



Northern Ireland
Assembly

Committee for Education

OFFICIAL REPORT (Hansard)

Education Bill:
National Association of Head Teachers Briefing

28 November 2012

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Mervyn Storey (Chairperson)
Mr Danny Kinahan (Deputy Chairperson)
Mrs Brenda Hale
Mr Chris Hazzard
Mr Trevor Lunn
Miss Michelle McIlveen
Mr Sean Rogers
Mr Pat Sheehan

Witnesses:

Mr Aidan Dolan	National Association of Head Teachers
Mrs Clare Majury	National Association of Head Teachers

The Chairperson: I welcome Aidan Dolan, director of education, and Clare Majury, the Northern Ireland president, of the National Association of Head Teachers (NAHT). Clare, you are very welcome. I think that this is the first time that you have been to the Committee as president.

Mrs Clare Majury (National Association of Head Teachers): Thank you very much. It is the first time, yes.

The Chairperson: I trust that you are enjoying your presidency.

Mrs Majury: I am very much.

The Chairperson: We wish you well in that role for the remainder of your time in office.

You have heard the comments made in the previous presentation, and I know that you have a particular focus on a number of issues. Aidan and Clare, you are now at liberty to make your presentation.

Mr Aidan Dolan (National Association of Head Teachers): Thank you very much, Chairman. We welcome the opportunity to make our presentation. By way of introduction, NAHT represents 800 school leaders in Northern Ireland, and our organisation operates throughout the UK.

There has been a lot of talk about trade unions this morning. All the teacher unions have a dual role, as we are also professional associations. So, it is largely within the latter remit that we want to comment, so our contribution may have less to do with the issues that have already been dealt with.

Let me say to begin with that we, too, support the Bill. It is a big step forward for Northern Ireland to have a single authority. We also support one of the key concepts driving this issue; increasing the autonomy of schools. The Organisation for Economic Co-operation and Development has analysed education systems across the world in 22 countries, including Northern Ireland, and concluded that the quality of education in individual countries is improved by increasing the autonomy of schools. As a professional association, we support that.

I remind the Committee — and members probably have it in their meeting papers but it has not been mentioned this morning — that the Northern Ireland Assembly research paper 699-12 on the Bill raises lots of points that require clarification. I think that the paper runs to 27 or 30 pages, so, as Gerry Murphy said earlier, we have not sent the Committee a point-by-point critique of the Bill. There are probably only two or three key points that we want to bring out, particularly in relation to school leaders, and you have my paper.

The one thing that we need to be careful about here is that there is a level playing field across all schools. Northern Ireland is complicated, and our education system will remain complicated. We are not going to have a single, unified education system at the end of this. We have five teacher unions and other professional associations. That is the reality on the ground, and one of the things that NAHT is concerned about is that there is a level playing field for all partners in education.

We have no problem with clause 2(5):

"encouraging and facilitating the development of education provided in an Irish speaking school".

There is a similar provision on integrated schools in article 64 of the Education Reform (Northern Ireland) Order 1989, and we have no problem with that either. However, I think that it runs counter to the idea of having a level playing field for all schools. If the Department wants to encourage and facilitate, it should do so for all schools — faith schools, integrated schools, Irish-medium schools, and so on — because the fundamental principle on which we have built and predicated our system is parental choice. We support parental choice. There is fair degree of consensus in our system on parental choice, and we will not argue against it. That is the first point in the presented paper.

I will talk now largely to the fourth point, the one on which our paper goes into most detail. There has been some talk this morning about curriculum advisory and support service (CASS), staff development and all of that. Clause 14(4) of the Bill states:

"Documents, training and advisory or support services provided by ESA ... are to be provided free of charge."

We take issue with the last three words. First, we may sound like turkeys voting for Christmas if we say that we do not want this thing free of charge. However, we are alert enough to know that there is no such thing as a free lunch. So, what is behind this? To be honest, we believe that it runs counter to autonomy. The points that I have written down are to do with a school being in control of its budget and decision-making, in which case nothing, beyond classroom teaching, is more fundamental than a school's staff development aspect.

