

**COMMITTEE STAGE OF THE EDUCATION BILL
CALL FOR EVIDENCE EVENT - 30 JANUARY 2013**

1. Should all teaching staff be employed by the Education and Skills Authority or should the arrangements in voluntary schools continue or be extended to all schools? Who should hire, discipline or dismiss teachers?

VG autonomy works and ELB/CCMS centralised control has failed. The Executive Summary of the Salisbury Report emphasises 'Autonomy and Accountability' and explains that "there are serious short-comings in the practical operations in the current model of financial administration for controlled and maintained schools". It is recommended that any school that wishes "to adopt the systems of financial management operated for Voluntary Grammar and Grant Maintained Integrated Schools" should be allowed to do so.

Currently, the Bill undermines the very autonomy which VG schools have used as the basis for sound financial practices for decades. Some have asserted that the Bill will work in such a way that ESA will be a mere 'filing cabinet' or 'conduit' for receiving Governors' decisions on matters such as employment schemes. The language of the Bill does not support that assertion and on employment matters and premises matters ESA can interfere with schools' decisions. The Bill reads more as a 'command & control' structure than a conduit. The tribunal to be established is cold comfort given that its membership will be determined by the Education Minister.

A fundamental change is needed in the Bill to take account of the Salisbury report recommendation and to allow any school to adopt the VG model of autonomy, efficiency and best value. More imaginative local solutions, such as federations of schools, should be explored to help schools with no prior experience of running their own affairs to make the transition to autonomy rather than blindly accepting that a large, bureaucratic body such as ESA is the best solution.

2. Should the provisions in the Bill on Area Planning be revised or amended?

The Bill makes area planning the remit of the Minister with ESA implementing his wishes. Governors in VG schools can be ignored and VG schools have no sectoral body. The Minister, through ESA, will have an obligation to consult all schools except VG schools about area plans. Indeed, given that Catholic VG schools could use the Catholic School sectoral body to bring about consultation then in practice it is only state VG schools left isolated and not consulted. This is clearly unfair and potentially discriminatory.

Area planning is clearly to be used to reduce the number of schools for financial reasons and to reduce the number of grammar schools for ideological reasons. Even if one accepts the 'filing cabinet' analogy for ESA (and I do not) then it is clear that the area planning process transforms ESA from a 'filing cabinet' to a bulldozer, driven by the Minister, to knock down whatever schools he wishes. For those who do support the 'filing cabinet' analogy there would have to be an acceptance that the Bill would provide ESA with two competing heartbeats - one passive in nature, the other controlling and agenda-setting in nature. The Bill would be incoherent.

3. Are sectoral support bodies needed for the different education sectors: Catholic schools; Integrated schools; Controlled Schools and Irish Medium Schools? Are other sectoral support bodies required? Should these be statutory bodies? Does the proposed ESA Board offer sufficient representation for the different sectors within Education in Northern Ireland?

The question says a great deal - where is the VG sector in the list of school types given that VG schools educate 1/3 post primary pupils in NI?

Sectoral bodies are an unnecessary expense but if any sector is to have one then all must have one, including VG schools. However, the creation of a VG sectoral body should not be a substitute for retaining the authority and autonomy of Governors in VG schools.

The ESA Board is bizarre in construction with four representatives from each of the controlled and maintained sectors and four people "so far as is practicable" who represent the NI community. Why would two sectors be represented and no other sectors? How can the complexity of NI's diverse communities be accounted for in the persons of four individuals? Why should the Minister decide who these people are? The outcome is unlikely to provide balance and fair representation and the ESA Board will be more likely to be the creature of the Minister.

4. Does the Bill improve autonomy for schools?

See answer to question 1. The Bill currently centralises control in the hands of ESA and the Minister. Disputes between schools and ESA are to be settled by either the new tribunal or directly by the Minister (schedule 7, clause 13). There is no encouragement for schools to become more autonomous and no mechanism to enable such in the Bill. There has been no consideration of other models of school management beyond a large, single body such as ESA. Will ESA be any more efficient than the failed central control models seen in the ELBs and CCMS where large deficits have been run up unchecked and without any organisation or individual held to account? And if ESA is more inspectorial and more interventionist than the ELBs/CCMS then how can ESA be seen to operate as a passive 'conduit' or 'filing cabinet' for Governors' decisions? Either ESA will continue the poor practices of the past or it will become a regulatory body which directs schools and imposes its wishes. School autonomy - and the true accountability which comes with such - can only be realised by creating a simple procedure for schools to adopt the VG model.

5. Should the powers of the Education and Training Inspectorate be improved as indicated in the Bill?

A more accurate description of the effect of the Bill on ETI powers would be to say that they are significantly enhanced rather than improved. It is reasonable for inspectors to be able to access documents. It is also helpful to have a range of personnel on an inspection team and a lay person may be useful here so long as they are not making judgements on the quality of education for which they are not qualified. Long established concerns about the qualifications and experience required to become an inspector are not addressed in the Bill and it would be reassuring to schools to see minimum standards established. In this way schools would know that those making judgements have appropriate experience of whole school matters. A particular problem for the ETI is that it is perceived by some to be too close to DENI and to be the servant of the Minister of Education's agenda rather

than an independent body serving the needs of pupils. The Bill reinforces that view in point 44.4(b) and such information could be used in the area planning process to undermine a school's viability. It would be better to create as much independence for the ETI as possible given the period of rationalisation which lies ahead.

6. Should the Bill include an enhanced duty to encourage Irish Medium, Integrated, Shared or other forms of Education?

Current legislation places an obligation on government to promote particular types of education such as Integrated and Irish Medium. It is reasonable for such to continue. What is not reasonable is to have ESA promote Irish Medium education in all schools which is what the phrasing of point 2(5) suggests. It is also not reasonable to acknowledge every school sector in NI except the VG sector. This is not an accident and it reinforces the impression that the Bill is a political bill in purpose and intent aimed at sidelining VG schools from the educational debate, undermining their autonomy and removing them entirely via area planning. Parental choice has been cast aside by this Bill unless of course a parent wants to choose a Catholic education, an Irish Medium education, an Integrated education or a Controlled education.

7. Are there any other issues/changes to the Bill that you would like to see?

There are numerous other issues to consider but the most important is to ask 'what is the purpose of the Bill'? One answer given by DENI has been financial efficiency. There are impressive claims of £40 million of savings but a part of that sum has already been accounted for and there is no indication as to how the rest will be realised. Another answer given has been that ESA will raise educational standards. There is not a single shred of evidence presented in support of this claim. It will be important that the Committee scrutinises the Bill line by line and that fundamental amendments are made.

Dr David Burnett (Headmaster)
The Royal School Dungannon