



Northern Ireland
Assembly
Committee for Education
MINUTES OF PROCEEDINGS
WEDNESDAY 16 SEPTEMBER 2015
SENATE CHAMBER, PARLIAMENT BUILDINGS

Present:

Peter Weir MLA (Chairperson)
Sandra Overend MLA (Deputy Chairperson)
Jonathan Craig MLA
Chris Hazzard MLA
Danny Kennedy MLA
Trevor Lunn MLA
Maeve McLaughlin MLA
Robin Newton MLA
Seán Rogers MLA
Pat Sheehan MLA

In Attendance:

Peter McCallion (Assembly Clerk)
Paul Stitt (Assistant Clerk)
Paula Best (Clerical Supervisor)
Kevin Marks (Clerical Officer)

Apologies:

None

The meeting commenced in public session at 10.02am.

Agreed: The Committee agreed to defer the scheduled public session briefing from the Department on the SEND Bill and to amend its agenda accordingly.

1. Apologies

Apologies are as indicated above.

2. Chairperson's Business

2.1 New Member

The Committee thanked Ross Hussey MLA for his service to the Education Committee and welcomed the new Member, Danny Kennedy MLA.

3. Minutes of previous meeting

Agreed: The Committee agreed the minutes of its meeting held on 9 September 2015.

4. Matters Arising

4.1 SEND Bill – Response from Ad Hoc Committee on the Public Services Ombudsperson Bill

The Committee noted a response from the Ad Hoc Committee on the Public Services Ombudsperson Bill which indicated that the NI Public Services Ombudsperson will provide an additional route for complainants only when all other existing avenues have been exhausted.

4.2 Child Sexual Exploitation

The Committee noted previous Departmental correspondence regarding Child Sexual Exploitation and the Marshall Report.

Agreed: The Committee agreed to write to the Department seeking further information on the resourcing of preventative education and related measures in respect of youth provision and seeking also an oral Departmental briefing on the implementation of the Marshall Report.

Jonathan Craig joined the meeting at 10.07am.

5. SR 294/2015: Teachers' Superannuation (Additional Voluntary Contributions) (Amendment) Regulations (NI) 2015

A Departmental official joined the meeting at 10.07am.

Seamus Gallagher, Head of Pay Remit and Pensions Policy Team, Department of Education briefed the Committee on the statutory rule SR 294/2015: Teachers' Superannuation (Additional Voluntary Contributions) (Amendment) Regulations (NI) 2015.

A question and answer session followed the briefing.

The official left the meeting at 10.10am.

The following question was put and agreed by the Committee.

Agreed: That the Committee for Education has considered Statutory Rule 294/2015 Teachers' Superannuation (Additional Voluntary Contributions) (Amendment) Regulations (Northern Ireland) 2015 and has no objections to the Rule.

6. 2014-15 Committee for Education End of Session Report – written briefing

The Committee considered their End of Session Report covering the period 1 September 2014 to 31 August 2015.

Agreed: The Committee approved the 2014-15 End of Session Report.

Members declared the following interests:

Danny Kennedy serves on the Boards of Governors of a number of schools and his wife is employed as a teacher.

Peter Weir serves on the Boards of Governors of a number of schools.

Trevor Lunn serves on the Board of Governors of a school and his daughter is employed as a classroom assistant at a primary school.

Jonathan Craig serves on the Board of Governors of a school.

Pat Sheehan serves on the Board of Governors of a school.

Seán Rogers serves on a Board of Governors and his wife is employed as a teacher.

The meeting moved into private session at 10.14am.

7. Committee Stage – Special Educational Needs and Disability (SEND) Bill – Informal Deliberation Phase

The Committee informally discussed proposed amendments to Clauses 4 to 16 and the Schedule of the SEND Bill.

Maeve McLaughlin joined the meeting at 10.19am

Maeve McLaughlin left the meeting at 11.40am

Agreed: The Committee agreed to give further consideration to possible amendments to the SEND Bill in respect of: general and specific duties on health and education authorities to co-operate; ensuring children have the option of speaking at their own SENDIST hearing; the retention of rights by parents of children over compulsory school age in respect of SEN; duties on education authorities to consider the maturity and capacity of children to exercise their SEN rights; revisions to the statementing process relating to educational transitions and possible drafting amendments relating to regulation-making powers.

