



Northern Ireland  
Assembly

**Committee for Education**

# **OFFICIAL REPORT (Hansard)**

**Pupil Records and Reporting, School Information and  
Prospectuses, and Target-setting in Schools Regulations:  
Departmental Briefing**

**2 May 2012**

# NORTHERN IRELAND ASSEMBLY

## Committee for Education

### **Pupil Records and Reporting, School Information and Prospectuses, and Target-setting in Schools Regulations: Departmental Briefing**

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**Members present for all or part of the proceedings:**

Mr Mervyn Storey (Chairperson)  
Mr Danny Kinahan (Deputy Chairperson)  
Ms Michaela Boyle  
Mr Jonathan Craig  
Mrs Jo-Anne Dobson  
Mr Phil Flanagan  
Mrs Brenda Hale  
Mr Trevor Lunn  
Mr Sean Rogers

**Witnesses:**

Mr Adrian Arbuthnot	Department of Education
Miss Lisa Boal	Department of Education
Mr Carl Savage	Department of Education

**The Chairperson:** Adrian, Lisa and Carl, thank you for your attendance. Adrian, you have my apologies that I was not able to be here last week for your presentation, but I know that you were looked after ably by the Deputy Chairperson while I had another event to attend. We are glad that you are here today, and I ask you to speak to the papers regarding the statutory rules. We will then have questions from members.

**Mr Adrian Arbuthnot (Department of Education):** The briefing paper we provided to the Committee covers the forthcoming consultation on three sets of regulations: the Education (Target-Setting in Schools) Regulations (Northern Ireland) 2012, the Education (School Information and Prospectuses) Regulations (Northern Ireland) 2012 and the Education (Pupil Records and Reporting) Regulations (Northern Ireland) 2012. Those three sets of regulations share a common aim; to support parental engagement and accountability of schools by ensuring that parents have consistent information about their child's school and their child's progress. As the regulations are interconnected, we are consulting on the three sets as part of a single exercise. The consultation will be launched in the next few days and will end in September 2012 to allow for the school summer break.

Of course, schools are already doing much of what is covered in these regulations. However, we have reviewed the information that schools are required to publish in order to ensure that it fully supports,

and aligns with, the Minister's policy direction; in particular the targets published in the Programme for Government. Another aim of the new regulations will be to reduce the burden on schools. We are clarifying and streamlining the existing requirements as well as specifying certain minimums; for example, the amount of information that must transfer between schools along with pupils. For all of the regulations, it is important to recognise that, in most instances, we are specifying the minimum to be published or provided. Schools, of course, are free to add to this as they feel appropriate.

It might be helpful if I give a very brief overview of each set, starting with the target-setting regulations. Boards of governors of primary and post-primary schools are required to set targets each year to raise the standards achieved by their pupils in statutory end-of-key-stage assessments and in public examinations. Schools are then required to publish information on the achievements of their pupils. With regard to the prospectus regulations, schools, and education and library boards, are also required to make available to parents information on their curricular and other provisions, including admissions arrangements. Boards of governors are required to publish in annual reports to parents the steps they took during the year to fulfil their duties. Finally, under the reporting regulations, schools are also required to provide an annual report to parents on the educational and other achievements of their children, including their achievements in statutory end-of-key-stage assessment or public exams.

The Department has been reviewing the existing regulations to take account of the range of policies that are in place for raising standards in schools; to ensure that the targets and indicators upon which schools are required to report align with the targets that the Department has set for improving outcomes in literacy and numeracy; to ensure that parents receive information that is clear, meaningful, relevant and easily accessible, and, finally, to promote greater awareness, openness and accountability of schools for the outcomes achieved by their pupils.

I move to the changes to the prospectus and the target-setting regulations. The performance indicators for which schools are required to set targets and report against at Key Stage 1 to Key Stage 3 remain unchanged. The revised assessment arrangements that are being introduced from the 2012-13 school year include an expectation that pupils will progress by at least one level between each key stage. We intend to amend the regulations to include a new requirement for schools to report on the percentage of pupils making such progress in time for the 2015-16 school year in line with the phasing in of the new levels of progression. At post-primary level, we propose revising the targets to include a specific focus on our key measures on the proportion of pupils achieving five or more GCSEs at A\* to C, including English and maths.

We also intend to clarify the circumstances in which pupils can be excluded from a school's performance data. For historical reasons, schools were able to exclude from their overall data on the achievement of pupils in years 12 to 14 the results achieved by certain groups of pupils, for example those being educated out of school, pupils with long-term illness and pupils with special educational needs. In light of the Minister's Raising Standards agenda and the accountability of schools for the outcomes achieved by all their pupils, we propose to end this practice and to require schools to report on the achievements of all pupils registered at the school in public examinations. From 2012-13, there will be no exemptions.

With respect to changes to pupil records and reporting regulations, many respondents to the consultation on the 2009 regulations were unclear about a number of definitions and requirements. The principal intention is that the new regulations will provide those definitions. Although many key elements of the legal requirements governing annual reports have not changed, we have removed a number of unnecessary or outdated aspects of the previous regulations.

