

**FAO Peter McCallion
Northern Ireland Assembly**

12 November 2012

From the Association of Teachers and Lecturers

Initial Thoughts on the draft Education Bill

Thank you for the opportunity to make initial comments on the draft Education Bill. That our education system is over administered is a view shared by most – even those with sharply divergent educational philosophies. As an education trade union, our support for the Education and Skills Authority was predicated on a number of objectives.

- that savings from administrative duplication could be invested in direct, or “frontline” education services;
- that a single Education Authority could reconfigure the school’s estate more rationally and work towards a more shared and communally de-segregated schooling system.
- that a single employer could achieve workforce planning gains. A good example is the system-wide redundancy trawl piloted in 2011-12 which included Voluntary Grammars, Grant Maintained Integrated schools and Gaelscholáicta for the first time. This could be seen as a forerunner to similar, system wide, gains. Equally, the redeployment of staff, based on educational and social need, could improve flexible working practices such as part-time working, career breaks and job-sharing. Teacher exchanges, and professional development placements in other schools could be promoted more effectively across the system.
- that uniformity of practice would allow teachers and staff to be treated the same with the same levels of protection, without the need to negotiate a multiplicity of management or employment schemes.

Has the Education Bill met these aims? Not in our book. Not yet, at least. In fact, the reverse could be argued.

In attempts to assuage a Grammar school lobby seeking to retain not simply academic selection, but also the ‘voluntary principle’, every school will now be burdened with preparing its own employment and management schemes. Our experience is that ‘Schemes of Management’ can be treated as internal, confidential, even secretive documentation. As such, it is imperative that the “Schemes” be treated as publicly accessible documents, freely available to staff.

Although ‘model’ schemes will be available (and natural inertia will play a part), it is now conceivable that all schools could prepare individualised schemes. Current Controlled or Maintained schools can be “liberated” to

maximise their autonomy. We have serious concerns as to whether there is adequate capacity across the system to allow for this. The result could be a patchwork quilt of school provision, with uniformity undermined in favour of postcode lottery. Indeed, the 'law of unintended consequences' could see Minister O'Dowd taking a direction-of-travel similar to Michael Gove's English 'Academy' revolution with each school an "island", battling individually to survive.

The principle of "accountable school autonomy" underlying the Bill may, on face value, be seen as a good thing. However, it will increase inter-school competition and militate against the collaboration required to deliver the Entitlement Framework.

Our view is that "accountable autonomy should be counter-balanced by increased staff trade union representation on Boards of Governors. In addition to a teacher governor, we would propose two trade union representatives of the staff (one teaching and one non teaching).

The Bill proposes a Tribunal, aimed at defending schools against unwarranted 'interference' from the central Authority. It is our understanding that this will likely be a judge led tribunal, rather than a lay tribunal. Whilst both ESA and schools can invoke challenge to the Tribunal, it is unclear whether 3rd parties, such as trade unions, could avail of the Tribunal or refer cases to it.

It can be taken for granted that the Grammar schools will tightly and legally encase nothing less than their current responsibilities and freedoms within their Schemes of Management and Employment.

Administratively, every school can opt to operate its own payroll. Instead of administrative savings, the door is now open to over 1000 payroll centres across Northern Ireland! More likely, over time, it could lead to payroll privatisation. This, in the view of ATL, cannot be sensible.

Notwithstanding that the Bill is skewed towards the perceived needs of grammar schools, the voluntary grammars would rather just opt out. Our guess is that they would pay to do so, through reduced capital support and by accepting a much smaller sector in return for the 'voluntary principle'. Opting out by a reduced élite may seem a modern day anachronism, but could protecting the rest of the system make it a price worth paying?

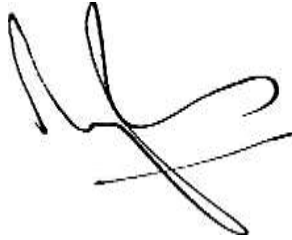
The Bill is silent on the size of the proposed Authority. Will an administrative 'empire be built', or will more resources find their way to the classroom? In straightened times, it can hardly be both. Is there a role for the Northern Ireland Audit Office in ensuring that the Authority's administrative size is kept within reasonable proportions?

There is good in the Bill of course. A legal duty on Governors in respect of education achievement is welcome, as is the duty on ESA to formulate area plans. Of less value is the financing of sectoral bodies who, like trade unions, should be financed by voluntary subscription.

The powers proposed for the seizure of data by the Inspectorate appear draconian, and out of step with the scale of any problem allegedly faced in this regard

The Education Bill has set out significant challenges, and all remains to play for.

Yours Sincerely,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name 'Mark Langhammer'.

Mark Langhammer

Director of the Association of Teacher and Lecturers