



Northern Ireland
Assembly

Committee for Education

**OFFICIAL REPORT
(Hansard)**

Sustainable Schools

8 February 2012

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Mervyn Storey (Chairperson)
Mr Mike Nesbitt (Deputy Chairperson)
Ms Michaela Boyle
Mr Jonathan Craig
Mrs Jo-Anne Dobson
Mr Trevor Lunn
Mr Conall McDevitt
Miss Michelle McIlveen

Witnesses:

Mrs Lorraine Finlay	Department of Education
Mr John McGrath	Department of Education
Mr Diarmuid McLean	Department of Education

The Chairperson: I welcome to the Committee Mr John McGrath, the deputy secretary of the Department, Mr Diarmuid McLean, director of investment and infrastructure, and Mrs Lorraine Finlay, the head of the area planning policy team. Thank you for coming.

I promise to keep my word, John, as I said earlier. I will get that in first before you remind me. Do you want to set the context? We have received the paper from the Department and we will see where that takes us.

Mr John McGrath (Department of Education): Thank you for the invitation to come along to talk about sustainable schools and area planning. We will come back next week to continue the discussion. I know that the Committee has just had a research briefing about area planning and sustainability.

You have asked us to come to talk about the sustainable schools policy and area planning, and we have given the Committee a background paper. However, it is important that we look at those issues in the context of the Minister's speech of 26 September 2011. As you know, we set in train to that statement a work programme to bring about changes to the way in which we do things and, in particular, how we plan education provision.

Since the announcement, a number of things have happened. The special educational needs (SEN) and inclusion review reports have been made available, and they have been the subject of some dialogue and debate over the past week or so. Progress on the early years strategy has been reported, with changes to the preschool admission process in train. The entitlement framework commencement orders have been signed. That has triggered the entitlement framework for 2013 on a phased basis.

The minimum number of courses for Key Stage 4 is set at 18, rising to 21 in 2014 and 24 in 2015. Similarly, for post-16, the number has been set at 21 in 2013, 24 in 2014 and 27 in 2015. The rule that, at Key Stage 4, at least one third of courses must be applied and one third general has also commenced, and the definitions of "general" and "applied" have also been reviewed. We have issued terms of reference for the review of the common funding scheme, the viability audit and the area planning exercise. As of the past day or so, we have received the first element of the viability audits.

A key issue for the Department is to ensure quality education for all pupils. That can be achieved only through a network of viable and sustainable schools. It is also essential, given the challenging financial climate, that we remove the inefficiencies in the system and maximise the impact of the still considerable resources available to us. The Minister is determined, therefore, to keep up the momentum on his programme for change and is very keen that as much progress as possible is made. Within that, he is particularly focused on the need to fully implement the sustainable schools policy through the process of area planning that we have now set in train.

The reason for accelerating the pace of implementation of the sustainable schools policy is to ensure that we are delivering high-quality education in schools that are educationally and financially viable. The sustainable schools policy provides a framework for early consideration of emerging problems and possible remedial action to address the issues. It identifies six criteria to be considered in assessing a school's viability: the quality of the education experience; the stability of enrolment trends; the stability of the financial position; strong leadership and management; accessibility; and strong links with the community. However, the provision of a quality education must be the overriding policy consideration. The criteria provide a framework for early identification of emerging problems in schools and possible remedial action before enrolments have fallen to an irreversible level and rationalisation is the only option left. They are not intended to be applied in mechanistic fashion to close schools. The criteria are not weighted, but are applied to schools in a proportionate manner, depending on the local context.

However, we must be realistic and recognise that there are schools in the system that are clearly failing to deliver the quality of education that we wish to see and are increasingly an unacceptable drain on the limited resources available. Too often, emerging problems in schools have led to enrolments falling to an irreversible level, and closure is, as I have said, left as the only option.

The sustainable schools policy adopts the enrolment thresholds recommended in the Bain report. Those are: 105 and 140 for rural and urban primary schools respectively; 500 for post-primary schools, excluding sixth forms; and 100 for sixth forms. Those thresholds apply to grant-aided schools in all sectors. Belfast and Derry City Council areas are considered to be urban and all other areas rural. A key point to note is that these are minima, and not necessarily optimal, levels.

The sustainable schools policy sets the policy context, and area planning is the process through which that policy will be implemented to ensure that we end up with the right schools in the right places in the future. As you know, that process will be formally taken forward by the Education and Skills Authority (ESA) when it is established but, in the interim, boards will take forward the work of delivering the area plans, working in close conjunction with the Council for Catholic Maintained Schools (CCMS) and with all the other school sectors and interests.

The Department set in train the work on the viability audit following the Minister's statement in September. As I have said, that process is coming to a conclusion. Subsequently, we agreed terms of reference for area planning, and that is now being carried forward and has been initiated by the boards and CCMS. The terms of reference set in train area planning, and now that the viability audit is complete, the Department intends to set up appropriate co-ordination arrangements for area planning to provide strategic direction and focus for it and to ensure its smooth transition from the boards and CCMS to ESA, when ESA comes into being.

It is important that we adopt a common approach to area planning across all the organisations. That will ensure that the sustainable schools policy is applied with consistency and that the process is transferred to ESA. However, it is important to note that although there will be a common approach, that does not always mean that uniform solutions will be applied across the North to common problems. It is also important that all school sectors have an equal opportunity to engage in the area

planning process. Although they do not have a statutory duty, they have extensive experience and knowledge to bring to the process.

The Department has been working on further guidance to supplement the terms of reference, and that will go out any day. It is important that we want to develop that process, in partnership with the boards, CCMS and all school sectors. It is a new process, and it is important that we draw on the experience that exists. Equally, it is important that the Department provides advice and support to ensure that, at each stage of the process, the sustainable schools policy remains the focus. That is about engagement across the education system.

The process is about pupils and their needs. It is about getting it right, so it cannot simply be about getting it done. It is not a box-ticking exercise. However, getting it right does not mean delaying decisions. It is inevitable that difficult and far-reaching decisions will have to be taken, some perhaps earlier than others, and some schools will not be contributing to the future as perhaps they have done in the past. Indeed, although some may contribute to the future, it may not necessarily be in their current shape or size.

I know that we are due to discuss the viability audit next week, but it is difficult to separate it from the rest of the issues, as it is an integral part of the initial information gathering and assessment of evidence. It is not a separate process, so I have mentioned it briefly.

The Minister wanted to kick-start the process of area planning and to make sure that, from the beginning, the boards, CCMS and all sectors were fully informed by the challenges facing schools and the complexity of the issues. That is why he commissioned the audit. In a sense, it was a stress test to judge what degree of stress is affecting the system. The timescale was extended into January to allow for the revised budget, which was originally notified to schools in a letter that I issued on 25 November last year. That forecast was, of course, bleaker than we originally envisaged. However, as you know, that was then overtaken by events, as the First Minister and deputy First Minister and the Finance Minister, in conjunction with the Education Minister, were able to reach an agreement to provide £120 million of additional funding over the next three years.

When the audits were returned some weeks ago, the Department and the Minister concluded that the material provided did not conform to the terms of reference, particularly in relation to information on the quality of education experience and financial stability. The enrolment element was satisfactory, simply because that was just comparing actual enrolments with the Bain thresholds. The boards were, therefore, asked to re-complete the exercise. I will give you an example of the difference found in meeting the terms of reference. The original returns by the boards identified schools being in financial stress only when they had a projected deficit of more than 50% of their school budget. In the original submissions, therefore, the boards highlighted only 25 schools facing financial stress, whereas, in fact, the material that has arrived over the past 48 hours identifies more than 140 schools that were exceeding the 5% threshold, as set out in the local management of schools (LMS) guidance. I am sure you will agree that any school that is over the 5% of the LMS threshold should be taking remedial action, not just those with a budget deficit of over 50%.