I am a former head of a school and Clare is a serving head, and we know that one size does not fit all in the current climate. In the old days, with CASS, and so on, I completed a form every year for the training I needed. I got back annually a menu that did not contain any of the things that I wanted. What I had ordered for breakfast was not on the menu. This was to do with the old system being centralised and top-driven. Only certain training could be provided. I am not here to criticise what CASS has done. Much of its work on child protection with different agencies was exemplar. We make the point that we — the schools — should be in control of this. For example, I have been involved in self-evaluation at an early stage. We were probably ahead of the game. Where did I go to get the training? I went to other schools that were already ahead of us, and asked experts, teachers and leaders in those schools to come to my school. I paid the expenses, and so on, out of my school budget. So, we knew the training that we wanted.

Our school development plan was unique. Each school development plan is unique and gives rise to staff development to meet the needs of that plan. So, making it free of charge means that it is not in the budget and is, therefore, controlled back in the Education and Skills Authority (ESA). If ESA takes our advice, I foresee it employing people in its support service who are, or were recently, serving school leaders and teachers and there will be a turnover of their trainers so they are fresh, new and up

to date. If that is the case, schools will opt to purchase that out of their budgets. If it is imposed and free, how can you then go off? If you were going to a CASS course, for example, under the old model, you needed a substitute teacher — the class could not be abandoned — and you could get one. If you organised training yourself in school, you could not get that. You also had to pay that substitute teacher.

The thrust behind the development of education in Northern Ireland is to increase autonomy. NAHT supports that. However, the Bill, as written, runs counter to that.

I apologise for a typographical error in my submission at point 5. I referred to clause 13; it should have been clause 16. Clause 16(5) states:

"ESA may from time to time make bye-laws".

I have not found anyone raising that point in anything that I read in the documents, research paper from the Assembly or other commentaries on the Bill. We want to raise it because we do not know what it means. I am not coming here to bury, praise or even criticise. I am coming in ignorance to ask whether the Committee knows what powers we are about to give to ESA.

Schools have never been included in by-laws. However, I read through previous legislation and found in the Education and Libraries (Northern Ireland) Order 1972 that it applied to libraries. I think it applies to the Fire Service and some other bodies in other legislation. I spoke to colleagues' solicitors in our organisation in England who told me that that power is not known in England.

Clause 16 gives ESA the right to make by-laws and have them enforced by the employees of ESA. We got it clarified this morning that all the teachers and school leaders will be employees of ESA. So, what by-laws will be created and what powers can be envisaged? Our solicitor in England talked about one case and said that it could grant powers of arrest for trespass, which you do not normally have. If someone trespasses on your land, you cannot arrest them. You can maybe ask them to leave by the nearest exit but you cannot actually arrest them. So, will there be a requirement on head teachers, school leaders, teachers and other staff of ESA to deploy these by-laws, and what are all the implications of this?

I would like, Chair, if someone in your position could clarify somewhere along the line what sort of by-laws are envisaged and what that may mean. Maybe it is innocuous but it could be frightening.

The Chairperson: Could we just clarify, Aidan: is it clause 13?

Mr Dolan: No, I believe it is clause 16. I made a typographical error.

Mr Lunn: It is clause 16(5).

Mr Dolan: Yes, that is what I thought. I apologise: in my paper, it is clause 13(5) and (6). It should be clause 16 subsections (5) and (6). Clause 16(5) states:

"ESA may from time to time make bye-laws".

Clause 16(6)(b) then refers to the people who can enforce them, stating that it can:

"authorise such persons ... after due warning to remove ... a person".

Nobody seems to have raised that point, maybe because there is no need to, but it caused us some concern.

My final substantial point is about clause 38. The Committee may well see this as a semantic argument, but that clause requires boards of governors to promote:

"high standards of educational attainment".