In addition to specifying the minimum information that a parent can expect to receive in a child's annual report, the 2012 reporting regulations will specify the minimum requirements for the information to be provided to a new school upon a pupil's transfer. That aspect of the regulations was informed by CCEA advice, following consultation with schools, with a particular focus on post-primary schools receiving pupils at the end of Key Stage 2. For all three sets of regulations, we have drawn up draft circulars summarising the changes. We have included those drafts in the consultation document.

We intend to launch the consultation on the regulations next week. Once the consultation period ends and the Department completes its analysis, we will be pleased to provide a summary of the responses

to the Committee. We would be happy to arrange another briefing session if the Committee would find that helpful. Thank you, Chair.

**The Chairperson:** Thanks very much for that, Adrian, and for the information that you provided to us. This opens up a whole debate as regards how relevant information gets from the school to the parent. I think that you alluded to an answer to my first question, but it is this: why do we have three sets of regulations? I apologise to the Civil Service, but the cynic in me says that this is all about ensuring that you keep chasing paper around offices. Every now and again, you will have to pull out a set of regulations and review, revise and consult on them and ensure that that chain keeps going.

For the life of me, I cannot understand why these regulations cannot be put into one set of simplified regulations so that the process is not as bureaucratic as it seems to be. It is no wonder that we cannot encourage people to come into the teaching profession. These are only three sets of regulations, but there is a raft of duties involved that now have to be imposed. We know that many of them have been there in the past. Why can this not be done in one set of regulations as opposed to three separate sets?

**Mr Arbuthnot:** I think that I showed that a raft of information is required from schools. If you look at the appendices to the regulations, you will see that there is quite a lot of detail. By setting out the requirements in three separate sets of regulations, we distinguish quite clearly for schools what is required in respect of each area of work. I argue that it makes it easier for schools to be able to refer individually to sets of regulations that deal specifically with target-setting, information and pupil records. It avoids what might be a very unwieldy and large set of regulations.

**The Chairperson:** Have you any sense of what parents want as regards information from schools? Has the Department made any enquiry about what information parents would like to have?

**Mr Arbuthnot:** Maybe Carl will come in here.

**Mr Carl Savage (Department of Education):** One of the reasons that we are launching the consultation is that it will give us an opportunity to get that feedback. We are not proposing anything radically different, but parents will have that opportunity. We are looking to make contact with parents directly. We have talked to organisations such as Save the Children. We are also going to try to organise some events with the parent-teacher association (PTA) to try to speak to parents directly about the kind of information that they want to see in pupils' annual reports.

**The Chairperson:** In a sense, Carl, is that not putting the cart before the horse? You have a set of regulations saying that these are the elements on which you believe a school should report, because, as Adrian has confirmed and is always the case, the school has to align with policy; for example, Count, Read: Succeed. You have already set the policy, and you are now introducing the regulations to match that policy. You will then ask parents whether this is what they want, rather than starting the process by asking them what they want their school to tell them about John or Jane's education in that school.

**Mr Savage:** Perhaps it is less of an issue with the annual report, because the information in the annual report is based on the revised curriculum. It contains all of elements that are statutory and that the pupil must study. The key element is in the vital cross-curricular skills of literacy, numeracy and the use of ICT. Those are the statutory core of what the pupil will be studying, so it makes sense that report reflects that. There is also an opportunity for schools to add to that. If there is other information that they wish to see in reports or that they generally put in reports, they can add that information.

This has not come from nowhere; it is based on the statutory core that the pupil must have been studying. I go back to the point that that is why we have launched a consultation. If there is something beyond this that parents wish to see in reports, we are more than happy to listen.

**The Chairperson:** I have a couple of other things that are of concern. Adrian, can you clarify where the levels of progression are reflected in these regulations?

**Mr Arbuthnot:** Again, I will ask Carl to explain.

**Mr Savage:** The levels of progression are common to all three sets. It is the way in which the cross-curricular skills that I mentioned earlier are assessed, and those are already in legislation. From next year, we will be introducing revised levels of progression that will match the revised curriculum more closely. In that sense, it is common to all three. It is a measure of the progress that pupils are making in the cross-curricular skills, specifically literacy, numeracy and using ICT. In the near future, we will introduce an order to put in place the revised levels of progression, and we anticipate bringing that to the Committee for a fuller discussion.