The boards have now completed the first part of the task set out in the Department's most recent letter, and are expected to complete the second part, which is about what action they are going to take for schools facing significant financial stress. That information should be in by next Wednesday. It should also highlight schools that require some form of intervention to protect the interests of pupils. That, I should add, does not always mean closure. There are some schools with issues that need to be addressed, but the reality is that they are in areas where we will need those schools, but they must perform better than they do at the moment. They need fixed. They may need support in leadership and management. They may need to better manage their budget or to collaborate more with their neighbours. So, it is not necessarily all about closure. It is important that the material that has come from the viability audit is not regarded as simply a mechanism for closure. I will stop there, as I am sure that there are many issues that you want to pick up on.

The Chairperson: Thank you, John. You are right about the line of demarcation between the viability audit and the sustainable schools policy, because one is complementary to the other. They are part and parcel of the same process. I will stay with the issue of the viability audits, because I have

described them as a bureaucratic mess. It seems as though the system cannot have a coherent conversation within its own structures that conveys a message from A to B so that B receives it, understands it and sends information back to A. We get into a war of words, all wrapped up in letters from you and the permanent secretary, who was brought out to write back to the chief executives to give them a dressing down as to what they did or did not do or how they did or did not interpret the terms of reference. All of that goes on within the confines of Rathgael House, which is all very good if you are a civil servant and — no disrespect, because I am not being personal — a bureaucrat. However, when you are a principal sitting in a school with a board of governors that does not know the size of its budget, or whether it will have one at all, how can we expect to instill confidence into a system and then, on the second part, ask principals and boards of governors to engage with us on whether there should be schools in their areas in the future. I will not ask you to comment on that, because it is a political point. The whole process to date, as regards viability audits, has been a shambles.

You have confirmed to us today that 140 schools are beyond the threshold of 5%. I suspect that the Department should know that anyway. We ask how many times the Minister or departmental officials meet chairs or chief executives at accountability meetings. That process should be flagging up, at every stage, the schools that are in difficulty.

In the terms of reference, the Minister says:

"Much work has already been done and there is a wealth of information already in the possession of the Boards and CCMS against which schools may be assessed."

Has that information ever been passed to the Department? I assume that it has been. I am aware of some schools, unfortunately in my constituency, that have gone into a financial abyss. That has not been gradual. It has happened, and it has had a detrimental impact on the education provided to our children.

John, how do we stop this bureaucratic battle? I know that you will probably say that ESA is the answer, but dear help us if it is. Northern Ireland Water was to be the answer to the water issues, and look what happened there. I worry that all that we will do is put all the problems of the five boards and CCMS into one big organisation and, instead of having six big problems, we will have one massive problem. Are we at a stage where the system can work with the people who are delivering education and where we can stop the nonsense of saying that the blame lies with the employing authority or the board of governors? We always seem to be able to find somebody to blame. How do we stop that?

Mr McGrath: There is quite a lot to address there.

The Chairperson: I thought that I would get it all off my chest in the one go.

Mr McGrath: That is ok. I will take bits of it at a time.

As regards clarity about the financial position at school level, we have endeavoured, throughout the budget process, at both the macro and micro levels, to be absolutely clear. That was the point of the letter in November. Once decisions were taken on the budget for the next three years, we were brutally clear. The fact that it was stark news for many schools was unfortunate, but no one could be under any illusion about the clarity that we were providing. Members will have had a flavour of the impact of that. We were saying that the schools needed to deal with the consequences of that.

The fact that, through the political process, some relief was provided to the numbers meant that we had to update the information for schools on the aggregated schools budget (ASB) figure, particularly in year 4, and the individual age-weighted pupil unit (AWPU) figure. Again, we have been working on the basis of being totally open and transparent so that, at school level, boards of governors and principals know exactly where they are going. We can then ask them to deal with the consequences of that and to identify whether they are in difficulties and, if so, how they are going to get out of them. That information, which is coming in through the viability audit, is live. You would agree with that. We have been very clear about that.

We have spent a lot of time in recent months engaging as much as possible at school level. We have had a lot of dialogue with groups of principals at post-primary and primary levels, and over the past three weeks, we have run 10 or 11 seminars for governors across the piece. We have been north, south, east and west to meet governors who took a lot of their own time to come out on some wet and miserable nights. I pay tribute to them for doing that. We were very open and clear about the financial implications, why they were facing difficult decisions, what they had to face and what all the issues of the day were. The quality of the debate in those seminars was very good, and the quality of dialogue and intelligence that we gained was also very good. We have endeavoured to be absolutely clear.

As regards the viability audit, what we received was not complete. I do not want to get into the whys and wherefores of that because I do not understand them. There was absolute clarity since the work began in October. There was co-ordination among the five boards, CCMS and the Department. Lorraine can say something more about that. A series of meetings was held to work out a consistency of approach. A considerable amount of effort went into that. I do not understand why that was not reflected in the first returns, but we received the subsequent returns on Monday and yesterday. They are complete — it is 7,000 pages of material — which, essentially, means that most of the information was ready a week or two ago. It has been quickly turned around. It has not been extracted in the past week or two; it was there.

I cannot comment on why people did not see fit to put that in a form that was sent by the Minister originally. That is a question that you may ask of others. We have received the information. We have only just received it, so I cannot say an awful lot about the detail. It does what it says on the tin as regards what they were asked to say. It is the start of a process. It gives a sense of taking the temperature of the system and seeing whether bits of it are running a temperature and what remedial actions are needed. We will follow up on that. What we have is a good start in the enterprise in which we are engaged.

The Chairperson: I have a copy of an audit from a school in front of me. For the life of me, I cannot understand — and this is probably me being supportive of the Department on this occasion, which is perhaps a new thing.

Mr McGrath: Can I capture this moment?

The Chairperson: You are all right, the session is being reported by Hansard. It is also on TV.

A working group was set up in relation to the work to be carried out, and I assume that a pro forma was agreed by the working group. This piece of paper was based on quality of education, the enrolment trends and the financial position. I would love to know how we got to the position in which the financial viability is set in the context of whether the projected deficit from the three-year plan that was submitted before November 2011, and the revised ASB budget planning figure, was greater than or equal to 50%. I even queried in my school why that figure was being used. Nobody could tell me who determined that 50% was the benchmark.

Mr McGrath: The material that we now have, the material that we sought, and the approach taken by the working group, which Lorraine sat on, defined financial stress as being over 5%. The group wisely said that that could cover a fair degree of stress, and so it said that level 1 would be if you were over 50% of your budget, level 2 would be if you were between 25% and 50%, and level 3 would be between 5% and 25%. The stress was calibrated, which was a very sensible approach, and that is the material that we have now.

I do not know why someone, at the heels of the hunt, decided that financial stress would be defined as being only over 50% of a budget. I do not understand it; it flies in the face of reality and the LMS rules. It has the danger of telling certain schools that they are all right if they have a budget deficit as long as it is not over 50%. That is in total breach of all the rules around LMS and the day-to-day rules of financial management, which we have set out and which were particularly rehearsed in a letter that I sent out in November. It is almost going into a world that does not exist. I do not regard it as sensible to give schools a copy of the returns that conveys to them any sort of message that a budget deficit of up to 50% is in any way acceptable. It is not. I do not understand why that happened in the process,

because a lot of good work went into that. We now have the material and have calibrated it, and it has identified that more than 140 schools are, according to our definition, in financial stress.

Our difficulty, as you would know yourself, was that all the messages from schools in November about the budget said that a number of schools were in difficulty. Therefore, getting something in that said that there were a very small number simply did not have any veracity in the real world.

The Chairperson: I am trying to move on slightly with regard to the issue of the link between the audit and sustainable schools. Does the Department see a difference between what it defines as a viable school and a sustainable school? In Northern Ireland, we always get ourselves hung up on terminology. Whatever you call it, or how you describe it, is what it will be in the eyes and minds of people. The Department has done a viability audit. It has a sustainable schools policy. What is the difference between the two?

