioner for Public Appointments, the merit principle applied, and that there was some degree of choice, which are the normal principles for any public appointments. That involves all the bodies being asked to nominate enough people so that the Minister has a choice, and people being asked to fill in application forms that would be tested in a process commonly termed a “conversation with a purpose” — although that is not far off an interview, with an independent assessor appointed by the Commissioner for Public Appointments — to determine whether they merit sitting on a board.

That process is causing difficulty in some instances, in that some forms have not been sent in,

and we are waiting for them. There is also a problem with scheduling interviews. Eugene can probably add some detail on that.

**Mr Rooney:**

John has covered most of it. Essentially, there are difficulties because there are several stages. Councils nominate, and then the individuals are sent an application form. The process is dependent on the application forms, which then go through an eligibility sift, followed by interview. However, if the applications have not been received, we cannot move on to the next stage for nominations from that council. It is taking time to work through that process and get all the material back to move on to the next stage.

**Miss McIlveen:**

Are there difficulties across all the boards?

**Mr Rooney:**

Yes.

**Miss McIlveen:**

Could you not have made the process simpler?

**Mr McGrath:**

It is as simple as we can make it. Some people perhaps do not fully understand the need to submit the application form. It is taking longer than we imagined, particularly for council nominations.

**Mr Rooney:**

The process was put in place with the Commissioner for Public Appointments, so we were closely following the requirements of a public-appointments process.

**Miss McIlveen:**

I am concerned that we are looking to give board members greater responsibility, but if you are

having difficulty getting them to complete an application form, it does not bode very well for what you will ask them to do later, particularly when you ask them to take on responsibilities under convergence. Will you give the members who are appointed capacity-building programmes?

**Mr McGrath:**

We will look at induction training or briefing on the basics of corporate governance in the public sector. There are many standard courses in that. For the incoming couple of years, we will also set the financial and policy context of what convergence is about so that members will have a full understanding of the environment in which they will be working. Some of them might have experience, but we will be telling them that the environment is much sharper now.

I mentioned the three criteria that the Minister sees as important, and we will emphasise the importance of that, but we will say that things are difficult and strained at the minute. Things will be constrained in the incoming year and in the year after that. We want to give a comprehensive briefing to all incoming members, and we are doing work on that at the minute.

**Miss McIlveen:**

Finally, paragraph 5.5 of the convergence plan deals with the membership of committees and their decisions. I was concerned to see that there may be under-representation from the South Eastern Education and Library Board, particularly if decisions were made other than by consensus. However, in your introduction, you made remarks to the effect that those decisions or recommendations would be brought back to a particular board for decisions.

**Mr McGrath:**

There will be one fewer commissioner, but the intention is that it would not be weighted against the board. We hope that most of the discussions of the projects boards or committees would lead to consensus. However, each board will have to adopt formally the process to say that this is the right way to have a regionally managed service for transport.

**Miss McIlveen:**

My initial concern is that it would be weighted to the disadvantage of the South Eastern

Education and Library Board, or any other board.

**Mr McGrath:**

It would still have to go back to each board formally to ask it whether it endorsed or accepted that model for delivery of services in its area.

**Miss McIlveen:**

The issue about going back to each board is missing in paragraph 5.5.

**Mr McGrath:**

If that is not clear, I am sorry.

**Miss McIlveen:**

It was not clear until you mentioned it in your introduction.

**Mr McGrath:**

I apologise for that.

**The Chairperson:**

Do you not deem it acceptable for councillors to continue in an interim arrangement, even though I have concerns about the legalities of interim arrangements? I know of one councillor who served faithfully on an education and library board who has been told that he does not reach the bar. The Department requested two nominations from that council, which was representative of all the political parties around this table. The council voted and told the Department whom it wanted to represent the council. However, the Department said that that did not fit its plan. How can you convince the public that the much discussed democratic accountability exists, given that an organisation is being created that is completely devoid of such accountability?

**Mr Rooney:**

There were two criteria to be met in the application form, and there is an eligibility sift on the basis of the material provided. Subsequent to that, there is an interview for the candidates who

have met the criteria. I cannot comment on individual cases, but that was the process that was put in place with the Commissioner for Public Appointments, and that was the process that we followed. Therefore, it depends on how the application form has been completed in respect of meeting the criteria, and then there will be a conversation with a purpose on the basis of that application form. However, without knowing the details, it is hard to comment on individual cases.

**The Chairperson:**

What would we do if no councillor met the criteria and it was determined that no one was suitable? In the case that I mentioned, the Department will have to tell the council that it does not accept its choice and ask for someone else. If the council sends someone else who does not reach the bar, the Department will go back again and ask for someone else to be sent. How many times will we have to go through that nonsense?