**The Chairperson:** Literacy and numeracy keep appearing as a key element of these regulations, and rightly so. 'Count, Read: Succeed' states that two key planks in the role of assessment in raising standards of numeracy and literacy were the Interactive Computerised Assessment System (InCAS) and the Adaptive Learning Teaching and Assessment (ALTA) tool. As of the end of January, the InCAS is gone. Two organisations, Tribal Education Ltd and Rising Stars UK Ltd have now got the award, and, in reply to a question that I asked the Minister, he said:

*"Schools have been notified about this outcome and more detailed communication, including arrangements for trialling and evaluation of the new assessments prior to implementation, will issue in the near future."*

Here we go again. You are having a consultation on three sets of regulations. You also have a policy which states that InCAS is very important — but now InCAS is redundant because the contract came to an end. Therefore, before the ink had even dried on 'Count, Read: Succeed' — either the English version or the Irish version — the Department knew fine well that InCAS was coming to an end. There was no reflection on or adjustment for how schools would deal with that, and, I assume, these two organisations will have to provide the same service and deliver the same outcomes as InCAS. The final part of the Minister's answer would not totally convince me of that, because his reference to trialling and evaluation sounds very scary for teachers and educationalists. My apologies for my cynical approach to this, but I cannot see a co-ordinated and planned approach to the ending of InCAS, the introduction of new regulations and the taking over of a new organisation. In fact, it is even worse than that, because there are now two organisations. How are you ever going to manage two organisations? You know of all of the problems with InCAS, which made it difficult enough. There were various debates about the accuracy from school to school and pupil to pupil. If I am a principal in a school, how will I manage all that?

**Mr Savage:** I accept that 'Count, Read: Succeed' talks about InCAS. However, the importance of computer-based assessment, which is what is statutory, remains. As you rightly say, what we are talking about is the new delivery of that. As regards public procurement rules, the InCAS contract was coming to an end. However, we could not say that it would not be InCAS in the future, because a procurement process had to be gone through. That is a good thing, because it means that you do not have one contract in place until the end of time.

These things need to keep being refreshed to ensure that they are fit for purpose. The benefit of the procurement process is that you ensure that you have a tool for schools to use that is fit for purpose. As you also rightly said, that procurement process has identified two new providers. However, we are working closely with CCEA and the new providers to ensure that its implementation for schools is managed in the autumn term. It is there to help schools and to inform on the teaching and progress of pupils. We want to ensure that that is effective.

**The Chairperson:** Let me ask the one question that the Department has always been very cautious about answering, and then we will go to members for other questions. Take a school in Enniskillen and a school in Coleraine. If I live in Coleraine and move to Enniskillen, can I be absolutely sure that the process is so standardised that there will not be the variation that we see in the audits? We will come on to the audits shortly with the deputy permanent secretary, because those are like confetti. Schools are in different places in respect of outcomes, finance, and all sorts of things.

Why do we not have a standardised process of assessment? This is not standardised. Adrian said that schools could do more if they wanted to. I assume that they cannot do less than what the regulations state. However, if a school decides that it wants to do more, it can do more. Why can the process not be standardised so that, in the primary sector particularly, we know the broad provision across schools?

**Mr Savage:** I am not sure what you mean by standardised. Do you mean what appears in the report?

**The Chairperson:** Yes.

**Mr Savage:** I am not sure whether schools would find that helpful. This is probably more relevant to Lisa's regulations, but schools will want to set the context of, for example, the results of a particular cohort of pupils. Schools will want to add all sorts of information to benefit parents, and I do not think that we would necessarily want to put a cap on that.

**Miss Lisa Boal (Department of Education):** Through the sets of regulations, we are ensuring that every school is required to provide, at least, the same information so that parents have consistent information as a baseline and will be able to easily compare the proportion of pupils who are achieving five-plus GCSEs including English and maths. There will be a common baseline of information that every school will have to provide. This is about ensuring that parents have easier access to that information.

The additional information that schools provide may vary, but there will be a common baseline in the performance information that schools are required to publish. At the minute, there are differences between non-grammar and grammar schools. However, through the regulations, we propose to ensure that all schools have to provide, at least, the same common minimum. No matter whether they are in Coleraine, Enniskillen or Belfast, they will have that same minimum baseline.

**The Chairperson:** But, Lisa, I have a question, because I have had numerous correspondence following on from the audits. Does the Department have a coherent approach or view on the issue of assessment? It seems as though we have fallen into the absolute position of it having to be seven GCSEs at A\* to C for post-primary grammars and five GCSEs at A\* to C for non-selectives. Yet, correspondence from one school, which I will not name, states clearly:

*"The two A\*-C measurements are a very blunt way of looking at the performance of schools, as is recognised even in one of the papers that carried the story. We examine our performance in a much more focused way."*

The school went on to explain how it looked at other pupils. It stated that it is possible for a pupil to achieve quite good results and fall on the wrong side of figures. For example, a pupil who scores three grade Cs at A level is a success under the Department's assessment terms, but a pupil who achieves two Bs and a D is deemed a failure. According to the school, to label the latter student an example of failure is incorrect and misleading, because the pupil has passed three A levels, two of them with very good grades. This is my point. Is it set in stone? Are these regulations, more importantly, their interpretation by parents, such that grades A\* to C are where we will go from now on?

**Miss Boal:** It is important to strike a balance. As you said, there is a wider recognition of achievement. For some pupils, a grade D may be an excellent result. A lot of it will be individual, and achievement will be contextual to the school. Schools will be able to provide a lot of information on, for example, the proportion of their kids that are entitled to free school meals or have special needs. There is that broader picture of achievement that school inspection reports would highlight, because they allow you to get more deeply into the quality of the provision, the leadership and teaching. There is much more to achievement and progression than just exam results.