Mr McGrath: They are all in the same territory, Chair. It may be that had we done it again, we might have called it a sustainability audit. I would liken it to the fact that we are testing whether schools are viable as they sit now. Sustainability is about whether they are viable in the medium to long term. However, you are in the same territory. There will be schools that do not feature in the stress test. They are all right now but issues around the size of their sixth forms or the entitlement framework could mean that they are not sustainable in the long term.

The Chairperson: If you take that to be the case, and if you are saying that they are one and the same thing, we now have a situation whereby six criteria were set out in the sustainable schools policy, one of which was strong links with the community. I assume that an element of that is also how you define a community. Does it mean its own community or the wider community, which includes people from a different community?

If that is the case, and if, as we have seen so many times from the Department, we want to encourage collaboration, working together and shared education, that flies in the face of what the Department is now telling us in the letter that the permanent secretary sent out to schools following on from the viability crisis, which states:

"Within a further seven working days period you are required to submit an associated report detailing what proposals the board has in place, or intends to put in place, to address the position in those schools whose financial deficit is or will be greater than the LMS limits."

You are saying, John, that a lot of that information will probably be with you by Wednesday of next week. In the audit that I referred to, all I will say, without naming the school, is that under:

"proposals to address the causes of unviability"

the answer given is "area planning". That is not an answer, because that school sits in one sector, the controlled sector, and has not had a discussion with CCMS, the integrated sector or the voluntary grammars. It was a stand-alone assessment of a school in an isolated area in terms of how it sees its relationship with everybody else.

There are platitudes about working together, and there are good examples of that, but there are not hard discussions with schools — I will correct that: there have been very hard discussions in some places, and some hard agreements have been tentatively reached. In my case — I, again, declare an interest as a member of the board of governors of Ballymoney High — when we put a proposal to the Department about collaboration and sharing, the Department said, "No, sorry, it doesn't fit the overall project, so we are not doing it."

How are the boards going to answer within the seven days to give you any sense of a plan of an idea, to feed into what Lorraine and her team are doing, on where we go with area planning?

Mr McGrath: The point of that was to recognise that the material, when it comes in, will identify that some schools are facing major difficulties. Therefore, there are children in some schools where the quality of the experience is under threat.

I do not think it untoward for the Minister and the Department to ask the responsible authorities what short and long-term plans they have to address that matter. It is not saying that schools should close. We all know that there will be issues in schools and that schools will need to continue in certain areas. However, as it is now, with the leadership and management, it is not cutting the mustard.

The Minister is saying that, in certain cases, we cannot let significant problems in some schools linger if there is clear evidence that something needs to be done to address them. The educational experience of the children is primary here, not the institutional needs of any particular school. We are simply saying that the material that we are just beginning to address identifies that there are issues in some schools about the quality of the educational experience being less than desirable, that enrolment trends are heading southwards in a significant way, and that there are financial difficulties that may not be able to be rescued. Therefore, there is a red light above those schools, and somebody needs to deal with that urgently and let us know their plans. It does not mean that they are going to close a school or that they should not engage to see whether there is scope across other sectors. We are trying to say that letting things sit and working them out in a three-to-five-year horizon is not acceptable in those cases. I am not going to mention any schools by name, but members may know a number that are facing difficulties at the moment.

The Chairperson: I will open the Floor to members in a moment because there are so many issues here. In relation to the comment that you made a few minutes ago, the Department's view is that we already know that we may need schools in certain areas.

Mr McGrath: Yes, in planning terms, you can work out that there is a need.

The Chairperson: I wonder how the Department has come to that conclusion. Is it on the basis of information, the audit, school statistics, or is it on the basis of one lobby that was more successful than another? If you look at what happened in Scotland, which reminds me that the Committee is happy to make the research paper available to the Department because it would be very useful for school planning, a moratorium was put on the closure of rural schools in Scotland, but what is our Department doing? It is closing them as quickly as it can. From 2007 to 2011, 33 controlled schools and 14 maintained schools were closed. I declare an interest as a member of the board of governors of an integrated school and of a controlled school. Controlled schools will take no more hits, because it is a shame and a disgrace that we have had 33 schools closed.

I am up for having the discussion and debate, but, in the interim, controlled schools have been closed. Had they been involved in a collaborative discussion with others, they could have survived, but the Department and the board went ahead and closed them. One is in a very rural, isolated, Protestant community, and they basically tore up the paper and said: "Sorry, it is over". All the processes, papers and criteria that we have are not worth the paper they are written on unless there is going to be an honest debate. We have asked the Minister repeatedly to have that debate, but he has failed. He says that he is going to continue with the development proposals, but I think that that is the wrong decision. I think that a moratorium should be placed, given the fact that there was such urgency in Paul Sweeney's letter and that the information had to be with the Department within seven days. It might sit in the Department for seven years before something happens, but it had to be received within seven days. I am asking the Department again to consider a moratorium on development proposals until discussions have taken place and there is active engagement between the Department and the boards. Let us not hang all our hats on ESA coming because it will not be the panacea for all our ills.

Mr McGrath: It is interesting that the Scots have a moratorium, but each jurisdiction is different. We had to do an exercise and we set the threshold. We have schools that are failing to provide a quality educational experience, and the managing authority — and for controlled schools, it is the education boards — believes that there is no future for those schools and offers proposals, and through a development proposal process those are tested and consulted on, and eventually a ministerial decision is taken. There is nothing wrong with that necessarily. It can be difficult in some communities, but we recognise that, at the end of the day, the quality of the educational experience has to be the fundamental stone on which all this is based.

The Minister would not be willing to agree to a moratorium on development proposals at the minute because, across the piece, there are a number of areas in which managing authorities want to, or may be planning to, bring forward proposals for schools that are facing critical issues and should not linger on for any significant time. However, the area planning process is the right one to address, in the round, the issues that you are rehearsing, Chair. We need to sit down to have a debate about what needs to be provided, what is sustainable and what scope there is for imaginative proposals to deal with some of those issues. There are small schools in urban areas as well. However, the issues in rural areas, such as accessibility, are particular ones and there is a responsibility on the system to try to find imaginative solutions outside the norm, and we are all in favour of that.

Clearly, we also have programmes for work on shared education that can contribute to that in the Programme for Government. That requires thinking outside the box, but it does not necessarily mean that, in each case, there will be a solution that hits all the buttons of the quality of education experience and viability. We are doing work on the costings for the rural White Paper and contributing to it. We have fed into that considerably and will continue to do so, to strike a balance between the importance of rural schools to local communities as a community focus and the fundamental purpose of schools, which is to provide a quality educational experience for the pupils who go to them. The balance is very difficult, but one should in no sense compromise on the educational experience.

Mr Craig: Thank you, John. I am not going to help you on this one and you are not going to thank me. The Chair has hit on a very serious issue: how we look at our school stock and how we assess and readdress the issues in those schools. The figure of 33 will rise sharply if the Minister makes the decision that I think he will make on some of the schools that he has been looking at.

The experience out there — what is actually happening — is dramatically opposite to what you have stated ought to be done. I agree that pupils' needs should come first. However, why have we allowed major schools to remain in a failing situation for long periods of time — in some cases, decades — and watched the slow decline of those schools? No one — boards, the Department or anyone — has intervened in the situation. We are not talking about demographics here, because those do not explain the decline. I look around the greater Belfast area, and I can identify quickly at least a dozen major schools that are in that situation, and it has developed over a long period of time without any intervention. The only intervention that the boards and the Department is prepared to take is to close the doors. So, there is a major issue — why are we allowing that to happen?