Well, maybe we are very pedantic — we are teachers — and this is just about the word "attainment" rather than the word "achievement". If you Google them, you will find that there is quite a debate across the western world about those words and what they mean.

To explain attainment, let us imagine that I put up a high jump in this room but do not ask anyone anything about themselves, their gender, their age or their ability, and then ask to see who can clear the high jump. I am not taking any account of context. To the layman, "achievement" sounds like the same word, and in many documents, they are used interspersed. However, in the educational and academic world, the word "achievement" will take some account of context. I am only making a suggestion that the word "attainment" should be changed to "achievement" to take some account of the context of a situation.

My final point is about membership of ESA. We agree with the Northern Ireland Teachers' Council (NITC) — we are members of NITC — about the role of sectoral bodies. However, although there are sectoral bodies, it is, perhaps, a bit unfair to them not to have representation on the ESA board. The maintained and controlled sectors each have four representatives, which seems like a bit of a carve-up between the large powers, leaving the smaller Baltic states without a voice. That is what we would like to present to the Committee.

The Chairperson: Thank you, Aidan. Clare, do you want to comment at this stage, or are you happy to come in later?

Mrs Majury: I just wanted to clarify one point about attainment versus achievement. This has been raised by our colleagues in the special schools sector. There are children who enter a special school achieving level 1 and leave the school still at attainment level 1. That does not mean that there has not been massive achievement. To reflect the needs of all Northern Ireland's children, we need to look carefully at the wording in areas such as that.

The Chairperson: Thank you. Aidan, I want to try to get some practical sense of what you mean on the issue of autonomy, the provision or acquisition of services and the professional judgement of a teacher in a school. We have a situation that goes back to the ill-fated, ongoing issue of computer-based assessment.

Millions of pounds have been spent by the Department, Classroom 2000 and the Council for the Curriculum, Examinations and Assessment (CCEA), three organisations which are interrelated because one is to do with the technical aspect of getting it into the school while the others are to do with the actual product, whether it is the Northern Ireland literacy assessment or the Northern Ireland numeracy assessment. There are two organisations and two private companies, and there was a contract and all of that.

We went to a school last week and spoke to the principal. He said that that was fine, but that he had spent £2,500 of the school's budget on an off-the-shelf product that gave him far better, more accurate information. However, there is a piece of legislation that says that he must do blah, blah, blah. Is that the very type of problem that you see being institutionalised —

Mr Dolan: Yes, absolutely.

Mrs Majury: Yes.

The Chairperson: So you end up with ESA being seen, and it would have the wisdom as to what needs to be the particular — let us move it away from the pupil in this case and concentrate a wee bit on the teacher. So ESA in its wisdom decides that teachers, for the advancement of their profession, need a professional qualification, so it will procure a particular service for those teachers. As a former principal, Aidan, you or Clare or whoever might say that you want to send your teacher on that course, but in your heart of hearts you know that it is as useless as the proverbial chocolate fireguard. Is that the risk that you see?

Mr Dolan: Absolutely. You have summed it up very well, Chairman. What you referred to there was the National Foundation for Educational Research (NFER) assessments. We have been saying all along that we did not want to stray into computer-based assessments from the start. Mr Lunn asked earlier whether teachers had ever been asked their views about that. All the unions have been sitting in meetings — meetings but maybe no meetings — in the same room with CCEA and saying the points right from the start about that: that it would not work. Our association carried out a survey of its members on this. Every single school used NFER because they believed in it. Many of them said that it differed from the old interactive computerised assessment system. That was the same problem. Now they use computer-based assessments and it probably was not fit for purpose.

So the point you make in relation to this is the same thing. The schools know what they want here. Computer-based assessment is supposed to be a diagnostic test that tells you how the child is moving forward. Great: you want to know that as a teacher. That is why we do NFER assessments. If NFER assessments did not do it, they would buy something else. We want to do the same with training. They say, "We have a school development plan which we want to implement that and make a success, and we need specific things to do that."