Having said that, when it comes to a pupil applying for university or a job, an employer will set certain criteria, which will include the five or more GCSEs, including English and maths at grade C or above. We have to set ourselves some targets and hard measures. It is unfortunate that sometimes that can be hard to do at GCSE, but we must set some sort of performance measures — and employers will

look for them. It is a matter of balancing that and looking at the overall results that a child leaves school with, so that they leave with the results and qualifications that they need to go on to further and higher education and to employment. We must also recognise that there are wider measures of a school's achievement and performance that can be brought out in, for example, inspection reports. It is about trying all the time to strike that balance.

**The Chairperson:** I do not want to get into a debate about qualifications. However, I suspect that many employers are seeing young people with GCSEs in certain subjects, as a result of the entitlement framework, that are not appropriate to their needs. Students may have a grade B at GCSE in a subject that, as the Wolf report indicated, does not provide what is needed for the employment world. That is a different argument. I am just worried that you are setting what you are right to call hard targets. We need to be careful not to widen the band to the extent that we just look to having a bigger percentage achieving now than three or four years ago. That would be a wrong way to go, and we need to be careful to avoid it. Based on the correspondence that we get from schools on the issue of A\* to C grades, I grow more and more concerned about that happening. No doubt we will come back to that issue.

**Mrs Dobson:** Thank you for your briefing. We all know what schools have published is extensive. Do you envisage that the changes you propose will require schools to record a greater amount of information on their systems, which would ultimately increase administration costs and deflect resources from front line teaching?

**Mr Arbuthnot:** The regulations specify the minimum requirement from schools; information that they already collect. We will actually relieve some of the burden on schools by taking that approach. It will be open to schools to add to the minimum requirements, should they so wish. However, the regulations rationalise what is required by schools and should make the process of reporting and target-setting a lot easier for them.

**Miss Boal:** I will add that the information that schools will be required to publish on the performance of their pupils is information that schools already have and provide to the Department. It is information that we already have. If schools have it and are providing it to us, the view is that they should be required to give it to parents.

**Mrs Dobson:** From reading your briefing; this will obviously increase administration costs.

**Miss Boal:** As I said, this is information that schools already collect and have to make available. Obviously, we can take views from schools on that during the consultation period, but they are not going to be asked to collect more information than what is available to them already.

**Mrs Dobson:** I am concerned, especially for rural schools in which there may be someone doing administration work for one and a half days a week. Some schools already have a large burden, and increased administration will put a lot of pressure on them, and, in some instances, cause headmasters to judge between admin staff and teachers. That is a grave concern. I will await with interest to see how this pans out.

Adrian, you said that you have taken the opportunity to remove a number of unnecessary and outdated aspects of the previous regulations. What have you removed?

**Mr Savage:** In some of the previous regulations, there were built-in rights of appeal against a school's refusal to disclose certain information that a parent had the right to see. We took legal advice on that, which implied that there was an element of discretion and that schools could decide not to release information. We have taken out the provision regarding the right of appeal.

**Mrs Dobson:** Will that make the information easier for parents to understand and base their decisions on, or will overcomplicated documents have the opposite effect to what is intended?

**Mr Savage:** Overcomplicated documents do have an opposite effect, which is why we have tried to simplify them. Communication is important, and consultation is the first part of that. We are using

this as an opportunity to remind parents about their rights of access and the kind of information that they can have access to. So, it all comes from the communication around this as well.

**Mrs Dobson:** I understand the need for parents to be armed with relevant information, but I am concerned that it will come at a cost to schools, as I said earlier, with respect to administration.

Are you going to publish guidelines to schools on how standards are presented in the reports?

**Mr Savage:** There is a set of circulars that we have drafted.

**Mrs Dobson:** Just circulars?

**Mr Savage:** We have drafted circulars, and they will be consulted on alongside all the other documentation to give an indication of the way in which we will be explaining this to schools.

**Mrs Dobson:** Have you added any new aspects?

**Mr Savage:** To the circulars?

**Mrs Dobson:** Yes.

**Mr Savage:** The circulars basically explain what is there already, what the changes are, and what the impact will be on schools. That is the same across all three sets of regulations.

**The Chairperson:** Unfortunately, the beloved circular is still around. Everybody knows how much I love circulars and the computer that sends them out. I find them to be a very inappropriate way for a Department to communicate with staff. It is an attempt — an actual practice — through which the Department can say: "We did send you the circular. Whether you read it or whether you understood it, we are covered and have done all we have to do." Everybody knows my hobby horse about circulars.

**Mr Rogers:** Thanks for the briefing. My points are about measuring progress by at least one level between each key stage. Although this is particularly about reporting to parents, and so on, my concern is about whether it will benefit children. Is it measuring school performance, or is it raising pupil achievement? I do not see those things as being the same, because if I have a child at Key Stage 1 who is at level 3 and is at the same level by Key Stage 2 and moves schools as well, will that be flagged up to the secondary school they go to, or will there be intervention strategies? Is there something extra so that the particular needs of this child can be met?