Another thing I want to talk about, John, is the viability audit. I found it interesting and almost amusing to be handed an iPad on Sunday by my brother-in-law. He was looking at a website that showed the results of the viability audit, allegedly released under a freedom of information (FOI) request. I have no idea whether that is right, wrong or indifferent: that is what the website stated. I read through the results with a level of bemusement. I thought: no matter what the Freedom of Information Act 2000 says, this Committee should have seen those figures before they were released to the general public. Perhaps you can tell us whether it is right. It is out there, anyway.

I have huge concerns about the part of the viability audit that is concerned with the financial position of a school. How accurate is that? Is it based on an old financial position or a new one? It is a loaded question, John. You know that I sit on a board of governors; I have declared it many times. As chair of that school's board of governors, I checked out the information. The school was handed the new revised financial figures only last Friday. Its senior management team is, quite literally, doing its three-year plan to hand it back to the Department, and that will dramatically change the school's financial situation. There are hundreds of schools in the same position. I offer a word of caution about the accuracy of the financial viability information at this point. I have no doubt that, within a number of weeks, you will get a much more accurate picture of that.

I have another real concern. I have attended two or three meetings of a project in Lisburn that aims to tackle educational underachievement. One thing that has jumped out at me is that our schools may not hold the information required to tackle underachievement. I had a very interesting meeting with representatives of our local technical college, which has created a project to clearly identify not only the educational profile of its students but their financial background and that of their families. That has created some incredibly alarming but accurate statistics. The college has agreed to work with some local secondary schools to help them to implement such a system. The board of governors on which I

sit does not hold statistics relating to the financial backgrounds of our students. However, we all know that deprivation, whether it concerns individuals or affects family backgrounds, leads to underachievement issues in our education system. As it sits, the education system does not seem to track that information. Perhaps that is something to go away and think about.

Mr McGrath: Obviously, I do not know anything about the information that you are talking about. I will go through the issues that you have raised. The current and previous Ministers put standards at the top of their agendas. You might say that standards in the education system and issues of underachievement should be at the top of the agenda all the time, but that was not the pattern for education in the North. John O'Dowd has put standards up, and Caitríona Ruane brought in 'Every School a Good School' (ESAGS). We have had a much more rigorous regime over the past three or four years than hitherto. My own view is that there has been a degree of complacency in the education system over time that it was OK to have underperformance and underachievement by kids.

You are right: in certain communities, poverty of aspiration leads to poverty of achievement, which triggers further poverty of aspiration. That was regarded as being all right. In some cases, the view might have been that it was to be expected of children from certain areas. We have borne down on that significantly over the past couple of years. The ESAGS procedures on formal intervention have taken a starker and more rigorous approach. Previously, when schools were in difficulty, we gave them money but did not bear down on their performance. Therefore, it actually became perverse incentive, because if they got any better, they lost money, and that was no way to deal with the matter. We have made formal interventions in 32 schools in two years, which is quite a lot when you think about it as a proportion of inspections. There is no reason to assume that the cohort looked at was bad or good. It is, on average, 16 a year, which suggests that there are significant issues about performance. The information that came out of the chief inspector's report about the deficiencies in leadership, management, literacy, numeracy and self-evaluation is quite stark. We rehearsed all these issues at the governors' seminars recently. To be honest, I was a bit surprised that some of the stark information washed over people's heads. There is a failure of leadership in one in four post-primary schools. At one of the seminars last week, I said that if there were four schools in attendance, on average, one of them would have failures of leadership.

There is a difficulty about people grasping the figures and working out what they mean. If one third of primary schools have issues with quality of teaching, then that is 300 schools, which is quite significant. In our view, there has been a bit of complacency in the past. At times, there has been a reluctance to grasp issues rigorously, as opposed to giving schools another chance. In the past few years, we have had to be fairly bullish with some boards and authorities. Going round the hoops again in the hope that a school will rescue itself is not serving the children in any way. We have rehearsed it around this table, and people understand that it has been difficult for some authorities to muster up issues on dealing with schools or perhaps closing them in certain communities because they would not get political support. In certain areas, no progress was made in tackling underachievement until recently, which meant that generations of kids went through some schools and were not served at all.

We want to be more rigorous about underachievement. We are tackling those schools that come out of inspections beneath the line. We are looking at ratcheting that up because there may be schools that are coasting and could do better. That is why we wanted the information and viability audit. The original presentation was that a school was OK if more than 40% of its students achieved five good GCSEs in three of the past four years. However, if you look at the detailed information and a school is at, say, 41%, 41% and 41% over three years, that school is not progressing. It is not going up, and we need to be more challenging. I fully support the points that you made in that regard.

We have not put any viability audit information on the net yet. Whatever you saw, we did not put it there. Once we validate what has come in, it will be made available fully, openly and transparently. We have not put any information on the internet, because the first returns that we received were deficient, and we asked for an update. That came in on Monday night. It is 7,000-odd pages of detail, but it will be fully transparent.

Mr Craig: So, just to clarify, John, you have not released anything under a freedom of information request? That is clearly what was being said on the site.

Mr McGrath: No.

Mr Craig: I will find out what the website was and I will pass that —

Mr McGrath: Absolutely. The answer to any requests that we get for information will be that we are just about to publish the information, so, there is no point in it being given. That is our point; the Minister said that we will be very transparent about this.

As for the point that you made about not holding information, boards of governors should have enough information. It is a point that we have been rehearsing in all the seminars. We have been referring to the information that they get. We have been showing them the scattergrams that show the level of performance for any school in any subject linked to socio-economic conditions and free school meal entitlement levels. You will have seen the material. For any socio-economic group, there are schools that perform very well and those that perform very badly. If you are serving a disadvantaged area, it does not mean that you cannot do better, unless you are actually at the top. We have asked people in some of the seminars whether the information looks familiar, whether they know where they are in the scattergram and whether they are one of the good ones. I have had a mixed response. Boards of governors have a responsibility to test how their school is performing against others and how departments are performing against others in the school. If the results are bad in geography, and the same cohort of kids is doing better in all the other subjects, there are issues there. Boards of governors must also test and critically challenge principals. If there is further information that the Department and the boards need to make available, we will do that. One of the messages that we take back from those seminars is to provide more help, support and guidance for governors, because they face difficult decisions over the next few years.

The Chairperson: May I comment on the viability audit, John? I am very concerned about the results being made public. I think that it will add to a very difficult situation, and I suspect that it will not instill confidence in the system. Some schools will be looking over their shoulders at others, and the information will be used by some schools to determine how they can protect themselves against what is coming down the road, or how they can benchmark themselves to be better than their neighbours. This is my personal view. I do not say that it is the Committee's view. Until we make a decision about where we want to take the process, it is unwise to have the viability audit in the public domain. However, the Minister has made a decision.

Mr McGrath: I take your point, but if someone has asked for information under FOI, I am challenged to find reasons for not releasing it. It is best to be transparent from the start.

The Chairperson: It is the context. All the information is out there. It is not just about one school; it is about every school, and people will look and say, as they do: "That school is fine, but not this one." As soon as that happens, it is like snow off the proverbial ditch. It has consequences. However, that decision has been taken. I think it is the wrong decision.

Mrs Dobson: John, do you anticipate an increase in the demand for, and the cost of, school transport? If schools close, pupils will have to travel further to get to school. Do you plan to carry out the suggestion of the performance and efficiency delivery unit (PEDU) stage 2 report, which is to narrow the eligibility for home-to-school transport as way of reducing the cost of transport to the Department? I know that it would be very unpopular with parents and pupils.

Mr McGrath: Clearly, any change to the pattern of school provision will have transport implications and affect eligibility. For people who are eligible for help with home-to-school transport, there will be implications if there are changes in provision. That will have to be fed in and taken into account in the economic evaluation of changes.

