



Northern Ireland
Assembly
Committee for Education
MINUTES OF PROCEEDINGS
WEDNESDAY 16 DECEMBER 2015
ROOM 30, PARLIAMENT BUILDINGS

Present:

Peter Weir MLA (Chairperson)
Sandra Overend MLA (Deputy Chairperson)
Chris Hazzard MLA
Trevor Lunn MLA
Seán Rogers MLA

In Attendance:

Peter McCallion (Assembly Clerk)
Paul Stitt (Assistant Clerk)
Paula Best (Clerical Supervisor)
Kevin Marks (Clerical Officer)
Eilís Haughey (Bill Clerk – item 5 only)

Apologies:

Danny Kennedy MLA
Robin Newton MLA
Nelson McCausland MLA
Maeve McLaughlin MLA
Pat Sheehan MLA

The meeting commenced in private session at 10:10am with the following Members present: Peter Weir (Chairperson), Chris Hazzard, Trevor Lunn and Seán Rogers.

In the absence of a decision-making quorum, proceedings commenced in line with Standing Order 49(5).

Agenda items 1-4 were deferred.

5. Shared Education Bill – Formal Clause By Clause Scrutiny

Assembly Bill Office joined the meeting at 10:10am.

The Committee considered possible amendments to the Shared Education Bill.

Sandra Overend joined the meeting at 10:27am. The Committee achieved a decision-making quorum.

Assembly Bill Office left the meeting at 10:48am.

The meeting moved into public session at 10:50am.

The Committee adopted a revised meeting agenda.

6. Apologies

Apologies are as indicated above.

7. Chairperson's Business

7.1 GCSE and A Level Results

The Committee noted the 2014-15 Year 12 GCSE and Year 14 A-level results and welcomed the significant improvement in the proportion of FSME pupils achieving 5 good GCSEs including English and maths. The Committee also noted a small decline in the A-level results for FSME pupils.

7.2 Woodlands College, Bangor

The Chairperson referred Members to correspondence from an individual in respect of employment concerns relating to the transfer of responsibility of Woodlands College, Bangor from the Department of Justice to the Department of Education.

Agreed: The Committee agreed to write to the Department of Education seeking clarity on the transfer of Woodlands College and reported delays in payments to teachers.

8. Minutes of previous meeting

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

9. Matters Arising

9.1 Future of the Youth Council for Northern Ireland

The Committee noted a written statement from the Minister of Education regarding the future of the Youth Council for Northern Ireland. The Committee also noted correspondence from Start360 expressing its concerns regarding the Minister's decision to wind up the Youth Council.

Members highlighted concerns in respect of the Minister's decision including: the impact on the level of leveraged funding which the Youth Council achieves; the limited savings associated with the transfer of functions to the Education Authority; the apparent failure by the Minister to take into account the findings of the consultation; and the absence of a Departmental response to the Committee's recent related queries.

Agreed: The Committee agreed to seek an oral briefing from the Minister on the rationale behind his decision to seek to wind up the Youth Council.

10. Shared Education Bill – Formal Clause By Clause Scrutiny

Departmental officials joined the meeting at 10:59am.

Andrew Bell, Head of Shared Education & Community Relations Team, Department of Education; Suzanne Kingon, Head of Irish Medium & Integrated Education Team, Department of Education; Joanne Maxwell, Shared Education & Community Relations Team, Department of Education; and Jacqui Durkin, Director of Area Planning, Department of Education briefed on the Shared Education Bill.

The Committee commenced its formal clause-by-clause scrutiny of the Shared Education Bill.

Clause 1: “Shared Education”

The Committee noted DE clarification that the wording ‘religious belief’ is well understood in law and by schools and other providers.

Question: “That the Committee is content with the proposed amendment to 1(2)(a) replacing the wording ‘religious belief’ with ‘community background’, put and not agreed to’.

The Committee expressed concerns in respect of the need to ensure the inclusion of children and young people in Shared Education programmes who have no actual or no designated religious belief.

Question: “That the Committee is content with the proposed amendment to add new wording to 1(2)(a) after ‘religious belief’ referring to children and young people with no religious belief, put and agreed to”.

Agreed: The Committee agreed that it may revise its position in respect of the wording referencing children and young people with no religious belief, subject to the subsequent consideration of an anticipated related Departmental amendment.

The Committee noted Departmental correspondence and confirmation from officials that the Minister will give a formal assurance, at Consideration Stage, that a flexible approach will be taken on the interpretation of the ‘reasonable numbers’ criteria in 1(2)(a) in order to ensure the inclusion of small, rural or other schools in Shared Education projects.

Question: “That the Committee is content with the proposed amendment to 1(2) as indicated below, put and not agreed to”.

Clause 1, page 1, line 13

At end insert –

‘with a view to supporting a natural progression towards integrated education, as appropriate, where this is supported by the school community’

Question: That the Committee is content with the proposed amendment, as indicated below, to provide an explicit reference to Further Education colleges as ‘relevant providers’, put and not agreed to.

The Committee divided.

| Ayes | Noes | Abstained | Not voting |
|------------|-------------------------------|------------------------------|------------|
| Peter Weir | Sandra Overend Trevor Lunn | Chris Hazzard Seán Rogers | |

Clause 1, page 1, line 15

At end insert –

‘(aa) further education, as defined in Article 3 of the Further Education (Northern Ireland) Order 1997’

Agreed: The Committee agreed to write to the Department to seek clarity on the legal definition of a young person.

New Clause 1A

Question: That the Committee is content with the proposed amendment, as indicated below, to place a duty on the Department in respect of facilitating, encouraging and promoting Shared Education, put and agreed to.