Related to that and to a point that the Chairperson mentioned earlier, is the electronic transfer of data through the school information management system (SIMS) sufficiently robust so that if I move from Fermanagh to south Down at the end of Key Stage 2, when my child goes to the new secondary school in south Down they will be picked up on the system? Or, as Jo-Anne said, is this going to be a lot more paperwork for both primary schools and secondary schools? Is SIMS sufficiently robust to handle this?

**Mr Savage:** As regards the expectation that pupils move up a level; that is, primarily, a way of assessing the child's progress, which is a reasonable expectation. Obviously, if that progress is not happening, the receiving school would wish to know why. Again, one of the elements in the reporting regulations that we are clarifying is what information a receiving school must receive automatically when it gets a pupil from Key Stage 2. At the minute, that varies a lot. There are some good and bad practices. We are clarifying the core information that has to accompany that pupil, alongside the other information that schools can request if they wish. Again, this is about striking the balance between what is manageable for schools and what they, in certain circumstances, may wish to see. We have tried to clarify that.

With the introduction of the new levels next year, we are working with the new C2k providers to have an electronic system that can look after SIMS automatically. We are working to ensure that that is robust and that it can do that. The whole point of all of this is to minimise the burden on schools, to remove



the need to chase bits of paper around the country by automatically drawing that information down from the computer system.

**The Chairperson:** On that point; if you are using C2k for SIMS and data transfer, nursery schools do not have C2k. These regulations state that the information is to be provided by boards of governors of nursery schools. Schedule 3 states that. So, this is putting the same responsibility, and rightly so, on nursery schools as there is on primary schools. However, nursery schools do not have the same access to C2k as primary schools.

The other question is this: what about the voluntary and community sector? The Minister is throwing more money at that sector. He said, in effect: "Here is another £1.4 million; away you go and spend it." These regulations do not apply to that sector, yet £50 million is being spent on preschool education. I am not criticising any sector, but if public money is being put into an organisation, particularly in relation to education, the same rules and standards should be applied. Clearly, it seems that a different set of rules applies to the voluntary and community sector than to nursery schools. Also, when nursery schools are being asked to reply, they are not being given the technology to ensure that the information that they are providing is accurate. Why is that the case?

**Miss Boal:** There are probably two separate issues there. Carl will pick up on the issue of the transfer of pupil-level records. However, the schedule in the Education (School Information and Prospectuses) Regulations (Northern Ireland) 2012 to which you referred concerns information that DE statutory-funded nursery schools have to publish. The provision applies to existing information that they are already required to publish. It does not apply to voluntary providers because there is a difference between the DE statutory-funded nurseries and the voluntary providers. Voluntary preschool providers are covered by the Children (Northern Ireland) Order 1995 rather than education orders. The way in which it works is that the DE buys provision from the sector. So, it is legislatively complex, but we can take your point on board through the consultation and raise it in the review of early years provision. The difference is down to whether education orders or the Children Order applies.

**The Chairperson:** Will you answer the question regarding C2k not being available to nursery schools?

**Mr Arbuthnot:** The issue of C2k has already been drawn to our attention and we intend to address it with nursery schools.

**The Chairperson:** We would appreciate an update on that, Adrian, from you or whoever has departmental responsibility for it. With all that is going on about preschool provision, many of us are very concerned about what is going on about allocation being made and all sorts of things. If statutory nursery provision is not on a level playing field with its primary school counterparts, that must be addressed.

**Mr Arbuthnot:** We intend to address it.

**Mr Savage:** As regards the right of access to information when a pupil is transferred, we have also included such a duty on the board to supply that information to an independent school. I know that this does not answer the point on C2k, but there is a duty on the board of governors to provide the information to the independent school, if a pupil transfers outside the state sector.

**The Chairperson:** A few weeks ago, I visited a number of primary schools, and I asked them the simple question: tell me the information that you receive from preschool settings in relation to primary. They were able to tell me that, from nursery provision, they got a range of information and that, in the majority of cases in the voluntary and community sector, they did not get the same breadth. Lisa has explained where we sit in relation to the Children Order and so on, and the simple reason for the difference between nursery provision and the voluntary and community sector is that the onerous responsibility on nursery provision is to ensure that they have that information going through with that child, and rightly so. Therefore, children are coming into primary school at different places, even when the school begins the process of reporting. That adds to the difficulties of trying to address those particular challenges in the primary school, and it contributes to why there are difficulties at the end of

primary school when it comes to the transfer from primary to post-primary. Lisa is right that early years is the place where we need to continue to pursue that.

**Mr Kinahan:** I have one or two questions. The first is to make the point that everyone is always concerned that they are consulted but not necessarily listened to. Carl, you indicated that you will be listening to parents and teachers, so I hope that that will be the case. Who are you consulting? Is it schools, governors, PTAs? I am intrigued to know what the broad spectrum is of who is being consulted.