As to eligibility, that suggestion in the PEDU report lay outside its terms of reference. The report was about the efficiency of the system as it operates. The Minister has not taken a view on that at present.

Mrs Dobson: When will we know the view on that? It is very worrying that that suggestion may be adopted.

Mr McGrath: No decision is imminent. The issue is not being looked at actively. Eligibility for transport is a major issue, and changing it will be looked at only in the context of what changes to the pattern of provision there will be. Arguably, it will be something that we might look at when we know how we will change the pattern of provision, not independently of it.

A motion on transport was debated in the Assembly, and the Minister said that he would consider a review of transport policy. He is still looking at that as a possibility. Once that review has taken place, and in the light of it, he may or may not make decisions about eligibility. Nothing is urgently coming down the tracks on that. However, you are quite right: we may need to keep a close eye on the link between transport eligibility and changes in the pattern of provision. Certainly, we would not review them in two separate strands.

Mrs Dobson: If the schools are to deliver the entitlement framework fully, that would involve a considerable number of pupils being transported to and from schools during the day, with the cost coming out of the school budget. Costs are likely to increase, as schools link with others further away because of closures. That is another worry that I hear.

Mr McGrath: We made it clear in the Minister's statement that the sustainable schools policy envisages that kids should spend 80% of their time in their host school. Therefore, for the children's benefit, we want to get to the position at which they spend most of their time in their host school rather than being transported around two or three other schools. That is not the right way to provide sixth-form education, never mind the transport costs. The drive should be towards bigger schools, so that kids spend more of their time in their host school and go further only for specialist subjects or to further education (FE) rather than —

Mrs Dobson: Sometimes, they will have to go further. If schools close, they will have to —

Mr McGrath: Perhaps. They may well not, but you are talking about kids moving around different schools in order to deliver the entitlement framework. We do not think that it is a good idea for kids to do an awful lot of travelling around two or three different schools to —

Mrs Dobson: Surely, that will be a reality; they will have to do it to meet the entitlement framework.

Mr McGrath: That is the point that I am making: we have perhaps over-engineered the approach to collaboration. Collaboration is simply a means to an end. The sustainable schools policy envisages that kids, in the main, should spend 80% of their time in their main school. We are talking about getting more schools able to deliver the vast majority of the entitlement framework rather than having Heath Robinson constructions, in which kids travel around towns, spend time and money travelling and spend more time outside the classroom. That is not the way to deliver post-primary education of quality and coherence. In certain circumstances, the population and demographics will mean that there needs to be co-operation between schools, such as the type that the Chair was talking about in Ballymoney. In the round, however, the majority of schools need to be big enough to deliver the bulk of the entitlement framework.

Mrs Dobson: With school budgets falling and costs rising, it will not be feasible for them to deliver transport for children across the areas. That is what I am hearing.

Mr McGrath: No. One of the drives is likely to be that, where there is an adequate population, post-primary schools will have to be bigger.

Mrs Dobson: Young teachers — I am sure that we all have examples of this — are saying to me that they are very concerned that if their schools are closed by the Department, they could be labelled as coming from an unviable school and that that will stay on their CVs for the rest of their working career in education. Are you concerned that this may hamper them when they apply for jobs in the future? From what I have heard, it is a very real concern.

Mr McGrath: I had not thought about that. I would have thought that teachers should be judged on their skills and experience. Some schools may survive longer than they should because of the efforts

of their teachers in fighting almost the impossible. There are small schools at the minute that are performing ridiculously well given their circumstances simply because of the heroic efforts of their teachers. If a school has to close because it is not viable, that does not imply poor performance by the teachers. Equally, it does not mean that there are not clear issues of teaching quality and leadership that led to a school closing. There may well be some issues in that regard. That could well be the reality.

Mrs Dobson: This is a big issue. I am organising a major fundraising event in my constituency tomorrow night. Young teachers have said that they are concerned that this will live with them. They are working extremely hard in their school, but if they are seen as coming from a school that is unviable, it will be on their CV. It would be good to see some reassurance from the Department and the Minister's schools audit that this will not adversely affect the careers of our young teachers.

Mr McGrath: I hope that it will not. Decisions about the employment of teachers are made at local level by boards of governors. I will take away —

Mrs Dobson: Do you appreciate the concerns —

Mr McGrath: I take the point, and I will consider whether any extant guidance covers it. When people are deciding to interview teachers for posts, we need to make sure that this sort of stigmatisation is not evident. I believe that a responsible board of governors would work on the basis of the skills and experience that the teacher had demonstrated. As I have said, a school could be unviable for reasons that have nothing to do with teaching quality.

Mrs Dobson: Just to make you aware: that is a real concern for young teachers.

Mr McGrath: It could be. Equally, if I was a young teacher in an unviable school, I would be concerned that, if I were to stay there, I would not get the scope for professional development, support, benchmarking and peer review that I would get in a bigger school.

Mrs Dobson: Then, when a young teacher applies for the next job, it is on their CV that they have —

Mr McGrath: It could be, but what I am saying is that I imagine that a newly qualified teacher would be keen to be in a bigger, viable school where they would get the professional enrichment that is perhaps not as easily available in a small school that might face viability issues.

Mrs Dobson: I think that, in some instances, teachers are glad to get jobs where they can.

Mr Nesbitt: Lorraine, Diarmuid and John, you are all very welcome. Earlier, we discussed joined-up government, and an example was given of where the Department of Education and the Health Department were not so much overlapping, but were standing back, creating a chasm that some pupils were falling into. So I am interested in your views on the extent to which the viability audit will turn out to demonstrate joined-up government.

When I think of an audit, I think of characteristics such as inclusive, universal, complete, standardised, discrete — certainly not something that can be compromised by another process. Yet it seems that this audit is not the only show in town, because the Minister appears to be working, through the North/South Ministerial Council (NSMC), and looking at border schools. What do you know about that and what is your input into that alternative process?

Mr McGrath: First, the viability audit is simply one part of a mosaic at the minute. The area planning process is the main show in town. For the first time, we are beginning to strategically plan the education estate. The viability audit is simply a starter for that to work out the degree of stress in the system at the minute round the issues of quality, enrolments and finances — and finance has been a sharp relief. You refer to work around the NSMC and a survey. It will look at what scope there is for greater co-operation, or not, on both sides. It may well, in certain cases, be able to contribute solutions to some of the issues that we discussed. They all fit.

Mr Nesbitt: Do they operate to the same criteria?

Mr McGrath: They will. Our criteria for sustainability of schools are set out in the sustainable schools policy. They will remain there. As I said earlier, there may well need to be innovative solutions, particularly with regard to rural schools. By definition, a lot of those will be round the border. If the work that has been —

Mr Nesbitt: Will the North/South Ministerial Council use the same criteria as the Department of Education?

Mr McGrath: The Council is doing a survey. Our input to it will take account of our sustainable schools policy.

Mr Nesbitt: Are you inputting to it at the moment?

Mr McGrath: Not personally, but colleagues of mine are and will work closely with it. No doubt, if the Committee wants further detail on that, we will be happy to provide it.

The Chairperson: Yes.

Mr McGrath: There was a useful discussion last week between the Minister and Minister Quinn, and there is a keenness to get on with this. As I said, there are sharp issues around rural primary schools, particularly in border areas. If there is anything that can contribute to helping us with some of our problems, or vice versa, the least we should do is look at it.

Mr Nesbitt: Yes, but is there any divergence in criteria between here and Dublin?

Mr McGrath: I will let Lorraine touch on that.

Mrs Lorraine Finlay (Department of Education): I do not think that we have got that far in the North/South process. From what I understand, it will survey parents on both sides of the border to see what interest there is in that, and it will take it from there. It is at a very early stage, and I do not think that it has got to the stage of comparing how viable and sustainable schools are in the different areas.

Mr Nesbitt: John, I may be paraphrasing, but you said that there has been a failure to grasp difficult issues. Where, or with whom, does that failure lie?