I am convinced that this is an attempt to get a certain number of people on to interim boards.

We are pandering to all sorts of people and ensuring that we have x number of people who have

certain qualifications, and so on. It is about trying to hinder councillors' involvement in the interim arrangements.

**Mr McGrath:**

The Minister is keen that the principles that apply to public appointments in general should apply no less to the education sector.

**The Chairperson:**

Those principles have always applied, John. What has changed since the last time that those appointments were made? There is no difference.

**Mrs M Bradley:**

The principles have not changed.

**Mr McGrath:**

The Minister believes that the principles of ministerial choice and merit should be applied, and she has been supported in that by the Commissioner for Public Appointments. The process that is being applied to the appointment of councillors is exactly the same as that for the other nominating sectors and general interest. There is no difference between the criteria being applied to councillors and to others. There is an independent assessor whose job it is to ensure that things are done properly and that that can be attested to.

**The Chairperson:**

Who has the final say? Take the case of the individual who was rejected: who decided to reject that person? Was it the independent assessor?

**Mr McGrath:**

I surmise that that individual did not pass the first level on the basis of the information that he or she presented on the application form.

**The Chairperson:**

That person was appointed by the local council.

**Mr McGrath:**

However, that person may not have passed the first level. Forms are assessed by a small panel, including the independent assessor. A request could be made for a rehearsal of that process.

However, an independent assessor will attest that the form was deemed as failing to produce the required evidence.

**Mr Rooney:**

Independent assessors are involved in each strand and at each stage of the process, from the drawing up of the application form, to the eligibility sift, the conversation with a purpose, and so on. The independent assessors provide the process of public appointments with external scrutiny.

When the names go forward at the final stage, they have to be content that the process was followed correctly.

**Mr Craig:**

We fought for years for the merit principle. Do you think that it would be acceptable if, under the proposed system, only elected members from one political persuasion are appointed?

**Mr McGrath:**

There is a difference between cause and effect on this issue. The process is being applied at individual level and has nothing to do with political make-up; it will simply identify people who can be considered by the Minister. It is open to any Minister to say that he or she still does not have enough choice in public appointments and request that more names be brought forward. That does not necessarily mean that we will end up with people of one view. The merit principle in public appointments ensures that anyone who is appointed is fit to do the job.

**Mr Craig:**

Therefore, what is really being done is prevarication.

**The Chairperson:**

John, will you provide us with a copy of the criteria so that we can see what is being asked for?

Some of us are not convinced of what this is about, and we are very suspicious.

What is going on? There has just been a continual back and forth. A council is a democratically elected organisation accountable to the people of Northern Ireland, and every party around this table says that that is our choice. However, the person whom I referred to had previously been on an education and library board for five years and they were told that they did not reach the bar. The council is now seeking legal opinion on how the Department is running the process. We are getting into an absolute mess, and I do not know when your convergence plan will start to get any consideration, because due process has not been followed.

**Mr McGrath:**

You will not expect me to agree entirely with that.

**The Chairperson:**

No.

**Mr McGrath:**

The Minister has supplemented traditional arrangements with due process for public appointments.

**The Chairperson:**

Is that additional?

**Mr McGrath:**

It is what has traditionally happened. She is saying that that is the norm for public appointments across the public sector in Northern Ireland. The principles that have been adopted are no different, and the merit principle is exactly the same arrangement.

**The Chairperson:**

That is not the case. We are talking about a body that is established by statute under the 1986 Order. We are not talking about appointing somebody to look after a non-departmental body. Education and library boards were established under the 1986 Order.

**Mr McGrath:**

They are public bodies nonetheless.

**The Chairperson:**

They are subject to the law, and I want to know what legal advice the Department has taken on the conversation with a purpose and on allowing certain people to stay on in the interim until the education and library boards are reconstituted. Has the Department taken legal advice on the issue?

**Mr McGrath:**

The Minister is keen that the overall principles of equality and fairness apply to the process of

reconstituting boards. Therefore, a process through which people are simply nominated by organisations without necessarily any demonstration of any merit principle at all, or giving her any degree of choice, is contrary to the arrangements that apply in any other sectors in the North and for any other Ministers. The Minister believes that it would be indefensible not to apply those principles.

The process is being policed by independent assessors appointed by the Commissioner for Public Appointments. It is fair and proper.

**The Chairperson:**

I think that the Commissioner for Public Appointments is being used as a smokescreen to create a guise that, because it is being done under that process, it is OK. If it is not legal, I do not care who oversees the process. You still have not answered the question: did the Department get legal advice on the interim arrangements until we get the reconstituted education and library boards? I am not a lawyer, but, in my view, reading the 1986 Order, they are not being properly constituted.