**Mr Arbuthnot:** There will be a wide spectrum of consultation.

**Mr Savage:** In the schools sector, we anticipate consulting with principals and teachers directly. We have spoken to the Participation Network about organising events with children, and we have a young people's version that is specifically focused on the reporting regulations, because that is probably what they would be most interested in. We have also spoken to Save the Children, and we are looking to access parents directly. We are looking at various events, and we have talked to PTAs and Barnardo's. We are trying to find events that we can join, rather than trying to organise something ourselves. We want to get that direct access in a manageable way. As Adrian said, it will be a wide spectrum, as wide as we can possibly make it.

**Mr Kinahan:** Good. Will you keep reviewing it as it goes on?

**Mr Savage:** Absolutely, yes.

**Mr Kinahan:** A few years ago, a head teacher at a school told me that the school was involved with and being consulted on 32 documents. Yesterday, I was with a school, and I was told that, because of all the cutbacks in costs in relation to staff, it was very difficult to find anyone, particularly a deputy head or vice principal, to give them the time away from teaching so that teachers can properly fill in these forms. Is anyone looking at whether funding or something is needed to ease the pressure that is on schools?

**Mr Arbuthnot:** The only answer that I can give to that is that we try to allow sufficient time and extend the consultation to a period that will give the sorts of opportunities that you are talking about to school leaders.

**Mr Kinahan:** I got the impression that a very real problem at schools is having time, and you want really good information.

My next query is on a similar line, and we have touched on it. How do you prevent schools from marking themselves up? You all want to make your school look as good as you believe it is, and when we get back to comparing Enniskillen with Antrim, is there an independent system that looks at how the assessments are coming through?

**Mr Arbuthnot:** The inspectorate has a key role in that regard in that it goes into schools and reports independently on school performance activities.

**Miss Boal:** Through the regulations, we are trying to make clearer the guidance about what schools have to count, what they cannot count and so on. We are taking this opportunity to clarify the guidance for schools on the qualifications that they can use, and all of that data is validated and verified with schools. The awarding bodies and the regulatory authorities also have a role in the moderation of the assessment arrangements, so checks are built in at the various stages.

**Mr Kinahan:** They are all driven by the Department, and I am always nervous about how truly independent it is.

My final query is on the data protection side. When you have excellent information, who can you pass it to and who can you not pass it to? How is that controlled? Another comment that I heard yesterday is that it ends up as a sort of marketing. The schools that want to get the best pupils are searching

their area to ensure that they get the best. How will you control that system so that you do not end up with that marketing and schools trying to pinch from each other, instead of just having good, useful information?

**Mr Savage:** We have tried not to stray into data protection territory, because that legislation is already there. Where I think that will be most useful is in the communication that follows this. When we explain what the regulations require and the protections, we also explain data protection just to clarify again for schools what is covered and what is not. We have shared the regulations with the Information Commissioner, and we will be inviting a formal response as well. It comes down to communication about what comes under data protection and what is under these regulations and ensuring that that is clear and coherent.

**The Chairperson:** I just want to go back to 'Count, Read: Succeed' again, before I go to Michaela, and the issue of how this will be assessed. It ties in with Sean's point, which I do not think was really answered. What is this all about? Is it about more information for the parent, or is it about helping to raise standards and outcomes for children? In 'Count, Read: Succeed', the Department commits itself in respect of key targets and an action plan. It states:

*"We will track whether the strategy is delivering the intended improvements in literacy and numeracy by monitoring progress towards these targets."*

That is clearly a policy. These regulations are to sit alongside and be aligned to the policy. What does "track" mean? The next paragraph tries to give some explanation when it states:

*"We will also look at inspection evidence and ask the ELBs, then ESA, to report annually on progress in raising school standards."*

What does "track" mean? How is that assessed? How is it done? Is it done on an annual basis? What mechanism does the Department have to track this information?

**Miss Boal:** The Department gets performance data from schools. We get that annually when the assessments have been carried out and the public examination results become available. We keep that performance data under continual review, monitor trends and do further analysis to see where the gaps are and where progress is being made. We keep that data under constant review and monitoring.

**The Chairperson:** Here is a fundamental problem: the target-setting and reporting do not align. Schools set their targets at the start of the school year, and the report of the achievement relates to the previous year. The InCAS process was a process to establish where you were at the start. How does all of that align so that it is accurate?

Later, I will ask John McGrath, the deputy permanent secretary, about the fact that, as Adrian repeated, achieving this goal in respect of the policy context depends on schools providing information to parents and the wider public that is accurate, reliable, relevant and — this is the key — timely. A lot of the information in the audits is outdated. It is not timely, as it is information from 2008-09 or 2009-2010. I know that it is very difficult, but how do we align the system to ensure that you get a proper snapshot in time of where a child is in respect of the process?

**Miss Boal:** You are right that it is quite late on in the year when the final, validated, checked performance data is published. However, schools will have already started to get an indication of their own results after the results of the summer exams series come in. They will have the validated data from the previous year and the provisional results from the summer when they are doing their target-setting in the autumn term. They will be aware of the trends, which will inform their target-setting. However, we are aware that schools would like to get their data earlier, and we will certainly take that point on board.