Mr McGrath: I think you refer to my answer to Jonathan. There have been issues of underachievement. Underachievement on the Shankill was being flagged up when I was working for the Health Department, and we started on the Making Belfast Work project, 20-plus years ago. It was flagged up when Martin McGuinness was the Minister of Education. In some of those communities, particularly Protestant working class ones, it is deep-seated, and, therefore, I do not think that the nettle has been sufficiently grasped. It is everybody's failure and nobody's failure, in a sense. To go into some communities and say, "Your school needs to change. It needs not to be there, or to be rationalised to improve the educational experience" can provoke a very defensive reaction from some communities that want to defend it, and that was not challenged.

Where the problem was not addressed, some schools withered on the vine and died a very slow, horrible death. You may remember what happened in Belfast to Mount Gilbert Community College and Castle High School. The failure to deal with them and to make those schools perform as good schools did not serve the children, nor did it serve the communities. That is more of an urban characteristic. There are still some schools in which issues have just not been tackled and the standards issue has not been sufficiently addressed; Jonathan Craig referred to examples in his constituency.

In the past, I suspect, the conversations with the communities involved did not address standards, but were simply about the possibility of closing the school. There was no debate about whether the school was serving the children well or that it needed to improve, move, or be rationalised.

Let us look at primary provision in south Belfast, on the Donegall Road and in Sandy Row. There are three half-empty primary schools, which, over time, have not performed well at all and did not serve the

community particularly well. It has taken a long time to get community and political support to close those three schools and to replace them with one brand new school to the right standard. It took a long time to do that in a community that was particularly disadvantaged. I do not blame anyone for the community resistance that existed; the community perceived that its local schools were being taken away. That community is divided within itself; it has geographical divisions and is not a homogenous community. It took a long time, until the past year or two, all of a sudden, to reach a proposition and to find a site. The kids who went through that were not well served at all.

Mr McDevitt: It all sounds very rational. You move to area planning, and we have a conversation from the grass roots up. The Chair talked about that at length. It builds on the opportunity for communities to continue to feel well served by schools in a sustainable way, but then this viability audit is dropped into the middle of things. You are going to publish the outcome of the viability audit. How, then, are you going to stop a run on schools?

Mr McGrath: That would be difficult. We rehearsed that issue before Christmas when Jo-Anne asked some of the same questions. We are not publishing anything that is not factual. It is factual information. If there is a run on schools, it would suggest that the information would be new to some people, particularly if they were considering whether their kids should join a particular school in September. There is nothing that is new. If it is more transparent and is of such weight that people would change their minds about where they are going to send their children, is that necessarily wrong?

Mr McDevitt: Can I stop you there? It will be new data, because it is all about the question that you ask. It is ultimately a statistical process, which, as far as I can see, is financially driven. Even though three criteria apply, the only criterion that is in written documentation, or is on the record, with this Committee or in the Chamber, or at ministerial or official level, that keeps being accentuated, is financial viability. It appears to me to be the principal criterion in all this.

Mr McGrath: It is not.

Mr McDevitt: Well, I am glad to hear that, but that is the perception.

Mr McGrath: No, it is not. It is only a short relief, because the hiccup over the past few weeks was most stark around the change to the definition of financial stress. The quality of the educational experience is just as important.

Mr McDevitt: That perception is present. We all need to acknowledge that. The data that you will receive back show a snapshot in time. They tell you how potentially viable a school is today, right here, right now. By your own admission, that data do not necessarily indicate how sustainable a school could be in the future. You said as much earlier on.

A few colleagues have put this probably more eloquently than I could. We will get a list of schools that, right here and right now, according to the criteria that are set out in the viability audit, which are only part of the criteria that you will apply in area-based planning and the sustainable schools policy, will fall foul of those and will be, in your own words, red-lighted. The consequence of the schools becoming red-lighted will be that the market — parents, by and large — will identify them as being vulnerable. As soon as they are identified as being vulnerable, to a set of criteria that are not the complete set of criteria that you want to build area planning around, you are saying that there could be a run on them. It is not fair to say that what will come out of the viability audit will be what the dogs on the street know. It could be that schools emerge vulnerable in the viability audit even though they are actually quite sustainable in the long run.

Mr McGrath: Absolutely. We have made that point consistently in all this.

Mr McDevitt: So how are you going to stop the run on a potentially good school?

Mr McGrath: The point is that we have criteria around sustainability. Parents choose schools on their own choice. Parents will look at information about the quality of educational experience in a school. That is the factual experience and the results of a school in recent years, which is a key criterion. If

they decide that it is not as good as they thought that it was and they want to send their daughter or son elsewhere, they can do that now.

Mr McDevitt: Except, John, that it could be the school that they thought that it was and that it is just failing a snapshot-in-time test and a set of, basically, subjective criteria. They have turned out to be pretty subjective.

Mr McGrath: The educational experience in post primary is about results over four years. It is not a snapshot. It is not —

Mr McDevitt: The financial situation —

Mr McGrath: Yes, but I am saying that the educational experience —

Mr McDevitt: It could be red-lighted because of a financial issue in this year or the next two years that does not reflect the underlying academic or educational sustainability of the school.

Mr McGrath: I would expect parents to take a more fundamental look. On that basis, if we put a school into formal intervention, you could say that it may automatically lead to a run on that school. If a more rigorous and transparent approach is taken, there is an issue of simple openness to people, parents and communities who will use schools. They are the people whom we are here to serve and their kids. Cloaking issues is not a good idea.

Mr McDevitt: You told us today that 140 schools exceed the 5%.

Mr McGrath: Yes.

Mr McDevitt: Will those all be red-lighted?

Mr McGrath: Technically, they are red-lighted in the material because —

Mr McDevitt: OK. Let me draw on that scenario. You made a very good point. If a school is put into intervention, I would suspect that community confidence in that school might be slightly damaged. However, that is a tiny number of schools out of the whole school population. If you red-light 140 schools, you are not putting one or two into intervention; that is a school in nearly every community, if you look at post primary, for argument's sake. You are creating a whole different dynamic. We have come through a period in these islands in which we have learned the hard way the implications of putting information out there in the wrong type of way and how that can affect markets. We all remember what happened in our banking and financial services system. Some good banks and good building societies had a run on them as a result of what happened in one bad building society that became a bank. I raise that because the implications have not been thought through.

You keep talking about size. I appreciate that you believe that size matters. You keep talking about a bigger school. What evidence can you provide that shows that a bigger school always has higher standards?

Mr McGrath: I have not said that big schools automatically have higher standards. I actually said —

Mr McDevitt: You said that big schools are better.

Mr McGrath: No, I have not. A few minutes ago, I said that we have some stunning examples of small schools that, based on their size, should be struggling. I know of a small rural primary school — I will not name it — that, last year, achieved an outstanding report from the inspectorate. In the circumstances, that was nearly impossible. It got it because of the dedication of a very small teaching workforce. The issue in that regard is whether, when those people move on, the next small set of teachers will be dedicated enough to keep that.

Mr McDevitt: So you would red-light that school?

Mr McGrath: No. I am just raising the issue.

Mr McDevitt: Here is a scenario where that could be very easily red-lighted, according to your criteria —

Mr McGrath: I am not saying that big is good, small is bad. I am simply making the point that the issues around post primary and the finances, and the quality standards we are setting round the entitlement framework, because it is not just about numbers, suggests that, to be educationally and financially viable, the real threshold will be higher than it is under Bain. Schools may well be bigger where there is the population. It does not mean that we will not have a pattern where there are small schools, moderate sized schools and not too large schools, but they will have a bigger challenge in meeting the entitlement framework and delivering equality, as Jo-Anne was talking about. That is where the innovation will have to come in. I imagine that, over time, schools in a lot of urban areas will end up becoming bigger, and there will be fewer of them.