It cannot come from the top down. The word "Stalinist" was used earlier. That was the way it was. I used to call it in the old days "table d'hôte", but we wanted an à la carte menu. I think that I said that on some other occasion to this Committee some years back. That is what you need for training: an à la carte approach. You go in and pick to suit your own needs, rather than having a set menu.

Otherwise, you are sending teachers out. I have done that. You let the teacher out, you had a sub and got it paid for, and, in a way, to some degree, it was a jolly. The impact back in the school was minimal or maybe non-existent.

The Chairperson: Is there a risk that we will end up having a very expensive cartel? You have ESA on the one hand and CCEA on the other. Look at what is going on. There is an attempt to make sure that CCEA — and I have never been a great cheerleader for CCEA. It has had a bloated bureaucracy over the past number of years, which, I think, has been scandalous in the way that it has just grown and grown. I do not mind an organisation growing if it is producing goods, but there is a question mark around some of that. However, it does some very good work, so I will clarify that. It does excellent work in some areas.

However, you could now end up with a situation where CCEA becomes the provider of all those services. Maybe the regional training unit is thrown in there as well. Lo and behold, whose responsibility are they under? They are under the Department. So you have the Department having its hand on CCEA, the regional training unit and ESA. So it is able to very easily manipulate and ensure that those large, monolithic organisations are directing how we educate, train and procure services. And the schools are just basically at the end of the chain, saying, "There is nothing else we can do; we will just have to accept it, because we do not have the power to go beyond that remit."

Mr Dolan: Nor the money

The Chairperson: Nor the money.

Mr Dolan: It is the money. The golden rule is: he who has the money makes the rules. That is what will apply here. Whoever gets the money for this will be able to control it. Our argument is that it should go into the school.

Mrs Majury: I think that the point is that, probably because of the financial cuts, there has been an absence of training. The curriculum, advisory and support service has been stripped back and the regional training unit (RTU) has had 50% cuts. So schools have had to be more proactive. That is tied in with self-evaluation. What we are getting now is schools that are thinking outside of the box and getting bespoke training that absolutely suits their staff, children and communities. To go back to something that is terribly prescribed seems, to me, like a backward step. We cannot guarantee that such training is going to be of the quality that schools need and be value for money.

The Chairperson: Just on the point of funding, what is the current situation in relation to the budget for the school? That may be something that we will have to look at in relation to the review of the common funding formula. Here comes the cynic in me again: it is no coincidence that alongside all of this, we have a review of the common funding formula because you have to align rationalisation in the state and administration with how you divvy money out. Is an allocation given under the current formula for that type of work?

Mr Dolan: No. The formula is largely driven by pupil numbers, the floor area, and so on, and we talked about insurance. There is nothing to earmark a staff development budget in a school, but any good school will take some of that and fire it into the area of staff development. Largely, the £20 million or £30 million that CASS was costing was held centrally, and you could not influence that or have any control over it.

You are right: there is a centralising model in what you described, and we want to ensure that if we are to have the autonomy, it is more than lip service. Autonomy came in with the Education Reform (Northern Ireland) Order 1989 and has developed since, but it is sometimes more in lip service than reality. About 60% or 62% of the Northern Ireland budget comes into schools. In England and Wales, that is up at about 80% or 90%, and staff development is delegated, in a lot of local areas, to the schools. We do not do that here. Only 60% of the actual cash arrives in schools, and 40% is retained centrally.

The Chairperson: There is an ongoing issue, and we have tried, not very successfully, to get to a place where we can see clearly what is a delegated budget. There is a continual dispute. I have seen figures this week that claim, or certainly make an argument, that there is a very lucrative and healthy slush fund sitting at the heart of the Department. It seems that when the Department wants to do anything, money appears all of a sudden, and then when you start to find out where it was originally in the budget, you wonder. So there is a question mark around all of that. However, by making all those changes, I still cannot get somebody to tell us, for example, that it will increase the delegated budget to schools by 5%. They can tell us what will be taken out as a result of the creation of ESA and that we will save £15 million or £20 million, but we cannot see where it will go back in, and that increases the disparity between where we and other jurisdictions are at.