**The Chairperson:** Lisa, it is all well and good to take on board the point, but can we do anything practical that will benefit the school? Sean made a point about what I think is a key issue. If this is all about the process, the timing of getting the boxes ticked, having the circular completed and all of that

is irrelevant — you can do that any time. However, if you have critical information in there about tracking and assessing the progress of the child for his or her benefit, getting the information eight months later may be too late. It may be the case that information should have been provided earlier so that intervention could be put in place to avoid the child encountering difficulties later on. That applies particularly in the post-primary sector, where, some would argue, beyond year 8, pupils may lose the ability to regain what they lost in primary school.

**Miss Boal:** The public exams are only one part of the information that is available to schools. They will get the early results in the summer. It takes a while to go through the validation process to get the final results. However, throughout a child's education, there will be the usual class tests and other assessments that teachers already do and which contribute to that early indication. Obviously, teacher observation and professional judgement are relevant as well. All of that goes on at the same time and gives that sort of early information about whether a child is at risk of falling behind.

**Mr Savage:** I go back to your point about InCAS and computer-based assessment — that is the reason for the timing of that. It is at the start of the school year. It is not a performance measure, as such. It is not something that we take information on to look at progress. It is to inform — alongside professional judgement and whatever other tests the school wants to use — at the start of the year, the teaching and learning for that pupil over the course of that year. In that sense, it is timely: they get the results there and then.

**The Chairperson:** I have a question that was not answered earlier. We have these regulations, but in what policy or interpretive context can the Department set its view of assessment for the Committee? For example, the week before last, I was at St Louise's Comprehensive College in west Belfast, which has a very robust assessment process. It uses the Middle Years Information System (MidYIS) among a variety of tools. How does the Department view that? What processes exist? What assistance does it give to a school in another part of Northern Ireland that would like to use that system but may not be sure how to?

**Mr Savage:** Next year is all about the introduction of the new levels of progression in assessment up to the end of Key Stage 3. You talk about robustly moderated teacher assessment, and that is one of the things. A shadow year is working at the moment. CCEA is working with a number of schools to develop processes around that.

**The Chairperson:** Will you provide us with a paper, either from yourselves or in conjunction with CCEA, that will give us some overview of the Department's view on assessment and the various assessment tools that are out there? There is so much and such a variation of assessment out there that I think that Committee members want to know about. I do anyway; I better not put everybody in my position. I see some very good practice. I also see some practice that, I think, could be more robust. However, the Department has the responsibility to set a policy context for all of it, so what is its view?

**Mr Savage:** Previously, we have said that we are aware that there is a range out there. Again, it is down to the professional judgement of teachers; I do not think that we are in a position to tell them what tests they should use beyond the statutory minimum. The computer-based assessment is statutory, as are the Key Stage assessments. Within that requirement, teachers, as professionals, know the tests that they want to use and the arrangements that they want to put in place. I do not think that we would be in a position to dictate what, again, comes down to the professional judgement of teachers.

**Miss Boal:** Overall, as regards the Department's perspective on assessment, different forms of assessment are suitable for different purposes and for different audiences. Therefore, we have diagnostic assessment and end of Key Stage assessment, which checks progress at individual pupil level. We have assessment at system level to check how schools and Northern Ireland overall are doing. At system level, we also benchmark ourselves internationally. So, different levels of assessment serve differing purposes, and different tools are suitable for each.

**Mr Savage:** In May 2010, the Department provided an overview on assessment and the new levels. We would be happy to revisit that. It makes sense, because, as I said, we introducing the order —

**The Chairperson:** I am not being facetious, but there must be a circular on this. We are even willing to read the circular.

**Mr Savage:** In the run-up to the new levels of progression being introduced for next year, there is a whole communication, so we are happy to provide something.

**The Chairperson:** For members who were not on the Committee previously, I will explain that the Department kindly produced for us lovely coloured graphs. Those are now in 'Count, Read: Succeed' — that proves that I read these documents. New members can be really informed by them. Look at that — who would not want to have that in their home? I just despair. I am just glad that I did not become a schoolteacher, and, I am sure, so are the pupils.

**Ms Boyle:** Thank you for the presentation. My concerns are around the consultation process, and you have answered some of my questions on that and in answer to Danny's question. You said that you are willing to extend the consultation date. The consultation period is from May to September, and I had concerns that part of that period is during the July and August holidays when a lot of schools will be closed and a lot of teachers and principals will have gone off for the summer.

**Miss Boal:** That is why we have gone into September. It is to allow for the school holidays.

**Ms Boyle:** Is it right to the end of September? Some schools are not back until the first week in September.

**Mr Savage:** We can look at that. The plan is for the consultation period to close from mid-September to towards the end of September, but, if schools were to find that that would bring too much pressure at the start of the term, we could maybe look at it.

**Ms Boyle:** I have heard departmental officials say that they are aware that, for whatever reason, teachers and principals do not always look at their e-mails.