Mr McDevitt: I will leave it at that for now, Chair, but I share colleagues' concerns. I am not against the idea of us doing this. I am supportive of the idea of area-based planning, but, regardless of whether it is an intended or unintended consequence, the viability audit has totally changed the dynamics around which the debate is now going to take place, and I do not think it is a change for the better.

Mr Craig: I have a point of information regarding Conall's comments about the viability audit and the inspections that are taking place in schools. John, the idea that you can go in for a snapshot in any period and get a true indication of what a school is, is open to question. I have had a blazing row with the inspection regime because it put a school into intervention purely because it did not have a head of maths department. The school was in the process of recruiting for that position, when the inspector intervened to do his inspection. However, the school was put into intervention on that issue, and the inspector said that there was inadequate management, because the position was not filled. That has an unforeseen consequence for the school, which should not have happened.

The other thing I discovered is that there is absolutely no appeals mechanism in our inspection system. You will find universal condemnation of our inspection system across the education establishment in Northern Ireland, purely because things like that happen, and people are not allowed, or, in some cases, are afraid, to say anything, because of the rigidity of the system. It has unforeseen consequences for the school. Trevor and I have had it two or three times in our constituency, and it has had consequences for those schools. The idea of publishing all this, regardless of whether you like it, I like it or any of us dislike it, will have consequences for the schools that end up being named.

Mr McGrath: I do not necessarily accept that the inspection or the inspectorate is the subject of universal condemnation.

Mr Craig: You may not; talk privately to the heads.

Mr McGrath: The inspection process is independent, and it is at the core of our work around standards in driving that up. Inspections are carried out in a very professional and dedicated way by the inspectorate, which is a fairly transparent operation. It has a difficult role at times. I might say it is too forgiving, rather than severe, of certain issues in schools at times, but I think inspections are a fundamental part of our system. We are well served by the inspection process and by the inspectorate. Thirty-two schools were put in formal intervention in the past couple of years, but a number of schools were rated well or as being outstanding and, rightly, took pride in that. We run receptions for the schools that are high achievers and the exemplars for other schools. Some elements of the role of the person who goes in and finds fault are unpalatable.

You are not going to be popular.

Mr Craig: The interesting thing is that the criticism is coming from retired principals of other schools who never failed an inspection. Those who have received bad reports are too afraid to open their mouth.

Mr McGrath: We will agree to disagree on that one.

The Chairperson: On the point of the inspector, it raises an issue. What is the Department's attitude to the refusal of the Irish National Teachers' Organisation (INTO) to allow inspectors into schools? I understand that there is a stand-off between the union, the principals and the Department on that issue. There is a war going on out there. We got reports back today about the strike. I suspect that there are more strikes pending, and the issue of the inspectorate is beginning to raise its head again. Maybe not today, but can you give us an update on the position? I have asked the Minister to clarify the legal position, because there is a worry about what is going on.

Mr McGrath: There is industrial action short of strike from INTO and the Ulster Teachers' Union (UTU). It is not just around inspection; it is also around directed time and assessment. The Minister has made it clear that he is very unhappy about the two elements, particularly around assessment and inspection, because they are likely to have an impact on children. He made that point abundantly clear and is hopeful that the unions involved will reconsider their position.

The Chairperson: He should have put a stop to the redundancy packages until he got an agreement.

Mr McGrath: I do not think that that is necessarily —

The Chairperson: I noticed that the unions were very good at coming out quickly when they got a very good financial package. However, we still have a situation where, in my view, they are in breach of contract in relation to what they are asking. They are putting staff in a very difficult position. It is not a good way to be running our schools.

Mr McGrath: No, it is not a good place. The redundancy package is to help schools reduce their workforce and balance their books. That is its primary purpose; it is not to help teachers individually. The Minister has made it clear that he is not happy with the situation. It is putting some of our inspectors in a difficult position, because the Minister is maintaining the inspection programme. So it is making life difficult for some people who have been asked to go through potentially difficult situations in some circumstances, and we are all trying to work to ensure that that is manageable. However, the Minister is not happy about it, and he has made that very clear. He is hopeful that they will reconsider their position, given that the issues causing angst are, essentially, national rather than local.

Mr Lunn: John, I would have supported the notion of the viability audit, as you probably remember. I was quite happy about it, even though it is a snapshot. I have no particular problem with snapshots as long as they are recognised as a snapshot. However, when you answered Conall's question about whether you anticipated a run on schools as a result of the information being published, you said that, absolutely, it was almost inevitable.

Mr McGrath: I do not think that I said that.

Mr Lunn: We can look at the Hansard report sometime. I think that you agreed with him that there would probably be a run on schools.

Mr McGrath: I think I said that there could be. On a point of clarification, I think there could be, but, equally, there might not be.

Mr Lunn: I wonder how the information arising from the viability audit is going to be couched when it is put on the website. Will it be stark? You mentioned that it will be factual information. I hope that it is not going to be a score. As regards the criteria relating to the quality educational experience, can that be strictly factual information? Would there not be a subjective element to that?

Mr McGrath: What is in the audit is factual information. It is about performance and delivering, for example, five good GCSEs, including in English and maths, and what percentage the school has delivered over the past four years.

Mr Lunn: It is information that is already available.

Mr McGrath: It should be. You are not telling anything that any perceptive parent might not want to test anyway in judging where to send their children. Forgive me, but I find it ironic that the ambition is to be open, transparent and absolutely honest — and I understand the points being made — but the alternative, whereby we do not publish any of that, would get us into conspiracy theory. Because it is factual information, I would be really challenged to work out on what basis one could refuse an FOI request to release it. Releasing it simply to people who make an FOI request is going to end up the worst of all worlds.

Mr Lunn: I am not saying that you should not publish it; I just wonder about the result. That information is supposed to feed into the wider Sustainable Schools policy and the area-based planning consultation.

Mr McGrath: Which it will.

Mr Lunn: Yes, but, in the meantime, it will perhaps have had a dramatic effect on certain schools.

Mr McGrath: It may or may not, but the reality is that, for a start, since November, we have been inundated with letters from schools about the budget we were allocated. I am sure that members have seen some of the letters we got. A lot of that stuff has been made public, so schools and a lot of people have been saying, as is their right, that they are facing challenging times. Nothing in the viability audit itself changes the fact that, if a school is in significant financial difficulties, it will be having a conversation with its funding authority about what it is going to do to balance its budget. The audit does not create the financial or educational difficulties for schools; it simply documents them in a comprehensive way as an audit. The stresses that are evident are ongoing at the moment, and schools are having to face difficult issues. I do not think you are going to get runs on every school. If somebody works out that a major school that delivers good outcomes is facing some financial difficulties, I am not sure that every parent is going to say, "That school is obviously going to go and we will therefore not send our kids there."

Mr Lunn: I hope that they will not, but I also think that there is a danger that, in some situations, parents may take that action without waiting for the longer-term input from the area-based planning strategy and the Sustainable Schools policy. They may decide to up sticks and take their children out of certain schools without waiting to see what combination of schools might perhaps result from the area-based planning.

Mr McGrath: That is true, but area-based planning is a strategic process. In certain cases, the realignment might post-date a child's post-primary experience. In some areas, it could be five or 10 years before you would re-engineer significantly. Parents still have to make their judgements, particularly at post-primary level, about where they are going to send their children for the next seven years. Are we satisfied that that is the most fully informed process in the first place and that this is doing damage to it, or is this, arguably, helping them to have a more comprehensive approach to information? Remember that, leading up to this, a lot of the information and stress issues were rehearsed in the newspapers. 'The Irish News' covered a lot of that. OK, the information provided was a year or two out of date, but it was enough to make some parents look at some schools and query their intentions.