**Mr McGrath:**

Our view is that the interim boards are legally constituted.

**The Chairperson:**

Is that your view or is that the legal opinion?

**Mr McGrath:**

The legal opinion is that they are legally constituted.

**The Chairperson:**

Was legal opinion received?

**Mr McGrath:**

We discussed this last week. Yes; legal opinion was received.

**Mr Craig:**

I want to go back to the public appointments issue because we are listening to absolute nonsense.

For example, four political representatives were appointed to the Housing Executive; they were appointed from councils, and they were appointed on a party political basis so that all shades of political opinion were included to give their views. Frankly, there is not even much smoke about here, and we must ask why one board is not being reconstituted. It is because they do not want elected members about the place. Perhaps we should ask the question: how long can you run a board before it is reconstituted? It could be run for centuries, and that is what we are going to end up with here.

**The Chairperson:**

What is the situation? The south eastern board is not being reconstituted, and there is no legal impediment or reasons why it should not have been.

**Mr McGrath:**

The Minister took the view that there was no need to reconstitute the South Eastern Education and Library Board in the circumstances at the time. Much would depend on whatever perceptions or how long a hiatus there would be until the ESA came into being. That is the view that the Minister took, and I can only reflect that.

**The Chairperson:**

Is that the legal opinion that the Minister received?

**Mr McGrath:**

I cannot recall.

**Mr D Bradley:**

A cynic would say that this is perhaps an exercise in ensuring that the people who are appointed to the boards are nodding heads who agree with policies that suit the Minister.

**Mr McGrath:**

I doubt it. We are using the general approach that is adopted for public appointments. Jonathan is right: the Housing Executive represents one of the few examples that use the nomination process that he cited. We are adopting a process that most public bodies use, and we intend to ensure that the appointees are up to the job. It is not to do with political persuasion or the appointment of yes-men. In fact, the process probably demonstrates that appointees have sufficient independence of mind.

**Mr D Bradley:**

We will see. In any case, the £13 million of savings, which are largely based on reducing the headcount, will be facilitated through voluntary severance. Given the loss of expertise that will result from the removal of 200 posts, how will you ensure that you maintain the level of service that schools require?

**Mr McGrath:**

That is why we need to develop a regionally managed model for services. For example, only one person, rather than five, may be required to be in charge of managing the entire transport service across the North, and an individual transport manager could be appointed in each board area. That is likely to be the general model. The strategic expertise that exists does not need to be reflected in five different organisations that have the same role.

**Mr D Bradley:**

If expertise has been lost through severance, where will we get the necessary expertise?

**Mr McGrath:**

Voluntary severance is a careful process. We must make management savings in a way that ensures that we still deliver services properly. It is the Minister's view that we should, in the lead-up to the work on the ESA, move to a regionally managed model that does not duplicate the same set of talents at a strategic level across five boards when one is sufficient. There is a general view that there is scope to reduce administration, and I remember that, during a previous

appearance at the Committee, that seemed to be the consensus. However, the severance at the end must be part of a careful process to ensure that we can afford to lose the posts that will be removed and that we can cope without those individuals' skills. It is not first come, first served; severance must fit business needs, not individual needs.

**Mr D Bradley:**

It is selective voluntary severance.

**Mr McGrath:**

It is selective in the sense that we will have done work to identify that certain posts are no longer needed, and if some people in those posts want to take voluntary severance, they will be allowed to do so. It is a management model; it is not about people who are keen to leave. Through voluntary severance, many people can, if they want to, leave without significant terms. However, the terms of access must fit the business need, which is to take the savings out while running a modern and professional support organisation in the education sector.

**The Chairperson:**

Schedules were included in the Education Bill to deal with voluntary severance. Given that the Bill has not been passed, those schedules are not applicable. Under what legislation are you offering voluntary severance?

**Mr McGrath:**

We are doing that under the terms of the voluntary severance arrangements that apply in the boards.

**The Chairperson:**

Are those in their existing suite of legislation?

**Mr McGrath:**

Yes.

**The Chairperson:**

Therefore, the original intention to include schedules on voluntary severance in the Education Bill was agreed because the boards were meant to dissolve on 31 December 2009 and hand over their powers to the ESA. Is that right?

**Mr McGrath:**

That is exactly right.

**The Chairperson:**

It is 4.00 pm, and we promised to let you leave at that time. The Committee still has some queries about the non-appointment of councillors and the non-reconstitution of the South Eastern Education and Library Board that cause grave concern.

**Mr McGrath:**

You have asked us to return after Easter and we are happy to do so.

**The Chairperson:**

Thank you, John and Eugene.