The Committee divided.

| Ayes | Noes | Abstained | Not voting |
|---|------------------------------|-----------|------------|
| Peter Weir Sandra Overend Seán Rogers | Chris Hazzard Trevor Lunn | | |

New Clause

After clause 1, insert –

‘Duty to promote, encourage and facilitate shared education
1A.—(1) It is the duty of the Department of Education to promote, encourage and facilitate shared education.’

Paving amendment:

Clause 1, page 1, line 3

After ‘section’ insert ‘1A,’

Consequential amendment:
Clause 2, page 2
Leave out paragraph (a)

Clause 2 Power to encourage and facilitate shared education

The Committee noted a Departmental assertion that it was inadvisable to add new Shared Education powers or duties in respect of the General Teaching Council for Northern Ireland (GTCNI).

Question: That the Committee is content with the proposed amendment, as indicated below, to supplement the list of bodies identified at 2(2), put and agreed to.

Clause 2, page 2, line 6

At end insert ↪—

‘(e) any sectoral body

(3) In this section, “sectoral body” means a body—

(a) which is recognised by the Department as representing the interests of grant-aided schools of a particular description; and

(b) to which grants are paid under Article 115 of the 1986 Order, Article 64 of the 1989 Order or Article 89 of the 1998 Order.’

Question: “That the Committee is content with Clause 1 as amended, put and agreed to.”

Question: “That the Committee is content with Clause 2 as amended, put and agreed to.”

New Clause 2A

Question: That the Committee is content with the proposed amendment, as indicated below, to insert a new clause which would require DE to review and report on Shared Education progress every two years, put and agreed to.

After clause 2, insert —

‘Review

2A. —(1) The Department must—

(a) not later than two years after the date on which this Act receives Royal Assent, and

(b) at intervals of not more than two years thereafter,

review, and prepare a report on, the operation of this Act and section 2(3) of the Education Act (Northern Ireland) 2014 (“the 2014 Act”).

(2) The Department must lay any report under this section before the Assembly.

(3) A report under this section must include statements on the following matters, so far as relating to the reporting period—

- (a) the extent to which the bodies listed in section 2(2) have exercised their powers under that section;
- (b) the extent to which the Education Authority has complied with its duty under section 2(3) of the 2014 Act;
- (c) the level of participation in shared education and the extent to which there has been any increase or decrease in participation;
- (d) efficiency in the use of resources allocated for the purposes of shared education, including information and communications technology infrastructure;
- (e) the impact of shared education on—
 - (i) educational attainment;
 - (ii) good relations between participating children;
 - (iii) attitudes of participating children towards persons from backgrounds other than their own

New Clause 2B

Question: That the Committee is content with the proposed Departmental amendment, as indicated below, which would insert a new clause to allow DE or the Education Authority to form a company in order to provide for the ownership of school buildings on a shared campus, put and agreed to.

After clause 2 insert

‘Power to form company

2B.(1) For the purposes of its functions under section 2, the Department of Education may form, or participate in the formation of, a company under the Companies Act 2006.

(2) For the purposes of its functions under section 2(3) of the Education Act (Northern Ireland) 2014, the Education Authority may form, or participate in the formation of, a company under the Companies Act 2006.

Clause 3 Commencement of duty of Education Authority in relation to shared education

Question: “That the Committee is content with Clause 3 as drafted, put and agreed to.”

Clause 4 Short title and commencement

Question: “That the Committee is content with Clause 4 as drafted, put and agreed to.”

Long Title

Question: “That the Committee is content with the Long Title of the Bill as drafted, put and agreed to.”

The Committee concluded its formal clause-by-clause consideration of the Shared Education Bill.

The officials left the meeting at 12:07pm

11. Correspondence

11.1 The Committee noted an index of incoming correspondence.

11.2 The Committee noted a response from the Council for Catholic Maintained Schools (CCMS) providing further information on alternative governance models for schools.

11.3 The Committee noted a response from the Public Health Agency to Committee queries in relation to the phase 2 summary report for the Review of Allied Health Professions (AHP) services to SEN children.

11.4 The Committee noted correspondence from the Committee for the Environment including a briefing paper from the Field Studies Council.

11.5 The Committee noted correspondence from the West Belfast Partnership Board regarding community and schools participation in tackling educational underachievement.

Agreed: The Committee agreed to receive a briefing from the West Belfast Partnership Board.

11.6 The Committee noted a response from the Department for Finance and Personnel to Committee queries in relation to the OECD Case Study: Educational Outcomes for Looked After Children.

11.7 The Committee noted correspondence from the Education Authority enclosing a summary of responses to the consultation on the Elective Home Education draft policy.

11.8 The Committee noted a response from the Education Authority to Committee queries in relation to Elective Home Education.

11.9 The Committee noted correspondence from the Committee for Culture, Arts and Leisure enclosing a copy of a letter to the Education Minister regarding sign language legislation.

11.10 The Committee noted correspondence from a Governor at Brooklands Primary School regarding SEN provision in mainstream schools and access to places in Nurture Units.

12. Draft Forward Work Programme

The Committee considered its draft forward work programme.

Agreed: The Committee agreed to receive an informal briefing on the Erasmus+ project on Tuesday 19 January 2016 at 1.00pm.

Agreed: The Committee agreed its Forward Work Programme, as amended.

13. Any Other Business

There was no other business.

The Chairperson wished Committee Members and staff a happy Christmas.

14. Date, Time, Place of Next Meeting

The Committee will meet again on Wednesday 6 January 2016, at 10.00am in the Senate Chamber, Parliament Buildings.

The meeting was adjourned at 12:09pm.

Peter Weir
Chairperson, Committee for Education
6 January 2016