**Miss Boal:** We also hope that schools will take the opportunity to look at the proposals in the good amount of time that is available in May and June before the current term ends.

**Ms Boyle:** That is important. Your briefing paper refers to consultation with parents and young people. You consider that there are parents who are hard to reach or unlikely to respond to a written consultation exercise. Earlier, you named a number of voluntary sector working groups, including Save the Children and Barnardo's. I come from a rural area, and, in such areas, we do not always have such organisations locally. Given that most post-primary schools are in towns, quite a number of rural areas will be considered hard to reach. Perhaps you have considered extending your list of voluntary sector groups, and I would like to hear a bit more about the voluntary sector groups that you are considering.

**Mr Savage:** I know that groups such as Barnardo's and Save the Children are concentrated in more urban areas.

**Miss Boal:** We also looked at working with the Parenting Forum. If there are other groups, particularly in rural areas, we can certainly do that.

**Ms Boyle:** That is particularly important for primary schools in rural areas.

**Mr Savage:** That could even be done through the schools, perhaps if there were groups of parents that they were aware of. We can certainly look at that.

**The Chairperson:** STEM (science, technology, engineering and mathematics) is a very important issue in education. The Minister and the Department clearly put an important focus on that. Why, then, we are not reporting on STEM subjects?

**Mr Arbuthnot:** The STEM subjects will be picked up through the GCSEs that are taken. We have a knowledge of the results in individual GCSEs and A levels.

**The Chairperson:** So, they will be covered.

**Mr Arbuthnot:** They will be included among the measure of achieving five or more GCSEs at grade A\* to C.

**Miss Boal:** The five or more GCSEs include English and maths, and maths is part of the focus on STEM. As Adrian said, there are the overall subject results, and, at an individual pupil level, teachers will still be reporting on the child's progress in each area of the curriculum, including science, technology, mathematics and numeracy. You will get that at pupil level and at school level.

**The Chairperson:** I have a final question on this. Are special schools included in the regulations?

**Miss Boal:** Yes.

**The Chairperson:** They are?

**Miss Boal:** Some of the requirements do not apply to special schools, because some parts of the curriculum and assessment are different because of the nature of the pupils' needs. However, the regulations set out the information that special schools have to reply with in the reporting regulations.

**Mr Savage:** For most pupils at a special school, if they are statemented, aspects of the assessment arrangements or the curriculum will be disapplied, so there is a requirement to have that statement in there. However, again, we feel that parents need to see the progress that their child is making.

**Mr Lunn:** Sorry for being late; I was involved somewhere else.

My question may not be directly related to the consultation, so forgive me if I am asking you about something that is not directly your business. The Chairman raised it in the first place, so I think that I am on safe ground. There is an issue with transfer from nursery to P1 and the point that Mervyn highlighted about the difference in the two orders and the fact that the statutory sector has to provide certain information to the receiving P1 school whereas it appears that providers of preschool provision in the voluntary sector do not have to, although I imagine that they probably do.

We asked a few questions, some weeks ago, about the ongoing effect of children having had their preschool experience in a statutory nursery unit as opposed to in a voluntary play group, and we have asked for more information. However, frankly, I have yet to be convinced that there is a discernable difference once a child has been at primary school for a few years.

*(The Deputy Chairperson [Mr Kinahan] in the Chair)*

Do you think that there is much difference at the moment between the information that is provided by a statutory nursery and that provided by a voluntary play group, given that the pupils are still only four years of age and have not had formal schooling? I doubt that they have been formally tested, and they are not even required to be at the preschool in the first place; some children do not attend preschool at all and start P1 fresh. So, how valid and important is it that there should be that exchange of information? Would the P1 teachers not very quickly make their own assessment of what is coming into their first class?

**Mr Arbuthnot:** I think that the teachers would. There is also an issue that parents will want to make sure that information passes to the primary school. If parents want to do what is best for their children and give them the best start in their primary school career, it is important that the information that is available on each child is passed to the receiving school. I suggest that parents and P1 teachers seek to ensure in discussion that the necessary information about the child is transferred.

**Mr Lunn:** Do you think that there is a major difference in the two preschool sectors in terms of the information that they currently provide? Has there been a problem?

**Mr Arbuthnot:** I am not aware of any problems, but it is not an area that I am familiar with.

**Mr Lunn:** That is why I said that it may not directly be your concern. The issue has been raised a number of times at the Committee. Some of us put less importance on the difference between those two sectors and what they provide to children, especially those of us who have put their children and grandchildren through the voluntary sector.

**Miss Boal:** It is the quality of the provision made in a preschool setting that is important. The information that they are statutorily required to provide is one thing, but when it comes to the quality of the provision and the impact that that has on the child, you can have very high quality provision in both sectors. Both sectors can offer high-quality provision that benefits a child. Other pupils may start school without that experience and still do very well, but there is high-quality provision in both sectors.

**The Deputy Chairperson:** There are no further questions. Adrian, Carl and Lisa, thank you very much.