I have one other query on the issue of the difference between "attainment" and "achievement" in clause 38. One of your colleagues, in its submission, said that the amendment should be made to give legislative cover to boards of governors to contextualise policy and administrative directive in line with local circumstances. That was the Irish National Teachers' Organisation. Your paper raises that issue. If you do that, is there a risk that it would become a charter for schools to excuse poor performance? I understand what is being said, because you cannot just go in — it is back to the high-jump scenario — and blandly say, "This is the standard and, if you do not meet that standard, you are failing", because there may be other elements, such as a very high percentage of special needs in a school. If you have not put the adequate resource into that school to help the teachers ensure that everything is being done, there is a risk that that will have — and it clearly has in some schools — a knock-on effect on outcomes. That is one element. The other element is: have we been able to satisfy ourselves that setting five GCSEs from A* to C is the sacrosanct measure that everybody should be judged against? Trevor and other members of the Committee have gone round this one on a number of occasions in relation to the added value and how it is measured. That is what worries us around where we go with some of these things.

Mr Dolan: Those are valid points, but it is not about a charter. We are not looking at any charter so that a school can hide its failure. We want a fair and level playing field, not comparing schools in very different circumstances. You see in the media, for example, that although we do not, in theory, have league tables, the papers tend to create league tables and not take account of context. It can be very demoralising to some schools that are doing excellent work, just as good as other work, but the league table will indicate that there are these schools — they use the word "top" about them, and so on, in the paper.

A school could have a deprived level of special educational needs and other factors. We are not looking at that not being inspected or promoted; we are not against the board of governors promoting high standards. What else would a board of governors be there to do, really, but to make sure that the school is a good school? I am not opposed to that, but just to make it fair and level.

The Chairperson: Some of those journalists are present today, so it is a good opportunity for you to have a word with them. I know they were listening. *[Laughter.]*

Mr Dolan: It was kind of tongue in cheek.

The Chairperson: What always worries me or intrigues me is — and I have gone to schools that have high levels. The previous Committee did an inquiry into successful post-primary schools, and we deliberately chose those schools that had above 20% of pupils on free school meals. Yet in those schools, we found some outstanding examples of very good schools. So, in a sense, it can be done.

I am interested in what was said by a number of contributors, and we will need to do more work in our own minds around the definition. Definitions in Northern Ireland or any jurisdiction will determine people's attitudes and actions. Whether it is "attainment" or "achievement" could have a real implication for boards of governors or the general well-being of the education system. So, thanks for that.

Mr Kinahan: Thank you very much, and I am sorry to have missed the beginning, but I read what was there. I want to ask a similar question to the one I asked previously. You commented on the make-up of the board, and here you are talking about voluntary grammar schools, grant maintained and Irish. Will you comment more on the different ways you feel the board should have been made up?

Mrs Majury: Again, we would very much follow the NITC view. The board is vital for moving ESA forward, and what it needs is more educationalists. I completely agree with Gerry that we could look at reducing the number of trustees and transferors and put in more people from schools and education who work on the ground with the children and communities. They are the ones who are best placed to inform how ESA goes forward. Of course, Northern Ireland is Northern Ireland and all sectors have to be represented. If we can actually do that through the schools, it is possibly a better way of doing it.

Mr Lunn: On the question of attainment/achievement, what the clause actually says is that the board of governors should promote:

"the achievement of high standards of ... attainment".

It seems to me that if that was the other way around, it would make more sense. If it said that it should be promoting the attainment of high standards of educational achievement, maybe that would satisfy everybody, but that is for another day.