Agreed: The Committee agreed to seek further commentary or assurances from the Department in respect of:

- a possible new duty on Health and Social Care Trusts to co-operate with the Education Authority in respect of a therapeutic or other provision identified in a statement;
- a proposed new legal obligation on HSCTs in respect of the delivery of SEN provision set out in statements;
- how the Department ensures that parents of SEN children are made aware of the services of relevant voluntary organisations;
- the benefits or otherwise of an oversight body reviewing the effectiveness of co-operation between Education and Health authorities;
- the background to the revised time limit for parents to provide written evidence to the Education Authority in respect of statutory assessment and the consequences of the proposed changes in Clause 5 for the reporting of compliance with key timescales;
- the nature of the written evidence provided by parents in respect of statements particularly in complex cases;
- why the Department believes that an amendment to include a duty on the Education Authority to serve a notice that it is not to make a statement and to advise parents of a right to appeal within a prescribed period, is unnecessary;
- the background to the proposed improved mediation process including the impact on SENDIST timescales and hearings, the good practice examples in other jurisdictions which the Department has studied and details of the Department's plans to consult on the proposed changes to mediation;
- the definition of compulsory school age and the nature of the Department of Education's and the Department of Employment and Learning's responsibilities for children undergoing educational transition;
- the background to the pilot for appeals and claims by children below compulsory school age including the reasoning underpinning the relevant timescales;
- further to previous correspondence, the consequence of including an explicit reference to the UNCRC in Clauses 11 and 12;
- the impact of an amendment to the Bill to require all relevant SEN regulations to support: an inclusive ethos in schools, early intervention, reduced bureaucracy and timely intervention, capacity building in schools, focus on learning outcomes while considering the view of parents and children and transparency and accountability;
- the consequences of requiring statements to follow children during educational transitions and to be available to both children and parents;
- a proposed obligation on Boards of Governors or the Education Authority to ensure that statements and PLPs are reviewed at the end of each term within a school year or annually;
- a change to the Assembly procedure for all SEN secondary legislation in the 1996 Order from negative to draft affirmative; and
- the addition of a new clause to the Bill relating to the UNCRC and UNCRPD setting out the key principles of: including the voice of the child, equality and non-discrimination, participation and inclusion.

The meeting moved into public session at 11.55am.

8. Committee Stage – Special Educational Needs and Disability (SEND) Bill – Informal Deliberation Phase – Departmental briefing

The Committee deferred this briefing and moved on to the next agenda item.

9. Correspondence

9.1 The Committee noted an index of incoming correspondence.

9.2 The Committee noted an invitation from the Northern Ireland Human Rights Commission to its Strategic Plan consultation events on Monday 21 September 2015 and Wednesday 23 September from 10am to 12.30pm.

9.3 The Committee noted an invitation from the General Teaching Council NI inviting Members to attend a GTCNI Lecture 2015 event on 17 September 2015 at 2.30pm-4pm.

9.4 The Committee noted correspondence from the Department of Education advising that the Progress in International Reading Literacy Study (PIRLS) has been commissioned.

9.5 The Committee noted correspondence from the Department of Education on its consultation on GCSE grading changes.

Agreed: The Committee agreed to seek an oral briefing from the Department on the GCSE grading consultation.

9.6 The Committee noted correspondence from the Department of Education in relation to queries raised by a concerned individual in respect of mandatory collective worship in schools. The Department indicated that schools have a statutory obligation to provide collective worship and that non-attendance by pupils should only be with parental consent.

9.7 The Committee noted an invitation from the Committee for the Environment inviting Members to attend the launch of Northern Ireland Environment Week on Monday 21 September 2015 at 6pm in the Long Gallery.

9.8 The Committee noted a copy of correspondence from the Committee for the Office of the First Minister and deputy First Minister to the Education Minister regarding a request from the GTCNI to be added to the list of authorities that will come under the remit of the new Northern Ireland Public Service Ombudsperson.

Agreed: The Committee agreed that to write to the GTCNI to clarify its position in respect of the remit of the Northern Ireland Public Service Ombudsperson and the registration of teachers.

9.9 The Committee noted correspondence from the Department of Education on the disposal of records of school inspections carried out by the Education and Training Inspectorate.

Agreed: The Committee agreed to write to the Department to clarify the rationale behind the timeframes for the disposal of records and the registration of complaints relating to inspections.

9.10 The Committee noted an update from the Department of Education on the funding of the Delivering Social Change Literacy and Numeracy Programme.

Agreed: The Committee agreed to write to the Department to seek clarity on the impact of funding shortfalls on the DSC Literacy and Numeracy Programme.

9.11 The Committee noted correspondence from the Committee for the Office of the First Minister and deputy First Minister regarding the reporting of departmental engagement with Assembly Committees on EU priorities and including the EU policy dossiers.

10. Draft Forward Work Programme

The Committee considered its draft forward work programme.

Agreed: The Committee agreed its Forward Work Programme.

11. Any Other Business

11.1 Make Your Mark Event

The Chairperson noted that he and other Members of the Committee had attended the Make Your Mark Event on Thursday 10 September 2015 in the Long Gallery.

Agreed: The Committee agreed to write to the organisers to pass on its congratulations for a well organised and informative event.

12. Date, Time, Place of Next Meeting

The Committee will meet again on Wednesday 23 September 2015, at 9.30am in the Senate Chamber, Parliament Buildings.

The meeting was adjourned at 12.05pm.

Peter Weir
Chairperson, Committee for Education

23 September 2015