Mr Lunn: Will you comment on the situation regarding the Northern Ireland Council for Integrated Education (NICIE) and the integrated movement? The paper, when referring to the viability audit, states:

"In taking forward this work the Boards and CCMS must ensure that their assessment reflects ... and takes due regard of commitments outlined in the Good Friday Agreement and subsequent legislation in relation to Integrated and Irish medium provision."

What does that actually mean?

Mr McGrath: Which terms of reference are you reading from, Trevor?

Mr Lunn: 'Putting Pupils First: Shaping Our Future'.

Mr McGrath: It is making the point that, in any work we do on area planning and future provision, we must take account of whatever requirements we have from the Good Friday Agreement, particularly the duties we have around integrated and Irish-medium provision.

Mr Lunn: The viability audit is being conducted by the boards and CCMS. I presume that NICIE is some sort of consultee, but it does not exactly have a seat at the table.

Mr McGrath: The board is the statutory funding authority for all of the schools except the voluntary grammar schools and grant-maintained integrated schools, for which the Department is the funding authority. CCMS has a particular statutory role for the maintained sector. NICIE does not have that role, nor does Comhairle na Gaelscolaíochta (CnaG) in respect of Irish-medium education. The funding authority for integrated schools is either the Department or, in some cases, the boards, and the information will be treated in the same way as it is for any other schools.

Mr Lunn: When we eventually come to the consultation process, will NICIE, for instance — I would say the same thing about the Irish-medium body — be treated as a consultee, or will they have a more formal role? Surely the outcome of any area-based planning process may have a big influence on the integrated movement.

Mr McGrath: They will be expected to be fully involved in the area-planning process. We expect the boards to engage with them in the same way as we expect the boards and CCMS to engage with voluntary grammar schools and we expect them to have an input. There will then be consultation on whatever emerges from the area-planning process. No one will be excluded from that.

Mr Lunn: I did not think that the integrated movement would be excluded, but I wondered at what level and to what extent its views would be taken into account. CCMS will have its plans, and the controlled sector will have its plans. The integrated movement could be pivotal in some situations. If area-based planning is going to mean something and be cross-sectoral as well as just within sectors, it is hard to see how the organisation that promotes the cause of shared and integrated education cannot be central to it.

Mr McGrath: Area planning will not just be about adding the controlled sector plans to the maintained sector plans. It is expected to be comprehensive and address cross-sectoral issues, whether that involves the controlled, maintained, integrated or Irish-medium sectors. That is what it is expected to be. I expect that the interests of NICIE, CnaG and the individual schools — the local interests of individual schools will be important — will be fully taken into account. That does not mean that everybody will get what they want. Ultimately, those who have responsibility to plan need to make some judgements that will not always be palatable to everybody.

Mr Lunn: I will take one small example. One of the criteria in both processes is enrolment trends, yet there are a number of integrated schools that are being held back on enrolment. They have capacity beyond what they are —

Mr McGrath: Yes, indeed. That will be an issue. Equally, the Minister's statement made it clear that, in certain cases, there might be scope to allow popular, oversubscribed schools to increase their enrolments, if that contributes to the area plan. That could apply to some integrated schools.

Mr Lunn: That is a good development. I am glad to hear that from the Minister. However, I took that to mean that he would allow schools that are at capacity, whatever sector they are in, to expand, which means adding on extra facilities. I am talking about integrated schools that are not allowed to even reach their full capacity.

Mr McGrath: I know that a number of integrated schools were allowed to establish a ceiling on their numbers. However, that does not mean that, if it comes out of the area planning process that it would be desirable to allow them to increase their numbers, that cannot be revisited. However, it is not just open season for every oversubscribed school. This has to fit the planning process.

Mr Craig: I have a supplementary question that ties in to what Trevor asked about releasing the information and the impact that that would have on the schools. When looking at the information, the question occurred to me: why have we never released the results league for our schools?

Mr McGrath: Sorry, what have we never released?

Mr Craig: The actual exam results each year and the results for the schools — the league table. There were major concerns in the past that that would have had the same impact as what we are talking about here, which is producing a league table for schools. I note, and I will say this with interest, that, under an FOI request, that has been released this year for the first time. What was the rationale behind saying that we should not release a league table of results and then saying that, under the viability audit, we should launch that information into the public domain and to pot with the consequences? What is the difference?

Mr McGrath: I do not think that the previous Minister was keen on league tables per se.

Mr Craig: But we are creating a league table.

The Chairperson: We have created a championship and a league division 1, 2 and 3. That is where we are going to.

Mr Craig: I can understand the previous Minister's concerns around that. I would have huge concerns, but, all of a sudden, we have created almost a secondary league table. The results are there every year and we have refused to publish them, so why the change?

Mr McGrath: It is not a change. This is factual information put together as part of the viability audit. League tables are where you start ranking and saying that this is the top school, and then you have —

Mr Craig: John, that is what we are trying to explain to you. The public and press will do that. We will not, but the press will.

The Chairperson: It was because of Kathryn Torney's FOI request, which went digital and was on the front page of 'The Sunday Times' at the weekend. That gave us all the schools and information. You are saying, John, that the previous Minister did not want to create league tables, the same as the previous Minister did not want to have standardised results across tests and the education system. There is only one reason for that — let us get to the core of the issue and stop hedging around it — and it is that that information may be used by the big, bad grammars, and we do not want them; we want everybody going to all-ability schools. There is that nonsense, John, that you talk about parents being allowed to send their children to the school of their choice. That is not the case — they are being corralled. Even the research paper given to us this morning clearly tells us:

"However parental choice policies can be controversial. Research has shown that better educated and better-off parents are more likely to avail of opportunities for school choice. This may have the effect of widening inequality by increasing the gap between sought-after and other schools."

That flies in the face of what even the Department wants to do. The Department always tells us that you have to go to your local school. It does not matter what sign is across the door, it should be a good school and that is where you should go. That is not what you are telling us now. You are saying, "No, if we publish that information, parents will be able to see which school is a better school and then send their children to that school." It does not add up. I think the point that Jonathan is making is that the previous Minister and current Minister have simply said, "No, we do not want league tables", but we get them under Freedom of Information requests. I suspect the reason why the viability audits will be released is that certain people do want to get their hands dirtied with regard to making decisions about which schools will be closed. That is why we have gone down this road and that is why the audit involves post-primary education and not primary education. The focus has been on post-primary. Where is the biggest need for rationalisation? Some people will say that it is in the primary sector, so why are we not starting with it?

Mr McGrath: Starting in what sense?

The Chairperson: In looking at where this whole process will lead us. The focus has been on post-primary, including in all the statements from the Minister.

Mr McGrath: He simply said that he wants the post-primary planning done before primary planning, but then —

The Chairperson: Yes, why?

Mr McGrath: You are talking about a month or two.

The Chairperson: But, John, why pick the post-primary sector first when we have hundreds of primary schools? The greater percentage of schools that need rationalisation is in the primary sector, but we are not starting there. We are going to start with schools in the post-primary sector. Are they easier to close?

Mr McGrath: No, no. The main factor around post-primary was that the requirements of the entitlement framework needed a sharper focus to move ahead on that. You are talking about only a month or two of work. You are not talking about leaving primary schools to be addressed later. Issues around primary schools are being looked at anyway and are coming along, as we know.

I welcome the recognition that hundreds of primary schools have challenges. Clearly we know that, so this is not a "post-primary only" debate. Arguably, because of the technical nature of the issues, changes in the post-primary sector will be more complex than those in the primary sector. However, I take the sentiments that the Committee expressed about the transparency around this, and we will reflect those back to the Minister.

The Chairperson: That would be appreciated, because there is a real concern about how that information will be used. I have always said that the debate should be about where our education system goes; it should not be based on some closure policy. However, it is very hard to convince people out there that that is not what it is about.

John, Diarmuid, Lorraine, thank you.