Clause 16 paragraphs (5) and (6) refer to only the use and management of the school grounds and property. They are very specific in what they refer to. The bit you are concerned about is the enforcement of by-laws. I can clearly understand why a school, or ESA in this case, should be able to apply by-laws to the use of school property. I am thinking of people playing golf on the playing fields, for instance, or the use of alcohol. There is a whole range of stuff. Councils cannot do that on private property, so somebody has to be able to do it. Do you not think you are getting over-excited about that?

Mr Dolan: No. All I pointed out was that no one has raised the issue elsewhere. We are unclear. I took advice from our solicitor, but I did not get much clarity there either. It may be to keep the dogs off the football pitches, and we will arrest the dogs, you know? It may extend to more than that. I would just like a commentary on that from somewhere, but I have not had it.

Mr Lunn: We have the right man here today. He will talk to us about that shortly.

The first item in your paper is about encouraging and facilitating various types of school. Obviously, I agree with you about the integrated sector. Chris has already told us that the same wording is already in the 1989 order, so it does not need to be changed. Some of us may think that it would not be a bad idea if it was just brought up to date anyway to promote a sort of equality. Why do you think that faith schools and, by implication, controlled schools need to be encouraged and facilitated?

Mr Dolan: It is about the idea of a level playing field for all our schools. The Department has a duty to encourage and facilitate some sectors but not others, and that strikes us as unfair.

Mr Lunn: Those are new sectors; they were created fairly recently, in modern times. That wording, I imagine, was put in at the time they were created, for a very good reason. Frankly — I will not speak for the Irish-medium sector — the Department has signally failed over the years to carry out that requirement for the integrated sector. I cannot quite see the equality between controlled schools, faith schools and those two minor sectors.

Mr Dolan: I am just putting it in the context of parent choice. That is where I see the equality issue arising. I am fully aware of why it was in the 1989 order and why this is here. It would not be fair to create a system in which other schools — I have referred there to faith schools — are in some way lesser or are deprived in some way.

I was a principal of an integrated school, although I am not wearing that hat today, and I know that article 64 was not worth the paper it was written on. This may well not be worth the paper it is written on either. Will it get as much attention as article 64 of the 1989 order got? It threw some money to the Northern Ireland Council for Integrated Education, and that was that.

Mr Lunn: Yes, well, I am delighted to hear those words.

Mr Dolan: That was probably a very personal point of view.

Mr Lunn: It is in the Hansard report.

It is not in your paper, but there was considerable discussion earlier about the role of the Education and Training Inspectorate (ETI). Do you have a view on that? Do you think that it is heavy-handed, or do you think that the Scottish model has merit? Should we be learning from other jurisdictions?

Mrs Majury: NAHT is trying very hard to establish a new working relationship with the inspectorate. An inspection system should be something that celebrates excellence and addresses concerns. However, in recent years, the inspectorate has lost its supportive side. A visit from the district inspector used to entail a chat about what you were doing, and they gave you suggestions about to take ideas forward and, because of their vast experience, other schools that were doing something that you were trying to do very well and that you could maybe link in with. That side of the inspectorate has been lost, and we are keen to get that back.

That is included in the Scottish model. We want to bring more support into the system. Of course there has to be accountability, which is absolutely central. However, with accountability, there has to be some degree of support. The inspectorate goes into all our schools, so it has a great oversight of what is going on in Northern Ireland and can point schools in the right direction when they need that little bit of guidance. At the moment, that is sadly missing.

Mr Lunn: That is fair enough. I cannot express scepticism about what Gerry and John said about the inspectorate and, at the same time, not listen to the views of teachers, which is what I was explaining earlier on. I cannot have it both ways. Chairman, we maybe need to have a closer look at the role of the inspectorate and what is in the Bill as a major point for discussion.

Mr Dolan: I agree entirely.

The Chairperson: In relation to the point that you made about the 1989 order not being properly fit for purpose in relation to integrated schools. It has had the intended consequence of creating a disparity in the funding mechanism that is used, and there is a clear inequality. Let us take it out of the integrated sector, but a sector or educational system has access to funding, because it happens to be a particular type of school, which is not open to other types of school. In my constituency, that is a bugbear of other schools that see a particular school having access to funding that ends up, in transport terms, with children being brought from a wide area to that school, and an access restriction is then placed on them. The integrated sector will say that that is because it is the nearest school that it has, particularly if it is a post-primary school. However, you could still argue that there is an issue. I would love to see whether this playing field exists, because I doubt whether it ever was made. We all talk about a level playing field, and every one of us goes away and has our own pitch and say that we will play on this pitch but we also want to make sure that there is a level playing field for everybody.

Mr Lunn: It is parental choice, Chairman.

The Chairperson: If it is to be parental choice, everybody surely needs to be on the same level.

Mr Lunn: It is about a shared future and cohesion, sharing and integration. The way forward.

The Chairperson: I was actually asking Aidan, but I appreciate your comments, Trevor. *[Laughter.]*

Mr Dolan: It is about parental choice. If something in this continues to create a lack of levelness, that is not fair, whether it is about representation on the board of ESA or in particular ways of encouragement. We have leaders in all sectors, and our members' point of view is that we support parental choice.

Mr Rogers: You are very welcome. I declare an interest as a former member of NAHT. We are not only on different pitches, but, at times, we play to different rules. ESA came around to create a more efficient and effective schools system and to raise standards. Gerry used the words "command and control" earlier, and that will not do anything to raise standards, thinking particularly of the leadership. In a recent inspection report, ETI talked about the problem of a lack of self-monitoring and evaluation

being embedded in schools. We know that, to enhance and develop leadership, that needs to be embedded in the classroom, in the Department and at school level. Are we saying that what we see at the minute in ESA is restricting the role of good leaders in raising standards?

Mr Dolan: I really hope not, Sean. That would be such a disappointment. We have been assured again and again by people in the ESA implementation team and the Department that the point is to free up schools, to increase autonomy and to allow schools to take charge of their own affairs more than they have done. The self-evaluated model is at the heart of that, where a school will look at its own strengths and weaknesses and identify a plan and a way forward. Nearly everybody is in agreement about that. The training, which is crucial to that self-evaluated model, seems to be a command-and-control approach and runs counter to what the permanent secretary and the chief executive designate of ESA say, which is that it is to maximise autonomy and accountability. We support that model and, if something in the Bill runs counter to that, it needs to be taken out.

Mr Rogers: Do you believe that RTU's role will be enhanced as part of this new ESA body?

Mr Dolan: Enhanced? We are back to semantics. Let us hope so. It needs to be better in some areas. In some of the RTU programmes, such as the professional qualifications for headship of a school, a lot of support comes from the people who have done it. The key point from our association is that it needs to be bottom-up and not top-down; not some group of former people, who are now removed and at a distance from schools, but people who are serving in schools who can say what menu should be available to schools, and so on. Does that answer your question, Sean?

Mr Rogers: Yes. I like the idea of bringing current leaders and teachers into the process, so they are more actively involved in what is going on.

Mr Dolan: We have been saying that for a long time, and not only in the training end of education, but in the inspectorate. There is a big point there. In both areas of training, CASS and RTU, associate heads used to come in and that seemed to work. However, we looked through the inspectorate and there is a dearth of management experience in the membership of the inspectorate, and then they are there for a long time as well. So the same model can apply to both. The point is that there should be a turnover of people. They can go out, do a number of years as an inspector, go back into school, go out and do a number of years as a trainer and then go back into school again. They could revolve like that, rather than have the current system, which makes you wonder whether they have no reality at all. Have they been in schools lately?

Chair, you mentioned going out to look, going out last week and going out again. That is exactly what is needed. Mr Lunn mentioned getting the views of teachers. Clare has mentioned that as well. You need to seek the views of teachers and the schools. We want schools to be good, and we do not want to be making charters for underachievement. We love and support our schools and we want them to be the very best that they can be. I do not know a head teacher in the land who is not like that. There may be a few, but there are not many. We are driven with a passion; it is a vocation. Let us bring that passion and vocation to these processes, rather than sort of feel that we do not know and that this has to be imposed upon us.

Mr Rogers: You are also saying "Give us some flexibility".

Mr Dolan: Local flexibility is in that.

Miss M McIlveen: I preface my remarks by declaring an interest, in that I sit on the boards of governors of two primary schools. As head teachers, you obviously work very closely with your boards of governors and there is a lot of discussion about increasing the accountability of boards of governors in relation to attainment, as you have discussed. Do you think that that will cause a problem in the relationship between governors and staff?

Mrs Majury: Not so much between governors and staff, because in schools where governance works well — and I speak as head of one of those schools; I would be absolutely lost without my governors and they are excellent — the relationship is good.

I think that the problem lies with governors, and governors in the future. You cannot forget that they are lay people and that they give their time freely. As a governor, you know that there can be an awful lot of work involved. If we increase the responsibility and accountability of boards of governors, we

are going to find it very hard to get governors in the future. We need to acknowledge that governors play a vital role in our schools. We need to keep them, but we need to make the system workable. Also, from the school's point of view, it can sometimes be very difficult if governors do not avail themselves of training. Training is offered to them, but one has no way of saying that they have to go. That creates all sorts of issues when you look at increasing the responsibility of boards of governors. I think that they have huge responsibilities as it is.

Miss M McIlveen: Should training be made mandatory?

Mrs Majury: It is very hard to make something mandatory for a voluntary position.

Miss M McIlveen: Given the level of responsibility that a board of governors has, should mandatory training not be a part of that role?

Mr Dolan: We do not have a particular view on that, and we can only give you our opinion. In things like employment, where there are huge responsibilities, or the dismissal of staff, the idea that a volunteer, amateurish group would make those decisions is difficult. You need to be trained in fair employment law. In fact, if you go to a tribunal, are asked whether you have received any training and you say "no", you will probably have lost already.

Mrs Majury: Also, if you are requiring governors to go to something that is mandatory, will you then have to move towards paying governors? There is a limit to how much you can ask someone to do in their free time. Governors should absolutely be trained, but it varies from board to board and from school to school.

Mr Dolan: The chair of ESA is going to be paid something like £33,000 a year, and there is a board; I think there are payments. Chair, you would probably know better than me how whether there are payments for the board members of ESA. Will that eventually extend to schools? You would not want the budget to be dissipated in that way.

There are big tensions in increasing the roles of governors. To take the example of fair employment, governors need to be trained. You cannot have amateurs doing that. Governors are well meaning and well intentioned, which is good. However, they need to know the law. Child protection is another one. You could not have them not knowing the requirements, their own position, the Nolan principles, and so on. You declared an interest at the start of your point. You knew to do that, but a governor may or may not know that. They need to be trained on even that little point to make sure that they declare an interest if one should arise.

Mrs Majury: I am also a governor, and it is a difficult job. I am speaking as someone who came from education and then became a governor in another school. If you come from outside education with a different skill set, it can be difficult to fully grasp what schools do.

Miss M McIlveen: In saying that, diversity on a board of governors is, obviously, incredibly valuable.

Mrs Majury: Of course. My governors are very diverse, and I have governors with legal experience and economists. That really enhances what we do in our school, and that would be the same in most schools.

The Chairperson: Thank you. There are no other questions. I appreciate your time, your presentation and the paper you submitted to us. You raised a number of issues about clause 51, for example, which deals with the functions of CCEA. We will have to look at those points when we look at CCEA and the inspectorate in the Bill. For the meantime, Aidan and Clare, thank you very much. No doubt, we will have further discussions in the future.